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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

Minutes of: Township Council  
Date of Meeting: August 8, 2007  
Time of Meeting: 7:30 P.M.  
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Linda Connolly, 278 Wooley Road, West Milford stated that, now that the Green Valley application is being reviewed, she is certain that inconsistencies will be found. The well pump test was a condition of the approval. The development, however, has begun. Everyone else has to abide by the letter of the law yet we waive such restrictions for builders who do not contribute to West Milford and are a detriment to the Township. She asked if any Council member has visited the site since the last meeting. She distributed photos saying that she cannot stress the amount of work that has been done on this site prior to final approval. One can only interpret this to mean that the final approval was considered a given regardless of the well test results. Mr. Drew's consistent response to numerous queries on this subject has been that the work is being done at the applicant's risk. She asked that the Council hold Mr. Drew to his word and put residents first. She provided four copies of general information regarding this property noting that she understands that it would be impossible for the Council to read each and every file. She believes that Planning Board members do not fully review all the applications coming before them. She has seen Planning Board members reviewing blueprints for the first time at a meeting. The documents she distributed, she said, express the concerns and issues.

Doris Aaronson, 19 Bearfort Road, West Milford distributed documents to Council noting that the Township Attorney is supposed to be investigating the Green Valley Estates development. She quoted excerpts from the state land use law which states that no building is allowed until final approval is given. She provided Council with copies of building permits from West Milford, a final subdivision application, and a preliminary site plan resolution of memorialization. She read an excerpt from a DEP letter regarding Highlands exemptions which indicated that before constructing any house, an inventory of trees must be taken, and a well test must be passed for each particular house. The well tests that were tested for Green Valley Estates were taken from wells that are not on the lots for the houses that have been built. She stated that she has a letter from the Planning Director to the Health Officer stating that he has approved the construction at the owner's risk and the Health Officer concurred. These problems, she said, are a disgrace.

There being no more speakers, the Council closed the public portion of the meeting.

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Moved: Scangarello Seconded: Smolinski  
Voted Aye: Smolinski, Schimmenti, Scangarello.  
Voted Nay: None.  
Motion carried.

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Agenda VI

**Council Comments**

Mayor DiDonato stated that the Green Valley Estates is an application that is currently pending before the Planning Board. There are legal ramifications if Council speaks about such applications prior to approval by the board. Therefore, he requested that Mr. Semrau address this matter for the public in attendance.

Township Attorney Fred Semrau advised that he had requested information about this development as instructed by the Council. Additionally, Ms. O'Hearn had presented a list of questions at the last meeting. To address those questions, Mr. Kienz, legal counsel to the Planning Board, submitted a response to those questions this afternoon. He stated that this is a pending application that preliminary approval and thus the developer has certain rights. One home was a stand-alone residence subject to separate approval. The second structure is a model home which is an exception to commencement of construction. The issue of the wells must surface prior to final approval. The Council can look at what has been approved to date and determine that all work being done is permitted. If the developer is doing work beyond what is allowed, a stop order can be issued. The well issues will be addressed during the final approval process. There are developments that have issues pending at the DEP and the Township has been allowed to intervene. However, this is a pending application and there is not much Council can do. He cautioned the Councilmembers not to make any comments or definitive statements on this development. The preliminary approvals that have been obtained allow a certain amount of construction. This is a pretext to final approval. If, ultimately, the application is not approved, all the work is done at the developer's risk. He urged those with concerns to address those issues with the Planning Board. Two experts have been consulted on this matter. One hired by the Planning Board and the second hired by the applicant. Performance bonds and guarantees have been provided. The Council should not respond as that could be deemed interfering. He will continue to gather information. Mr. Kienz' response can be made available to the public and distributed to Council. While the residents are providing constructive information to the Council, it is important that they also provide this information directly to the Planning Board.

Councilman Smolinski stated that he has been on Wooley Road and has reviewed this extensive file. He understands the concerns expressed.

**New Business, Introduction of Ordinances, Resolutions**

Mayor DiDonato noted that the action items on the agenda have been discussed at workshop meetings. He asked for Council consensus to move the agenda items as one. Mr. Semrau noted that Councilman Weisbecker had expressed concerns about resolution 2007-068 and 2007-069 and he asked that these resolutions be voted on separately so that he can voice Councilman Weisbecker's concerns. Councilman

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Smolinski stated that he recalls that there were DEP issues at the site being issued a junkyard license in resolution 2007-272 and he asked if these conditions had been abated. The Township Clerk advised that the DEP had notified her office that all concerns have been addressed. The Council gave consensus to move all agenda items as one with the exception of items 6 and 7.

