

The Regular Meeting of the West Milford Township Council was called to order by Mayor Joseph DiDonato.

Mayor DiDonato advised that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this regular meeting was advertised in the Aim Community News in its issues of December 14, 2003 and December 21, 2003; copies were provided to the Record, North Jersey Herald & News, Greenwood Lake News and Suburban Trends and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

**Pledge of Allegiance**

**Invocation**

**Roll Call**

Present: Township Councilmen Joseph Elcavage, Dennis Kirwan, Patricia Lotz-Moore, Carmelo Scangarello, and Mayor Joseph DiDonato.

Absent: Councilmen Paul Bailey and William Gervens.

Also Present: Acting Township Administrator Kevin J. Byrnes, and Township Attorney William DeMarco.

**Reading of or Approval of Unapproved Minutes**

None.

**Bids & Awards**

Township Administrator Kevin J. Byrnes advised that the bids received for the Disposal of Type 10 & Type 13 Solid Waste are still being reviewed.

**Proclamations**

Older Adults - Richard and Diane Wirth

**Presentations**

None.

**Unfinished Business, Final Passage of Ordinances**

Township Administrator Kevin J. Byrnes advised that Agenda Item E1, Map Ordinance and Agenda Item E2, Ordinance Establishing the Administrative Code for the Township of West Milford - Chapter 2 are scheduled for adoption at the June 2, 2004 Regular Council Meeting.

**New Business, Introduction of Ordinances, Resolutions**

The Mayor and Township Council proceeded to take action on the following resolutions and ordinances:

Agenda No. F 1













Pursuant to the facts as stated therein, I respectfully request the adoption of the following resolution:

**WHEREAS**, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective lien, and

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers be and they are hereby authorized and directed to pay the indicated amount to the holder of the lien certificate as hereinafter shown below:

For the Received From	Redemption of Lien Cert. #	Date of Sale	Block/Lot	Pay to the Amount	Lienholder
Phines Black C/O Agt/Sass Washington Mutual	04-003	4-05-04	207-010	\$ 3,536.36	Wachovia Coll Premium Muni IV \$ 6,700.00 123 South Broad Street PA 1328S Tax Lien Services Group Philadelphia, PA 19109
Edward Evans, Atty.	04-015	4-05-04	2003-007	\$ 1,115.32	DCAGC Management Corp. Premium 71 Catskill Court \$ 100.00 Belle Mead, New Jersey 08502
Higgins & Walker	04-022	4-05-04	2405-011	\$ 1,621.74	Wachovia -Cust For Phoenix Fund Premium Tax Lien Services Group \$ 4,000.00 123 South Broad Street, PA 1328P Philadelphia, PA. 19109
Albert Luongo	04-028	4-05-04	2708-001	\$ 146.95	Betty Ann Cofone 1614-133 Union Valley Road West Milford, New Jersey 07480
Mark Barish	04-032	4-05-04	3503-014	\$ 277.70	DCAGC Management Corporation Premium 71 Catskill Court \$ 100.00 Belle Mead, New Jersey 08502
Today's Title Insurance	04-040	4-05-04	4902-007	\$ 1,637.42	Wachovia-Coll Agt/Sass Premium Muni IV \$35,000.00 123 S. Broad Street PA

1328S  
Tax Lien Services Group  
Philadelphia, PA 19109

J. N. Properties 04-046 4-05-04 6605-024 \$ 1,735.78 Pam Investors  
Premium C/O Pat Carabellese  
\$ 4,000.00 127 So. Washington Ave  
Bergenfield, New Jersey  
07621

Daniel Krantz 04-053 4-05-04 7801-49.08 \$ 8,709.69 Wachovia-Coll Agt/Sass  
Premium Muni IV  
\$ 9,900.00 123 S. Broad Street PA  
1328S  
Tax Lien Services Group  
Philadelphia, PA 19109

For the  
Received Redemption of Date Pay to the  
From Lien Cert. # of Sale Block/Lot Amount Lienholder

