

The Workshop Meeting of the West Milford Township Council was called to order at 7:30 p.m. 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 Workshop meeting was advertised in the Aim Community News in its issues of December 14, 2003 and December 21, 2003; copies were provided to the Suburban Trends, The Record, North Jersey Herald & News, the Star Ledger, and Greenwood Lake News 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**

### **Roll Call**

Present: Councilmembers Paul Bailey, Joseph Elcavage, Dennis Kirwan, Patricia Lotz-Moore, Carmelo Scangarello and Mayor Joseph DiDonato.

Absent: Councilman William Gervens.

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

### **Meetings**

Mayor Joseph DiDonato noted the future meeting schedule:

August 4, 2004 - 7:30 P.M. - Regular Meeting  
August 26, 2004 - 7:30 P.M. - Workshop  
September 1, 2004 - 7:30 P.M. - Regular Meeting  
September 9, 2004 - 7:30 P.M. - Workshop  
September 15, 2004 - 7:30 P.M. - Regular Meeting  
September 30, 2004 - 7:30 P.M. - Workshop

### **Executive Session**

#### **MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 29<sup>th</sup> day of July 2004, that:

1. Prior to the conclusion of this **Workshop Meeting**, the Township Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, subsection (s):

- ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
- ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
- ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.



Sale of Lots 2414/20 and 10503/13 to Freedman and Meyer  
Reaffirm adoption of the Resolution to Amend Budget

The Township Council took action on the Resolution to Amend Budget as follows:

BUDGET AMENDMENT RESOLUTION GOES HERE



Ordinance regarding electronic and digital data  
Bond Ordinance introduction  
Board of Adjustment requirement - Property Sale Ordinance  
Commercial garbage collection Change Order Resolution  
Road resurfacing programs  
Mt. Laurel project  
Township receiving \$90,000 for tax reduction.  
Meeting schedule

Mayor DiDonato asked the Acting Township Administrator if notice has been received that the Township Budget has been approved by the State, and when the Township can expect \$157,000 in state aid funds.

Councilwoman Lotz-Moore asked the Acting Township Administrator if the \$90,000 received by the Township was perhaps targeted for homeland security.

Acting Township Administrator Kevin J. Byrnes stated that his office has not formally been notified that the budget has been approved by the state; and that the \$90,000 received from the state was strictly targeted for tax reduction.

#### **Mayor's Report**

Mayor DiDonato had no report.

#### **Township Council Reports**

The Township Council reported as follows:

Councilman Bailey - no report.

Councilman Elcavage - Requested that the Health Department be instructed to resume testing of Belcher's Creek.

Councilman Kirwan - No report.

Councilwoman Lotz-Moore - Attended a meeting of the Office of Emergency Management where the six fire companies discussed the bids received for the Auto Disconnect Exhaust Systems. Councilwoman Lotz-Moore noted that five of the six companies want to award the bid to Clean Air Company because they feel there may be additional filter maintenance costs with Air Technology company.

Councilman Scangarello - No report.

#### **Township Attorney**

Township Attorney William DeMarco noted a need for an Executive Session.

#### **Township Clerk's Report**

None.

#### **Public Comments**

Mayor Joseph DiDonato opened the meeting to the public who wished to speak on matters of concern.

Several residents addressed the Township Council with matters of concern:

Mt. Laurel

Councilman Elcavage moved to close the Petitions & Requests of Public.

Moved: Elcavage Second: Bailey

Voted Aye: Bailey, Elcavage, Kirwan, Lotz-Moore, Scangarello.

Voted Nay: None.

Motion carried.

### **Executive Session**

#### **MOTION FOR EXECUTIVE SESSION NO. 2**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 29<sup>th</sup> day of July 2004, that:

1. Prior to the conclusion of this **Workshop Meeting**, the Township Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, subsection (s):

- ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
- ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
- ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
- ( ) b. (4) A collective bargaining agreement including negotiations.
- ( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
- ( ) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
- (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling

within the attorney-client privilege.

- ( ) b. (8) Personnel matters.
- ( ) b. (9) Deliberations after a public hearing that may result in penalties.

2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

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

Present: Councilmembers Paul Bailey, Joseph Elcavage, Dennis Kirwan,  
Patricia Lotz-Moore, Carmelo Scangarello, and Mayor Joseph  
DiDonato.

Absent: Councilman William Gervens.

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

Items discussed during the Executive Session were as follows:

Stelmach Tort Notice  
Lower Mount Glen Lake  
Apple Acres  
South Shore Marina

Councilman Bailey moved to adjourn the executive session at 10:40 p.m.  
Moved: Bailey                                      Seconded: Lotz-Moore  
Voted Aye: Bailey, Elcavage, Kirwan, Lotz-Moore, Scangarello.  
Voted Nay: None.  
Executive Session adjourned.

### **Adjournment**

Councilman Bailey moved to adjourn the Workshop meeting at 10:45 p.m.  
Moved: Bailey                                      Seconded: Lotz-Moore  
Voted Aye: Bailey, Elcavage, Kirwan, Lotz-Moore, Scangarello.  
Voted Nay: None.  
Meeting adjourned.

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MAYOR JOSEPH DIDONATO  
PRESIDING OFFICER

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KEVIN J. BYRNES  
TOWNSHIP CLERK