

SIX AUTO DISCONNECT EXHAUST SYSTEMS

WHEREAS, the Township Council has received a tabulation of bids received for the following:

Subject of Bid: Six Auto Disconnect Exhaust Systems
Bid Date Received: June 11, 2004
Time Received: 10:00 A.M.

WHEREAS, the Township Treasurer has certified that funds are available for the proposed expenditure from the following account:

Capital - \$124,835.75

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that contracts are hereby awarded to the low bidder in accordance with specifications and bids received and on file in the Office of the Township Clerk as follows:

Contract Items: Six Auto Exhaust Systems
Bidder Name & Address: Clean Air Company
428 New Brunswick Avenue
Fords, NJ 08863

Total Contract Amount: Not to exceed \$105,092.00
for Fire Companies 1 through 5

New Jersey State Contract
Supplier Name & Address: Air Technology Solutions, Inc.
57 Clearwater Drive
Willingboro, NJ 08046

Total Contract Amount: Not to exceed \$19,743.75
for Fire Company 6

Adopted: August 4, 2004

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

Acting Township Administrator Kevin J. Byrnes reported on the bids received for the Sale of Used Township Vehicles & Equipment on July 16, 2004.

The Township Administrator recommended that the Council award contracts to the high bidders per bid specifications;

The Township Council concurred with the Township Administrator's recommendation and awarded contracts as follows:

**RESOLUTION AWARDING CONTRACTS
FOR USED TOWNSHIP VEHICLES AND EQUIPMENT**

WHEREAS, the Mayor and Township Council have received a tabulation of bids received for the following:

Subject of Bid: Used Township Vehicles and Equipment
Bid Date Received: July 16, 2004
Time Received: 10:00 A.M.

WHEREAS, the Mayor and Township Council have also received a recommendation from the Township Administrator concerning the bids received;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford that contracts are hereby awarded to the high bidders in accordance with specifications and bids received and on file in the Office of the Township Clerk as follows:

Contract Item: Used Township Vehicles and Equipment

Bidder Name & Address: Liberty Motors Inc.
1709 Kennedy Blvd
Jersey City, NJ 07305
ITEMS: NO. 4, 6, 7, 8, 9

Bid Amount: \$5,150.00

Bidder Name & Address: Dennis Shoemaker
555 E. Shore Road
Hewitt, NJ 07421
ITEMS: NO. 1

Bid Amount: \$800.00

Bidder Name & Address: Grace Quality Used Cars
945 Lincoln Hwy.
Morrisville, Pa 19067
ITEMS: NO. 2, 5, 11, 12

Bid Amount: \$7,500.00

Bidder Name & Address: Jersey One Auto
R. Perez
7 County Road
Jersey City, NJ07307
ITEMS: NO. 14, 16

Bid Amount: \$2,150.00

Bidder Name & Address: Concourse
Victor Marchiafava
49 Timberlane
Newfoundland, NJ 07435
ITEMS: NO. 3, 13, 15

Bid Amount: \$1,300.00

Bidder Name & Address: Vlado Stoeski

165 Jewell St.
Garfield, NJ 07026
ITEMS: NO. 10

Bid Amount: \$175.00

TOTAL BID ALL VEHICLES \$15,040.00

Adopted: August 4, 2004

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

Acting Township Administrator Kevin J. Byrnes reported on the bids received for an ADA Ramp at the Police Department Entrance on June 16, 2004.

The Township Administrator recommended that the Council accept the recommendation of the ADA Committee and award a contract to the low bidder per bid specifications and Treasurer's certification of funds available as follows:

The Township Council concurred with the Township Administrator's recommendation and awarded contracts as follows:

Agenda No. **B 3**
RESOLUTION NO. 2004 - 217

**RESOLUTION AWARDING CONTRACT ADA RAMP AT POLICE STATION
ENTRANCE**

WHEREAS, the Township Council has received a tabulation of bids received for the following:

Subject of Bid: ADA Ramp at Police Station Entrance
Bid Date Received: July 16, 2004
Time Received: 10:00 A.M.

WHEREAS, the Township Treasurer has certified that funds are available for the proposed expenditure from the following account:

Capital - \$79,733.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that a contract is hereby awarded to the low bidder in accordance with specifications and bids received and on file in the Office of the Township Clerk as follows:

Contract Items: ADA Ramp at Police Station Entrance

Bidder Name & Address: E.R. Teshkoyan & Co., Inc.
31 Cavell Avenue
West Caldwell, NJ 07006

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of West Milford, in the County of Passaic and State of New Jersey, as follows:

1. The Township Council hereby reaffirms and reauthorizes the "Agreement for the Purchase of Unimproved Real Property" between the Township of West Milford and the State of New Jersey Department of Environmental Protection dated August 19, 2003 subject to the execution of an amendment to that agreement as authorized by this Ordinance.

