

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 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 James Frega,
Esq. of the Township Attorney's Office.

Reading of or Approval of Unapproved Minutes

None.

Bids & Awards

None.

Proclamations

None.

Presentations

None.

Unfinished Business, Final Passage of Ordinances

None.

New Business, Introduction of Ordinances, Resolutions

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

Director of Parks and Recreation, it does hereby approve of the issuance of a Group Use Permit to The West Milford PAL with the following conditions:

1. It shall arrange for portable toilets to be located on the site, in accordance with Township Health Department guidelines and shall see that all portable toilets are emptied at the end of the events.
2. It shall arrange for a 20 yard dumpster to be located on the site in accordance with the Recreation Director's recommendation. This dumpster must be removed by Tuesday A.M. after the event.
3. It shall agree to pay for any extraordinary expenses incurred by the Township in providing Recreation Department, Health Department or Police Department personnel for the events.
4. It shall issue a notice by September 29, 2004 to surrounding residents which will include a description of activities and the times of those events scheduled for October 9, 2004 and October 10, 2004.
5. It shall provide to the Township an Insurance Certificate with the Township of West Milford and the State of New Jersey, Department of Environmental Protection named as an additionally insured party in the amount of \$1,000,000.00 umbrella (\$500,000.00 property damage and \$1,000,000.00 personal injury.)
6. It shall arrange by September 29, 2004 for a system of traffic control, security and crowd control for the October 9, 2004 and October 10, 2004 events in accordance with the recommendation of the Chief of Police.
7. All fencing must be taken down by Monday P.M. after the event, and returned to the Parks & Recreation Department.
8. It shall arrange with surrounding property owners for additional parking with their approval, and shall provide to the property owners an Insurance Certificate with the property owners named as an additionally insured party in the amount of \$1,000,000.00 umbrella (\$500,000.00 property damage and \$1,000,000.00 personal injury.)

Adopted: September 15, 2004

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

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>
Michael & MaryEllen Gabay	8802-54	\$1,600.00	2004	1
Lynne & James Robinson	12105-7	1,636.56	2004	1
TOTAL		\$3,236.56		

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 Agenda No. **G1 b**  
 RESOLUTION NO. 2004 - 264

**RESOLUTION AUTHORIZING CANCELLATION OF CREDIT BALANCES**

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

**WHEREAS**, the Collector of Taxes recommends the cancellation of those credit balances 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

REASON: 1. Property foreclosed upon by the Township of West Milford

| <b>BLOCK &amp; LOT</b> | <b>AMOUNT</b> | <b>YEAR</b> | <b>REASON</b> |
|------------------------|---------------|-------------|---------------|
| 207-9                  | \$ 61.20      | 1999        | 1             |
| 906-2                  | 92.08         | 1999        | 1             |
| 906-14                 | 229.45        | 1996        | 1             |
|                        | 230.10        | 1997        |               |
|                        | 115.05        | 1998        |               |
| 1001-18                | 187.60        | 1995        | 1             |
|                        | 197.68        | 1996        |               |
|                        | 198.24        | 1997        |               |
|                        | 49.00         | 1998        |               |
| 1001-39                | 225.92        | 1996        | 1             |

|        |        |      |   |
|--------|--------|------|---|
|        | 226.56 | 1997 |   |
|        | 113.28 | 1998 |   |
| 1006-6 | 465.96 | 1996 | 1 |
|        | 467.28 | 1997 |   |
|        | 233.64 | 1998 |   |

**TOTAL                    \$3,093.04**

Adopted: September 15, 2004

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 Agenda No. **G1 c**
 RESOLUTION NO. 2004 - 265

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

Block/LotName	Amount	Year	Reason
1402-1 Emma La Does PO Box 932 Hewitt, NJ 07421	\$ 421.40	2004	5
2014-16 George A. & R. Ossi 472 Burgess Drive Saddle Brook, NJ 07662	200.00	2004	5
2416-3 Monika Gusciora 14 Wenonah Court Hewitt, NJ 07421	192.07	2004	5
5003-8 Andrew & Beatrice Wood 28 Rockburn Pass West Milford, N J 07480	14.15	2004	5
6404-6 Patricia Witten 96 Castlewood Trail Sparta, NJ 07871	1,035.80	2004	5