Gustav Kohle 04-063 4-05-04 9901-039 \$ 99.66 Mooring Tax Asset Group  
Corp. Premium LLC  
\$ 8,100.00 8614 Westwood Center Dr  
Suite 650  
Vienna, Virginia 22182

J. N. 04-074 4-05-04 12211-008 \$ 1,412.70 Michael Mastellone  
Properties Premium P.O. Box 109  
\$ 3,300.00 Cedar Knolls, New  
Jersey 07927

Citi Financial 04-084 4-05-04 13810-003 \$ 3,516.55 Wachovia Cust for  
Phoenix Fund  
Premium Tax Lien Services Group  
\$ 3,200.00 123 South Broad Street  
PA 1328P  
Philadelphia, PA 19109

Danielle 04-089 4-05-04 15602-06 \$ 2,683.86 American Tax Funding  
Geraghty Premium LLC  
\$ 9,500.00 P.O. Box 862658  
Orlando, Florida 32886

M. & B. 04-091 4-05-04 16001-001 \$ 211.49 Edward J. Galbierczyk  
Associates 329 Cross Street  
Lakewood, New Jersey  
08701

M. & B. 04-093 4-05-04 16605-025 \$ 1,768.47 Brenda Melstein  
Associates 227 Bearfort Road  
West Milford, New  
Jersey 07480

Angelo 02-094 4-08-02 16808-006 \$28,154.54 Crusader Servicing Corp  
 Buonforte Premium 179 Washington Lane  
 \$ 6,000.00 Jenkintown, PA 19046

**TOTAL \$146,528.23**

Adopted: May 19, 2004

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 Agenda No. **G1 c**  
 RESOLUTION NO. 2004 - 154

**RESOLUTION AUTHORIZING CANCELLATION OF TAX and TAX TITLE LIEN CERTIFICATES**

**WHEREAS**, there appears on the tax records balances as listed below; and

**WHEREAS**, the Collector of Taxes recommends the cancellation of taxes due to reasons listed below;

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers be and they are hereby authorized and directed to cancel as hereafter listed below:

REASON

1. Property Foreclosed by the Township of West Milford

| BLOCK & LOT<br>AMOUNT | PROPERTY ADDRESS | TAX TITLE  | TAX TITLE | CERTIFICATE<br>NUMBER |
|-----------------------|------------------|------------|-----------|-----------------------|
|                       |                  | TAX AMOUNT | 2004 1/2  |                       |

|        |                |          |        |          |
|--------|----------------|----------|--------|----------|
| 101-6  | Banker Road    | \$640.00 | 92-1   | \$792.49 |
| 202-35 | Goldfinch Lane | 6.00     | 00-002 | 27.00    |
| 207-9  | Lookover Drive | 76.00    | 00-003 | 84.56    |
| 906-2  | Florence Road  | 74.00    | 00-011 | 48.08    |

| BLOCK & LOT<br>AMOUNT | PROPERTY ADDRESS | TAX TITLE  | TAX TITLE | CERTIFICATE<br>NUMBER |
|-----------------------|------------------|------------|-----------|-----------------------|
|                       |                  | TAX AMOUNT | 2004 1/2  |                       |

|         |                |        |        |        |
|---------|----------------|--------|--------|--------|
| 906-14  | Florence Road  | 146.00 | 74-39  | 61.38  |
|         |                | 99-013 | 139.38 |        |
| 1005-13 | Princeton Road | 144.00 | 90-8   | 775.60 |
|         |                | 92-23  | 785.01 |        |
|         |                | 93-32  | 452.95 |        |
|         |                | 94-11  | 225.20 |        |
| 1001-18 | Banker Road    | 126.00 | 92-21  | 212.06 |
|         |                | 93-28  | 227.36 |        |