Agenda VII 1  
 ~ Resolution 2007 - 263 ~

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ACCEPTING THE BIDS FOR THE SALE OF MUNICIPAL LANDS FROM THE TOWNSHIP AUCTION OF JULY 11, 2007**

**WHEREAS**, on July 11, 2007, the Township of West Milford conducted the sale of municipal properties no longer needed by the Township in accordance with Resolution #2007-206; and

**WHEREAS**, the Township Clerk reports that the attached schedule outlines the bidders and their respective proposals to purchase said lands; and

**WHEREAS**, the Township Administrator has reviewed the attached schedule and recommends that the Mayor and Township Council accept these bids.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of West Milford that the proposals set forth in the attached schedule are hereby accepted and incorporated herein.

**BE IT FURTHER RESOLVED**, that the terms of such acceptance will be set forth in the Contracts of Sale to be prepared by the Township Attorney as set forth in Resolution #2007-206.

This Resolution shall be effective immediately.

Adopted: August 8, 2007

TOWNSHIP OF WEST MILFORD PROPERTY SALE July 11, 2007						
Block	Lot	Name & Address	Bid Amount	Deposit	10% Fee	Amount Due
805	3	Theodore DePeola 55 Wayside Road Hewitt, NJ 07421	600.00	100.00	60.00	560.00
1911	2	Maryann Ryan 61 White Road Hewitt, NJ 07421	500.00	50.00	50.00	500.00
2018	6	Marta & Alan Stanaback 10 Burrow Road Hewitt, NJ 07421	250.00	100.00	25.00	175.00
2303	5	George Englehardt 112 Highview Terrace Hackettstown, NJ 07840	500.00	50.00	50.00	500.00
2303	15	Michael J. Hale 9 Gladstone Road Hewitt, NJ 07421	750.00	75.00	75.00	750.00
6803	12	Lisa Sisco 1831 Union Valley Road West Milford, NJ 07480	700.00	100.00	70.00	670.00
6902	6	Maryann Ryan 61 White Road Hewitt, NJ 07421	500.00	50.00	50.00	500.00
11001	3	Floyd Aaron Nicholson 64 Marshall Hill Road West Milford, NJ 07480	15,500.00	100.00	1,550.00	16,950.00
13802	4	Glen Bohmann 43 Leonard Avenue West Milford, NJ 07480	150.00	100.00	15.00	65.00
13802	5	Glen Bohmann 43 Leonard Avenue West Milford, NJ 07480	400.00	100.00	40.00	340.00

Agenda VII 2  
 ~ Resolution 2007-264 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, AND STATE OF NEW JERSEY AUTHORIZING THE FILING AND ACCEPTANCE OF AN APPLICATION TO THE PASSAIC COUNTY CULTURAL & HERITAGE COUNCIL ENTITLED "THE PASSAIC COUNTY HISTORY REGRANT PROGRAM", ON BEHALF OF THE TOWNSHIP OF WEST MILFORD**

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**WHEREAS**, the West Milford Heritage Committee has submitted a written recommendation that the Council authorize the submittal and acceptance of a grant to the Passaic County Cultural & Heritage Council entitled "The Passaic County History Re-Grant Program"; and

**WHEREAS**, grant funds received would be used to conduct a series of video-taped evening meetings wherein life-long residents of West Milford would be asked to speak on their experiences of growing up in the Township and how things have changed over the years; and

**WHEREAS**, in accordance with the provisions of the grant application, the Township of West Milford would be required to provide matching funds in an amount of \$.50 for every dollar awarded.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of West Milford as follows:

1. The Heritage Committee be and is hereby authorized to submit a grant application to the Passaic County Cultural & Heritage Council entitled "The Passaic County History Re-Grant Program" on behalf of the Township of West Milford in an amount not to exceed \$500.
2. That the Township Administrator is authorized to execute grant agreements on behalf of the Township of West Milford accepting such grant funds.
3. That the Township of West Milford hereby authorizes the amount of \$250.00 to be obligated as the local share required under the provisions of the grant application.

Adopted: August 8, 2007

Agenda VII 3  
~ Resolution 2007-265 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A CONTRACT FOR CRACK SEALANT THROUGH THE 2007 MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL, CONTRACT #6, CATEGORY E, K&K PAVING**

**WHEREAS**, the Township of West Milford is a member of the Morris County Cooperative Purchasing Council (State ID # 6-MoCCP); and

**WHEREAS**, the Morris County Cooperative Purchasing Council has awarded Contract #6, Category E, 2007 Crack Sealant, for the 2007 year to K&K Paving and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

**WHEREAS**, the Township Engineer has reviewed the Morris County Cooperative Purchasing Council's contract and related specifications and has submitted a written recommendation that the Township of West Milford execute the 2007 crack sealant projects through the Morris County Cooperative Purchasing Council, Contract #6, Category E, Crack Sealant in an amount not to exceed \$23,000.00; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number C-01-26-290-624.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, the following:

1. The Township Council hereby authorizes the Mayor to execute the Crack Sealant contract, in an amount not to exceed \$23,000, through the Morris County Cooperative Purchasing Council, Contract #6, Category E, Crack Sealant awarded to K&K Paving.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Township Engineer.

