

Council Comments

The Council President and Members of the Council commented on Government matters.

Action Items

The Members of the Council proceeded to take action on the following items:

Agenda No. **VI 1**
RESOLUTION NO. 2005 - 150

RESOLUTION APPROVING THE PAYMENT OF BILLS

WHEREAS, the Township Treasurer has submitted to the members of the 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 \$ 85,021.42
02	Reserve \$ 14,237.17
03	Dog Tax \$ 0.00
04	Recycling \$ 0.00
05	Recreation \$ 0.00
06	Capital \$ 0.00
07	Grants \$ 10,630.10
08	Refuse \$ 500.00
09	Refunds..... \$ 14,728.95
10	Neighborhood Preservation \$ 0.00
12	General Ledger \$ 0.00
16	Heritage Trust \$ 0.00
	Open Space Trust \$ 0.00
17	Trust \$ 1,964.97
18	Development Escrow \$ 91,316.37
19	LOSAP \$ 0.00
20	Special Reserve \$ 600.00
	<i>Total</i> \$ 218,998.98
	<i>Less Refund Resolution</i> - \$ (14,728.95)
	<i>Actual Bill List</i> \$ 204,270.03
	<i>Other Payments</i> \$ (0.00)
	<i>Less Refund Resolution</i> - \$ (0.00)
	TOTAL Expenditures..... \$ 204,270.03

Adopted: June 1, 2005

Moved: Nolan Seconded: Elcavage
Voted Aye: Elcavage, Nolan, Warden, Scangarello, Gervens.
Voted Nay:None.
Resolution adopted.

Agenda No. VI 2
RESOLUTION NO. 2005 - 151

**RESOLUTION AUTHORIZIN THE TOWNSHIP OF WEST MILFORD TAX
COLLECTOR
TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH
P.L. 1994, C. 72**

WHEREAS, the Passaic County Board of Freeholders has not adopted the Passaic County Budget for 2005 and the Township of West Milford Tax Collector will be unable to mail the Township's 2005 tax bills on a timely basis; and

WHEREAS, the Township of West Milford Tax Collector in consultation with the Township of West Milford Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have both signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford, in the County of Passaic and the State of New Jersey, on this 1st. day of June 2005, as follows:

1. The Township of West Milford Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Township of West Milford for the third installment of 2005 taxes. The Tax Collector shall proceed on the 1st. day of June 2005 and take such actions as are permitted and required by L. 1994, c. 72 (N.J.S.A. 54:4-66.3).
2. The estimated tax levy for the third fiscal quarter of 2005 is hereby set at \$19,172,995.00.
3. In accordance with the law the third quarter installment of 2005 taxes shall not be subject to interest until the tenth day of August 2005.

Adopted: June 1, 2005

Moved: Elcavage Seconded: Scangarello
Voted Aye: Elcavage, Nolan, Warden, Scangarello, Gervens.
Voted Nay:None.
Resolution adopted.

Council President William Gervens read the following Ordinance Concerning Salaries and Compensation for Administrative, Confidential and Unaffiliated Employees, by title, for introduction.

**ORDINANCE CONCERNING SALARIES AND COMPENSATION FOR
ADMINISTRATIVE,
CONFIDENTIAL AND UNAFFILIATED EMPLOYEES**

The Ordinance was introduced and passed it's first reading.

Moved: Scangarello Seconded: Warden
Voted Aye: Elcavage, Nolan, Warden, Scangarello, Gervens.
Voted Nay:None.
Resolution adopted.

Present: Councilmembers Joseph Elcavage, Robert Nolan, James Warden,
Carmen
 Scangarello, and Council President William Gervens.

Absent: Councilman Paul Bailey and Mayor Joseph DiDonato.

Also Present: Township Administrator Richard Kunze, Township Clerk Kevin J.
Byrnes, Township Attorney Frederick Semrau and Special Counsel
Richard Clemack.

Items for discussion at Executive Session were as follows:

 Forest Hill Park litigation

Councilman Scangarello moved to adjourn the executive session.
Moved: Scangarello Seconded: Elcavage
Voted Aye: Elcavage, Nolan, Warden, Scangarello, Gervens.
Voted Nay: None.
Executive Session adjourned.

- c. Commercial Garbage Contract Change Order
- d. Commercial Garbage Service costs and reimbursements
- e. Grant for County Open Space
- f. Open Space Referendum
- g. Public contracting "Pay to Play" Ordinance
- h. Fee Revisions
- i. Parlin Court - Grant of Easement
- j. Award of contract for Municipal Stormwater Management Plan
- k. Award of Traffic striping contract
- l. Acceptance of Charissa Court and Bear Trail as Township streets
- m. Cancellation of Taxes - 26 Commanche Lane
- n. Recreation Opportunities for Individuals w/Disabilities Grant

Consent Agenda

None.

Township Administrator's Report

No report.

Mayor's Report

None.

Township Council Reports

The Township Council reported on the following items:

Township Attorney

A Closed Session is necessary.

Township Clerk's Report

Renewal of Liquor Licenses.

Executive Session

MOTION FOR EXECUTIVE SESSION NO. 2

BE IT RESOLVED by the Township Council of the Township of West Milford on the 1st day of June, 2005, 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.
- () 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.
- (X) 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: Scangarello
Voted Aye: Elcavage, Nolan, Warden, Scangarello, Gervens.
Voted Nay:None.
Resolution adopted.

Present: Councilmembers Joseph Elcavage, Robert Nolan, James Warden,
Carmen
 Scangarello, and Council President William Gervens.

Absent: Councilman Paul Bailey and Mayor Joseph DiDonato.

Also Present: Township Administrator Richard Kunze, Township Clerk Kevin J.
Byrnes, Township Attorney Frederick Semrau, and Health Official
Kenneth Hawkswell.

Councilman Nolan stated that he will recuse himself during the discussion
regarding the O'Shea litigation.

Items discussed during the Executive Session were as follows:

1. Department of Public Works Supervisors representation by
Teamsters Local 560
2. Health Officer salary
3. Hovnanian vs. N.J.D.E.P. #A-4407-04T3
4. West Milford vs. Riccardi #C-50-05
5. O'Shea vs. West Milford #L-3330-04

Councilman Elcavage moved to adjourn the executive session.
Moved: Elcavage Seconded: Scangarello
Voted Aye: Elcavage, Warden, Scangarello, Gervens.
Voted Nay: None.
Executive Session adjourned.

Adjournment

Councilman Elcavage moved to adjourn the Workshop meeting at 12:32 p.m.
Moved: Elcavage Seconded: Scangarello
Voted Aye: Elcavage, Nolan, Warden, Scangarello, Gervens.
Voted Nay: None.
Meeting adjourned.

MAYOR JOSEPH DIDONATO
PRESIDING OFFICER

KEVIN J. BYRNES
TOWNSHIP CLERK