|               |                    |                   |                    |          |
|---------------|--------------------|-------------------|--------------------|----------|
|               |                    | 94-9              | 194.55             |          |
|               |                    | 99-014            | 176.08             |          |
| 1001-39       | Warwick Tpke.      | 144.00            | 74-38              | 58.26    |
|               |                    | 99-016            | 137.48             |          |
| 1006-6        | Princeton Road     | 296.00            | 86-14              | 68.79    |
|               |                    | 99-021            | 267.60             |          |
| 1901-3        | Bayonne Drive      | 64.00             | 79-11              | 31.82    |
| 2311-8        | Gladstone Road     | 62.00             | 92-49              | 4,254.26 |
| 2606-16       | Point Breeze Drive | 54.00             | 65-01              | 26.93    |
|               |                    | 65-07             | 21.86              |          |
|               |                    | 66-02             | 21.92              |          |
|               |                    | 71-09             | 33.71              |          |
|               |                    | 76-6              | 46.37              |          |
| 2710-7        | Mapleshade Road    | 90.00             | 76-36              | 87.74    |
| 4701-62       | West Brook Road    | 110.00            | 90-61              | 37.87    |
|               |                    | 91-88             | 150.24             |          |
| 6803-12       | Union Valley Road  | 40.00             | 89-74              | 56.00    |
| 11001-3       | Joseph Place       | 1,010.00          | 90-98              | 1,137.08 |
| 11202-1.01    | Joseph Place       | 614.00            | 90-102             | 856.31   |
| 11202-1.02    | Larsen Drive       | 480.00            | 90-103             | 671.97   |
| 11202-1.03    | Joseph Place       | 494.00            | 90-104             | 688.75   |
| 11202-11      | Larsen Drive       | 480.00            | 90-105             | 668.97   |
| 11302-41      | Joseph Place       | 528.00            | 90-106             | 1,067.30 |
| 12304-10      | 32 East Park Drive | 2,156.00          | 82-64              | 940.71   |
| 13808-3       | Mayflower Avenue   | 54.00             | 88-52              | 71.92    |
|               |                    | 89-115            | 69.67              |          |
| 13810-7       | Walker Avenue      | 56.00             | 86-55              | 71.07    |
| 13812-14      | Germantown Road    | 50.00             | 93-214             | 32.38    |
| <b>TOTALS</b> |                    | <b>\$7,994.00</b> | <b>\$15,778.68</b> |          |

Adopted: May 19, 2004

**RESOLUTION AUTHORIZING REFUND OF OVERPAYMENTS**

**WHEREAS**, there appears on the tax records overpayments as shown below;  
and

**WHEREAS**, the overpayments were created by reasons stated below and the Collector of Taxes recommends the refund of such overpayments; and

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayments as shown below:

- REASONS: 1. Incorrect Payment                      4. Homestead Rebate  
          2. Duplicate Payment                        5. Tax Appeal  
          3. Senior Citizen/Veteran Deduction 6. MUA Tax Sale Payment

| <b>Block/LotName</b>                                                            | <b>Amount</b>      | <b>Year</b> | <b>Reason</b> |
|---------------------------------------------------------------------------------|--------------------|-------------|---------------|
| 7801-52.02 West Milford MUA<br>1480 Union Valley Road<br>West Milford, NJ 07480 | \$ 1,088.53        | 2003        | 6             |
| 8703-9 West Milford MUA<br>1480 Union Valley Road<br>West Milford, NJ 07480     | 1,597.11           | 2003        | 6             |
| 8802-50 West Milford MUA<br>1480 Union Valley Road<br>West Milford, NJ 07480    | 1,394.61           | 2003        | 6             |
| 8702-4 West Milford MUA<br>1480 Union Valley Road<br>West Milford, NJ 07480     | 1,154.27           | 2003        | 6             |
| 9710-5 West Milford MUA<br>1480 Union Valley Road<br>West Milford, NJ 07480     | 1,501.61           | 2003        | 6             |
| <b>TOTAL</b>                                                                    | <b>\$ 6,736.13</b> |             |               |

Adopted: May 19, 2004

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Agenda No. **G1 e**  
RESOLUTION NO. 2004 - 156

**RESOLUTION AUTHORIZING REFUND OF ESCROW MONIES**

**RESOLVED**, that upon the report and request of the Township's Planning Director the following Escrow monies be refunded:

Name & Address                      App. No.      Escrow Amount      Amount Refunded