2. The appropriate municipal officials are hereby authorized to execute an amendment to the "Agreement for the Purchase of Unimproved Real Property" with the State of New Jersey Department of Environmental Protection. The amendment shall include the following additional terms:

A. The State will lease to the Township at a future date up to eighty usable acres from the Jungle Habitat property, the specific area to be determined in future discussions between the State and the Township. The lease will allow the Township to utilize the eighty acres for passive and active recreational uses. The lease period will be twenty years. The Consideration Shall Be One Dollar (\$1.00). The lease period will commence on the date of actual use by the Township. The lease may be in stages for different portions of the property. The location, design, use, and all improvements shall be subject to the approval by the N.J.D.E.P. The Township shall also submitted proof of financial capacity to undertake the project as proposed. The Township will be required to provide insurance to the State.

B. The Township shall be given a twenty year renewal of the Browns Point lease under the same terms and conditions as presently exist. The Township shall be able to present a request for additional improvements on the Browns Point Property which shall be subject to approval by the N.J.D.E.P. The consideration for this lease shall be One Dollar (\$1.00).

3. The "Amendment to Contract for Private Sale and Exchange of Interest in Land and Other Permitted Consideration" between the Township of West Milford and Highlands Center L.L.C. dated June 19, 2003 which was authorized by Ordinance 2003-30 (adopted June 18, 2003) is hereby reaffirmed and reauthorized as this contract is necessary for the implementation of the sale to the State of New Jersey Department of Environmental Protection.

4. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

5. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

6. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

RESOLUTION TO AMEND BUDGET

RESOLUTION TO AMEND BUDGET

RESOLUTION NO. 2004 - 219

**RESOLUTION AUTHORIZING THE ADOPTION OF THE 2004 LOCAL
MUNICIPAL BUDGET**

RESOLUTION NO. 2004 - 220

**RESOLUTION AUTHORIZING THE ADOPTION OF THE 2004 SOLID WASTE
BUDGET**

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**
RESOLUTION NO. 2004 - 221

**RESOLUTION AUTHORIZING THE REFUND OF FEDERAL EMERGENCY
MANAGEMENT AGENCY (FEMA) FUNDS TO THE STATE OF NEW JERSEY**

WHEREAS, in July 2003 the Township of West Milford received from the State of New Jersey Department of Law and Public Safety, Division of State Police, monies to offset costs associated with the February Blizzard of 2003; and

Included in and adopted by the Resolution Authorizing Passage of the Consent Agenda were the following resolutions:

Agenda No. **G1 a**
RESOLUTION NO. 2004 - 224

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 & Address</u>	<u>App. No.</u>	<u>Escrow Amount</u>	<u>Amount Refunded</u>
Jason Topczij 28 Bisset Drive West Milford, NJ 07480	0430-0648	\$ 750.00	\$ 465.11

Adopted: August 4, 2004

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Agenda No. **G1 b**  
RESOLUTION NO. 2004 - 225

**RESOLUTION AUTHORIZING REFUND OF RECREATIONAL FEES**

**RESOLVED**, that the following Recreational fees upon the report of the Recreation Director be refunded:

| <u>Name &amp; Address</u>                                     | <u>Reason</u>                                         | <u>Amount Refunded</u> |
|---------------------------------------------------------------|-------------------------------------------------------|------------------------|
| Hayley Romano<br>12 Daniel Street<br>Oak Ridge, NJ 07438      | Cancel<br>Painting Workshop &<br>Kids Krafts Workshop | \$100.00               |
| Joseph Cascone<br>55 Morsetown Road<br>West Milford, NJ 07480 | Cancel<br>Bubbling Springs Day Camp                   | \$325.00               |
| Louis Portelli<br>12 Peach Lane<br>West Milford, NJ 07480     | Cancel<br>Bubbling Springs Day Camp                   | \$645.00               |
| Pat Kaminskyj<br>1414 Macopin Road<br>West Milford, NJ 07480  | Cancel<br>Highlander Basketball Camp                  | \$ 70.00               |
| Cheryl McDonald<br>15 Weedon Drive<br>West Milford, NJ 07480  | Cancel<br>Highlander Basketball Camp                  | \$ 70.00               |

| <u>Name &amp; Address</u> | <u>Reason</u> | <u>Amount Refunded</u> |
|---------------------------|---------------|------------------------|
| Karen McKenzie            | Cancel        | \$ 50.00               |

