

The Workshop Meeting of the West Milford Township Council was called to order at 7:35 p.m. by Council President William Gervens.

Council President William Gervens 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 S. Bailey, Joseph Elcavage, Patricia Lotz-Moore,
Carmelo Scangarello and Council President William Gervens.

Absent: Councilman Dennis Kirwan and Mayor Joseph DiDonato.

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

Meetings

Council President William Gervens noted the future meeting schedule:

April 29, 2004 - 7:30 P.M. - Workshop
May 5, 2004 - 7:30 P.M. - Regular Meeting
May 13, 2004 - 7:30 P.M. - Workshop
May 19, 2004 - 7:30 P.M. - Regular Meeting

Council President William Gervens noted that there were no conflicts in the meeting schedule.

Public in Attendance

None.

Township Administrator's Report

Council President William Gervens noted that there were representatives from the Fire and Police Departments in attendance regarding budget requests.

Township Administrator Kevin J. Byrnes reported as follows:

2004 Budget - Police - Capital item/architectural work for new Police building.
2004 Budget - Fire - Communications needs; refurbishment of Macopin pumper truck pump, replacement of Scott Paks.

The Township Council discussed Fire Company requests with Township Administrator Kevin J. Byrnes, Fire Commissioner Edward Steines and Macopin fireman Steve Pellington.

Township Council informal concensus to bid new fire pumper in 2004.

Council President William Gervens called a break at this time.

Council President William Gervens called the meeting back to order at 8:35 p.m.

Mt. Glen Lakes Dam project

Council President William Gervens noted that the attorney for Mt. Glen Lakes, Cathleen Davis, is present to represent the association in discussion regarding the dam issue.

Township Administrator Kevin J. Byrnes explained the Township's policy established by resolution to assist lake communities to address various dam problems.

Township Attorney William De Marco noted a letter received from Mt. Glen Lakes residents regarding the viability of the Mt. Glen Lakes Association and other matters concerning ownership of properties and lake bottom. He noted that he is researching these issues and will be able to answer questions in the near future.

Township Attorney William De Marco note that the ultimate decision on whether the dam is repaired will have to be decided by the residents and the Association.

Township Administrator Kevin J. Byrnes noted that a Resolution Authorizing Application to the State of New Jersey Dam Restoration & Inland Waters Project Loan Program for Various Lake Associations, Homeowners Associations and Individuals will be drafted in the near future though there are concerns about committing the Township to a project that may not be completed. He noted that if residents have information or questions on this dam project, they should contact the Administrator's office.

Council President William Gervens stated that the Council is not prepared to answer all questions on the Mt. Glen Lakes Dam matter at this time and that there is a lot of work to do to get answers in time for the deadline. He stated that the Council will provide a full report in the near future.

Council President William Gervens noted that the Council will proceed with Agenda items at this time.

Commercial Garbage Collection contract

Township Administrator Kevin J. Byrnes reported that he received a memo from the Township Engineer Richard McFadden advising that the contractor Gaeta has complied with the provisions of the specifications for Commercial Garbage Collection and provided backup materials and vouchers which were reviewed.

Councilman Carmelo Scangarello reported that the Parks and Recreation athletic fields are open to the public, noting that thousands of people will use the fields this season. Councilman Scangarello noted that there is to be a car wash held to benefit the Teen Coffeehouse and that the Senior Spring Fling is to be held on May 18th. at Camp Occawasin.

Councilwoman Patricia Lotz-Moore commented on the Memorial Day Parade.

Council President William Gervens commented on the cost of recycling and dumping fees, and on the lack of storm water management of Greenwood Lake Turnpike.

Township Attorney

Township Attorney William DeMarco noted that he is working on the Mt. Glen Lakes issue and will have a report shortly. He also noted that he has a title company looking into the Morsetown Road property searches and is waiting for their report; and finally, that there is a backlog of one hundred sixty tax foreclosures. He noted that the foreclosure lists have been sent to Township departments for recommendations.

Township Administrator Kevin J. Byrnes noted that Township staff have been asked to review the Tax Foreclosure lists and make recommendations to be discussed at the April 29, 2004 Workshop.

Township Clerk's Report

None.

Public Comments

Council President William Gervens opened the meeting to the public who wished to speak on matters of concern.

Several residents addressed the Township Council with matters of concern.

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

Moved: Elcavage Second: Scangarello

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

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 15th day of April, 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.
- (xx) 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: Scangarello

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

Voted Nay:None.

Resolution adopted.

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

Absent: Councilman Dennis Kirwan and Mayor Joseph DiDonato.

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

Items discussed during the Executive Session were as follows:

- Tax foreclosures
- Morsetown Road project
- Jungle Habitat property
- Early retirement

Councilman Bailey motioned to adjourn the executive session.

Moved: Bailey

Seconded: Elcavage

Voted Aye: Bailey, Elcavage, Lotz-Moore, Scangarello, and Council President William Gervens

Voted Nay: None.

Executive Session adjourned.