Thomas A. Celano      0110-1933    \$ 750.00  
61 Timber Lane      0140-0545    \$ 550.00    \$ 846.50  
Newfoundland, NJ 07435

Adopted: May 19, 2004

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Agenda No. **G1 f**  
RESOLUTION NO. 2004 - 157

**RESOLUTION AUTHORIZING REFUND OF ESCROW MONIES**

**RESOLVED**, that upon the report and request of the Township's Planning Director the following Escrow monies be refunded:

| <u>Name &amp; Address</u>                                     | <u>App. No.</u> | <u>Escrow Amount</u> | <u>Amount Refunded</u> |
|---------------------------------------------------------------|-----------------|----------------------|------------------------|
| Jean M. Castagna<br>24 Orchard Lane<br>West Milford, NJ 07480 | 0330-0640       | \$ 750.00            | \$ 171.90              |

Adopted: May 19, 2004

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Agenda No. **G1 g**  
RESOLUTION NO. 2004 - 158

**RESOLUTION AUTHORIZING REFUND OF ESCROW MONIES**

**RESOLVED**, that upon the report and request of the Township's Planning Director the following Escrow monies be refunded:

<u>Name &amp; Address</u>	<u>App. No.</u>	<u>Escrow Amount</u>	<u>Amount Refunded</u>
Elaine Cornelissen 11 Locust Court West Milford, NJ 07480	0330-0642	\$ 750.00	\$ 449.33

Adopted: May 19, 2004

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**Approval of Expenditures**

Agenda No. **H 1**  
RESOLUTION NO. 2004 - 159

**RESOLUTION APPROVING THE PAYMENT OF BILLS**

**WHEREAS**, the Township Treasurer has submitted to the members of the Mayor and Township Council a report listing individual disbursement checks prepared by his office in payment of amounts due by the Township.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Treasurer's report of checks prepared by him be approved and issued as follows:

Acct. ID #

|    |                                     |                      |
|----|-------------------------------------|----------------------|
| 01 | Current Account .....               | \$ 109,695.38        |
| 02 | Reserve .....                       | \$ 9,101.75          |
| 03 | Dog Tax .....                       | \$ 0.00              |
| 04 | Recycling .....                     | \$ 0.00              |
| 05 | Recreation .....                    | \$ 0.00              |
| 06 | Capital .....                       | \$ 7,330.00          |
| 07 | Grants .....                        | \$ 2,726.78          |
| 08 | Refuse .....                        | \$ 121,258.39        |
| 09 | Refunds.....                        | \$ 153,434.36        |
| 10 | Neighborhood Preservation .....     | \$ 0.00              |
| 12 | General Ledger .....                | \$ 0.00              |
| 16 | Heritage Trust .....                | \$ 0.00              |
|    | Open Space Trust .....              | \$ 0.00              |
| 17 | Trust .....                         | \$ 250.00            |
| 18 | Development Escrow .....            | \$ 771.23            |
| 19 | LOSAP .....                         | \$ 0.00              |
| 20 | Special Reserve .....               | \$ 0.00              |
|    | <i>Total</i> .....                  | \$ 404,567.89        |
|    | <i>Less Refund Resolution</i> ..... | - \$ (153,434.36)    |
|    | <i>Actual Bill List</i> .....       | \$ 251,133.53        |
|    | <i>Other Payments</i> .....         | \$ 52,810.00         |
|    | <i>Less Refund Resolution</i> ..... | - \$ (0.00)          |
|    | <b>TOTAL Expenditures.....</b>      | <b>\$ 303,943.53</b> |

Adopted: May 19, 2004

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Moved: Elcavage                      Seconded: Kirwan  
Voted Aye: Elcavage, Kirwan, Lotz-Moore, Scangarello.  
Voted Nay: None.  
Resolution adopted.

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### **Reports of Administrator, Mayor and Members of the Council**

The Members of the Council commented on various Municipal and Government matters pending.

### **Appointments**

None.

### **Presentations of Communications, Petitions**

None.

### **Petitions & Requests of Public**



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KEVIN J. BYRNES  
TOWNSHIP CLERK