|                                                                    |                               |          |
|--------------------------------------------------------------------|-------------------------------|----------|
| 42 DeHart Avenue<br>Hewitt, NJ 07421                               | Tennis Camp                   |          |
| Mary Lesica<br>22 Eagle Rock Road<br>West Milford, NJ 07480        | Cancel<br>Tennis Camp         | \$ 50.00 |
| April Mann<br>27 Jenkins Road<br>Hewitt, NJ 07421                  | Cancel<br>Volleyball Camp     | \$ 80.00 |
| Charles Miller<br>1 Grandview Lane<br>West Milford, NJ 07480       | Cancel<br>Multi-Sport Camp    | \$159.00 |
| Lisa Peck<br>254 Morsetown Road<br>West Milford, NJ 07480          | Cancel<br>Multi-Sport Camp    | \$159.00 |
| Kim Morrell<br>29 Old Hoop Pole Road<br>Oak Ridge, NJ 07438        | Cancel<br>Swim Lessons        | \$ 25.00 |
| Vincent Ptak<br>28 Oak Drive<br>Oak Ridge, NJ 07438                | Cancel<br>Swim Lessons        | \$ 25.00 |
| Cheryl Olson<br>240 Bearfort Road<br>West Milford, NJ 07480        | Cancel<br>Life Guard Training | \$165.00 |
| Jeffrey Poat<br>31 Hilltop Road<br>Newfoundland, NJ 07435          | Cancel<br>Summer Arts Program | \$140.00 |
| Brigette Giuliano<br>200 Germantown Road<br>West Milford, NJ 07480 | Cancel<br>Summer Arts Program | \$140.00 |
| Linda Farmer<br>100 Lake Park Terrace<br>Hewitt, NJ 07421          | Cancel<br>Summer Arts Program | \$140.00 |
| Barbara Damelio<br>34 Charissa Court<br>Hewitt, NJ 07421           | Cancel<br>Summer Arts Program | \$140.00 |
| Victoria Kaiser<br>146 Henderson Road<br>Stockholm, NJ 07460       | Cancel<br>Summer Arts Program | \$140.00 |
| Anthony Castellano<br>40 Gould Road<br>Newfoundland, NJ 07435      | Cancel<br>Summer Arts Program | \$140.00 |

Jean Gaito                      Cancel                      \$140.00  
6 Mallory Road                      Summer Arts Program  
Newfoundland, NJ 07435

Linda Rothenberg                      Cancel                      \$140.00  
57 Overlook Road                      Summer Arts Program  
West Milford, NJ 07480

Lisa Ryan                      Cancel                      \$140.00  
59 Belleau Gateway                      Summer Arts Program  
West Milford, NJ 07480

David Monego                      Cancel                      \$140.00  
58 Cedarbrook Road                      Summer Arts Program  
Hewitt, NJ 07421

*Name & Address                      Reason                      Amount Refunded*

Linda Marino                      Cancel                      \$140.00  
14 Alvin Road                      Summer Arts Program  
West Milford, NJ 07480

Joanne Leichtweisz                      Cancel                      \$280.00  
82 Crest Lake Drive                      Summer Arts Program  
Oak Ridge, NJ 07438

Eileen Sailer                      Cancel                      \$280.00  
31 Cleveland Road                      Summer Arts Program  
West Milford, NJ 07480

Thomas Haight                      Cancel                      \$280.00  
1591 Macopin Road                      Summer Arts Program  
West Milford, NJ 07480

Pat Ashley                      Cancel                      \$280.00  
13 Deborah Lane                      Summer Arts Program  
West Milford, NJ 07480

Deborah Lokai                      Cancel                      \$280.00  
48 Vreeland Road                      Summer Arts Program  
West Milford, NJ 07480

Adopted: August 4, 2004

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Agenda No. **G1 c**
RESOLUTION NO. 2004 - 226

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

RESOLUTION AUTHORIZING REINSTATEMENT OF TAXES

WHEREAS, there appears on the tax records receipt of payment of taxes; and

WHEREAS, the Collector of Taxes recommends the cancellation of receipt and reinstatement of taxes due to reasons stated below; and

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

REASON

1. INSUFFICIENT FUNDS

<u>Name</u>	<u>Block/Lot</u>	<u>Amount</u>	<u>Year</u>	<u>Reason</u>
Charles T. Cella	7603-3	\$2711.26	2004	1

TOTAL **\$2711.26**

Adopted: August 4, 2004

RESOLUTION AUTHORIZING REFUND OF TANK INSTALL PERMIT FEE

WHEREAS, the Construction Official has recommended refunding the amount shown below for an unused Tank Install Permit in the Township of West Milford; and

WHEREAS, the Construction Official has recommended the refund of this fee;

NOW, THEREFORE, BE IT RESOLVED that the proper officers be and they are hereby authorized and directed to refund the amount indicated below:

Received From	Permit No.	Amount
S&M Management Incorporated P.O. Box 1429 522 Route 6 & 1429 Milford, PA 18337	04-0046	\$50.00