6404-19	John & Erin Magee 158 Lincoln Avenue West Milford, NJ 07480	1,172.25	2004	5
7801-48.03	Jeffrey M. Kassover, Esq. 1330 Hamburg Tpke. Wayne, NJ 07470	1,395.00	2004	2
10001-3	Harley & Sylvia Carnes 171 Gould Road Newfoundland, NJ 07435	133.35	2004	5
11103-8	Patricia North 631 Snake Den Road West Milford, NJ 07480	367.00	2004	5
11103-10	No. Jersey Water Supply Company 1 F. A. Orechio Drive Wanaque, NJ 07465	479.15	2004	5
11106-10	Angelo Locantore 25 Storms Avenue Haskell, NJ 07420	91.10	2004	5
12501-14	Kurt Bozenmeyer 224 Weaver Road West Milford, NJ 07480	2,104.75	2004	5
12702-2	Norman & Lois Watt 515 Paterson Hamburg Tpke. West Milford, NJ 07480	607.90	2004	5
14801-3	Harley & Sylvia Carnes 171 Gould Road Newfoundland, NJ 07435	121.35	2004	5
1204-7	Wilfred & Joann Roosa 13 Finderne Court Hewitt, NJ 07421	600.00	2004	1

TOTAL **\$ 8,935.27**

Adopted: September 15, 2004

Agenda No. **G1 d**
RESOLUTION NO. 2004 - 266

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:

For the
 Redemption of Date Pay to the
Lien Cert. # of SaleBlock/Lot Amount Lienholder

04-069 04/05/2004 11101-031 \$ 17,669.83 MICHAEL MASTELLONE
 PO BOX 109
 CEDAR KNOLLS; NJ 07927

Grand Total \$ 17,669.83

Adopted: September 15, 2004

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 Agenda No. **G1 e**  
 RESOLUTION NO. 2004 - 267

**RESOLUTION AUTHORIZING REFUND OF PERFORMANCE GUARANTEES**

**RESOLVED**, that upon the report and request of the Township's Engineering Department the following Performance Guarantees be refunded:

| <u>Name &amp; Address</u>                                      | <u>Block &amp; Lot</u> | <u>Amount Refunded</u> | <u>Pg. No.</u> |
|----------------------------------------------------------------|------------------------|------------------------|----------------|
| Zanado Enterprises<br>P.O. Box 788<br>West Milford, NJ 07480   | 1005/8                 | \$ 300.00              | 69             |
| Chris Lucarelli<br>101 Vreeland Road<br>West Milford, NJ 07480 | 5306/2                 | \$ 500.00              | 63             |

Adopted: September 15, 2004

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 Agenda No. **G1 f**
 RESOLUTION NO. 2004 - 268

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>
Donald and Siobhan	0480-0684	\$ 750.00	\$ 750.00

Partington
572 Snake Den Road
West Milford, NJ 07480

Adopted: September 15, 2004

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**Approval of Expenditures**

Agenda No. H 1  
RESOLUTION NO. 2004 - 269

**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 .....               | \$ 66,825.78         |
| 02 | Reserve .....                       | \$ 1,500.00          |
| 03 | Dog Tax .....                       | \$ 287.00            |
| 04 | Recycling .....                     | \$ 0.00              |
| 05 | Recreation .....                    | \$ 0.00              |
| 06 | Capital .....                       | \$ 339,325.90        |
| 07 | Grants .....                        | \$ 2,351.85          |
| 08 | Refuse .....                        | \$ 117,751.42        |
| 09 | Refunds.....                        | \$ 26,605.10         |
| 10 | Neighborhood Preservation .....     | \$ 0.00              |
| 12 | General Ledger .....                | \$ 148,606.43        |
| 16 | Heritage Trust .....                | \$ 0.00              |
|    | Open Space Trust .....              | \$ 0.00              |
| 17 | Trust .....                         | \$ 3,425.00          |
| 18 | Development Escrow .....            | \$ 0.00              |
| 19 | LOSAP .....                         | \$ 0.00              |
| 20 | Special Reserve .....               | \$ 0.00              |
|    | <i>Total</i> .....                  | \$ 706,678.48        |
|    | <i>Less Refund Resolution</i> ..... | - \$ ( 26,605.10)    |
|    | <i>Actual Bill List</i> .....       | \$ 680,073.38        |
|    | <i>Other Payments</i> .....         | \$ 0.00              |
|    | <i>Less Refund Resolution</i> ..... | - \$ (0.00)          |
|    | <b>TOTAL Expenditures.....</b>      | <b>\$ 680,073.38</b> |

Adopted: September 15, 2004

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Moved: Elcavage

Seconded: Bailey



Meeting adjourned.

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MAYOR JOSEPH DIDONATO  
PRESIDING OFFICER

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KEVIN J. BYRNES  
TOWNSHIP CLERK