Total **\$50.00**

Adopted: August 4, 2004

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Agenda No. **G1 g**  
RESOLUTION NO. 2004 - 230

**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> |
|----------------------------------------------------------------------------------|-----------------|----------------------|------------------------|
| Sprint Spectrum<br>c/o Gregory Czura<br>48 Ringwood Avenue<br>Ringwood, NJ 07456 | 0140-0532       | \$ 1,170.00          | \$ 772.75              |

Adopted: August 4, 2004

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Agenda No. **G1 h**
RESOLUTION NO. 2004 - 231

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 & Address</u>	<u>App. No.</u>	<u>Escrow Amount</u>	<u>Amount Refunded</u>
Geraldine Mines 1181 Westbrook Road West Milford, NJ 07480	0210-1947	\$ 2,250.00	\$ 250.26

Adopted: August 4, 2004

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Agenda No. **G1 i**  
RESOLUTION NO. 2004 - 232

**RESOLUTION AUTHORIZING REFUND OF OTHER LIEN**

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:

| <u>Lien Cert. #</u> | <u>Date of Sale</u> | <u>Block/Lot</u> | <u>Amount</u> | <u>Pay to the Lienholder</u>                                            |
|---------------------|---------------------|------------------|---------------|-------------------------------------------------------------------------|
| 03-072<br>LLC       | 04/07/2003          | 12305-013        | \$ 9,727.42   | AMERICAN TAX FUNDING<br>P.O. BOX 862658<br>PENNINGTON, FL 32886-2658    |
| 04-004<br>LLC       | 04/05/2004          | 00604-007        | \$ 19,948.05  | AMERICAN TAX FUNDING;<br>PO BOX 862658<br>ORLANDO;, FL 32886-2658       |
| 04-016<br>PLYM PK   | 04/05/2004          | 02004-017        | \$ 12,731.28  | WACHOVIA CUST FOR<br>TAX SRVS<br>P.O. BOX 2288<br>MORRISTOWN;, NJ 07962 |
| 04-041              | 04/05/2004          | 05301-044.02     | \$ 796.52     | EDWARD J GALBIERCZYK<br>329 CROSS STREET<br>LAKEWOOD, NJ 08701          |

| <u>Lien Cert. #</u> | <u>Date of Sale</u> | <u>Block/Lot</u> | <u>Amount</u> | <u>Pay to the Lienholder</u>                                      |
|---------------------|---------------------|------------------|---------------|-------------------------------------------------------------------|
| 04-043<br>LLC       | 04/05/2004          | 06001-005        | \$ 17,543.76  | AMERICAN TAX FUNDING;<br>PO BOX 862658<br>ORLANDO;, FL 32886-2658 |
| 04-047<br>LLC       | 04/05/2004          | 06707-008        | \$ 16,691.36  | AMERICAN TAX FUNDING;<br>PO BOX 862658<br>ORLANDO;, FL 32886-2658 |
| 04-048<br>CORP      | 04/05/2004          | 07208-009        | \$ 28,402.61  | CRUSADER SERVICING<br>179 WASHINGTON LANE<br>JENKINTOWN, PA 19046 |
| 04-070<br>LLC       | 04/05/2004          | 11701-003        | \$ 19,257.06  | AMERICAN TAX FUNDING;<br>PO BOX 862658<br>ORLANDO;, FL 32886-2658 |
| 04-088<br>LLC       | 04/05/2004          | 15401-024        | \$ 20,038.28  | AMERICAN TAX FUNDING;<br>PO BOX 862658                            |







Voted Nay: None.  
Motion carried.

**Executive Session**

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 4<sup>th</sup> day of August, 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, sub-section (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.
- (X) 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.
- ( ) 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: Kirwan                      Seconded: Elcavage  
Voted Aye: Bailey, Elcavage, Kirwan, Lotz-Moore, Gervens.  
Voted Nay:None.  
Resolution adopted.

Present: Councilmembers Paul Bailey, Joseph Elcavage, Dennis Kirwan, Patricia Lotz-Moore, and Council President William Gervens.

Absent: Councilman Carmen Scangerello and Mayor Joseph DiDonato.

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

Items discussed during the Executive Session were as follows:

O.P.E.I.U. Local No. 32 Contract negotiations

Councilman Kirwan moved to adjourn the Executive Session at 10:53 P.M.

Moved: Elcavage                      Seconded: Bailey

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

Voted Nay: None.

Executive Session adjourned.

**Adjournment**

There being no further business to come before the Council, the Township Council adjourned the meeting at 10:55 P.M.

Moved: Bailey                      Seconded: Elcavage

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

Voted Nay: None.

Meeting adjourned.

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COUNCIL PRESIDENT WILLIAM GERVENS  
PRESIDING OFFICER

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KEVIN J. BYRNES  
TOWNSHIP CLERK