Adopted: August 8, 2007

Agenda VII 4  
~ Resolution 2007-266 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AWARDED A CONTRACT TO TOMARO CONTRACTING COMPANY, INC. FOR STAINSBY, LAMBERT, BURR, YONDER AND DURANT ROAD IMPROVEMENTS**

**WHEREAS**, the Township of West Milford solicited bids on July 13, 2007 for the Stainsby, Lambert, Burr, Yonder and Durant Road Improvement project; and

**WHEREAS**, in response to the "Notice to Bidders" the Township received one (1) bid for this service; and

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**WHEREAS**, said bid has been duly reviewed and analyzed by the Township Engineer and the Township Attorney; and

**WHEREAS**, the Township Engineer has submitted a written recommendation for the award of this contract to Tomaro Contracting Company, Inc. pursuant to the bid specifications; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds and encumbrances for these services shall come from account numbers C-04-07-943-624; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, the following:

1. The Township Council hereby awards a contract to Tomaro Contracting Company, Inc. in the amount of \$292,000.00 for the Stainsby, Lambert, Burr, Yonder and Durant Road Improvement project in compliance with the Bid Specifications.
2. The Mayor or Administrator be and is hereby authorized and directed to execute a contract with Tomaro Contracting Company, Inc. in accordance with the bid specifications for the Stainsby, Lambert, Burr, Yonder and Durant Road Improvement project in an amount of \$292,000.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Municipal Clerk.

Adopted: August 8, 2007

Agenda VII 5  
~ Resolution 2007 - 267 ~

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING A PROFESSIONAL SERVICES CONTRACT WITH WILLIAM BOWKLEY TO INCREASE THE NOT TO EXCEED AMOUNT BY \$3,000**

**WHEREAS**, by virtue of Resolutions 2007-026 and 2007-062, the Township of West Milford authorized execution of a contract with William Bowkley to act as a hearing officer in a disciplinary matter involving Captain David Hardin of the West Milford Police Department in an amount not to exceed \$3,000; and

**WHEREAS**, this matter has required two days of hearings to date and may require up to an additional two days to conclude the matter; and

**WHEREAS**, the continuance of this matter demands additional work by the hearing officer assigned to this case thus requiring an amendment to the not-to-exceed amount in resolutions 2007-026 and 2007-062; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from account number 7-01-20-155-502.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey that they do hereby amend not to exceed amount in resolutions 2007-026 and 2007-062 from \$3,000 to \$6,000.

Adopted: August 8, 2007

Agenda VII 8  
~ Resolution 2007- 270 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING THE PURCHASE OF A UTILITY VEHICLE FOR FIRE PREVENTION/OEM WHICH EXCEEDS THE BID THRESHOLD**

**WHEREAS**, the Township of West Milford is in need of full size four-door utility vehicle for Fire Prevention/OEM; and

**WHEREAS**, the Township of West Milford is a member of the Morris County Cooperative Purchasing Council (State ID # 6-MoCCP); and

**WHEREAS**, the State of New Jersey and the Morris County Cooperative Purchasing Council have awarded contracts for the purchase of a 2007 Ford Expedition Full Size Four-Door Utility Vehicle at a cost of \$25,620.06 to Warnock Fleet which cost exceeds the bid threshold contained in the Local Public Contracts Law for such purchases; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from an account number to be established upon passage of the mandatory 20-day estoppel period pertaining to the 2007 Bond Ordinance adopted on July 25, 2007 in accordance with the Local Public Contracts Law.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, the following:

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1. The Township Council hereby authorizes the purchase of one 2007 Ford Expedition Full Size Four-Door Utility Vehicle in accordance with the Morris County Cooperative Purchasing Council Contract #15-C (item #3) in an amount of \$25,620.06.
2. The Township Administrator be and is hereby authorized to execute the purchase order for this vehicle in accordance with the policies and procedures for all purchases within the Township of West Milford.
3. An account number shall be assigned to this purchase order upon the establishment of same in accordance with the Bond Ordinance adopted on July 25, 2007 which ordinance authorizes expenditures for the 2007 Capital Budget.

Adopted: August 8, 2007

Agenda VII 9  
~ Resolution 2007-271 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE SUBMITTAL AND ACCEPTANCE OF A GRANT APPLICATION BY THE MUNICIPAL ALLIANCE COMMITTEE FOR SCHOOL AND COMMUNITY BASED DRUG AND ALCOHOL PREVENTION PROGRAMS**

**WHEREAS**, in March 1989, the Governor's Council on Alcoholism and Drug Abuse was established to coordinate all State Departments' efforts with regard to the planning and provision of prevention, education, treatment, research and evaluation serviced for, and public awareness of, alcoholism and drug abuse; and

**WHEREAS**, in addition, the legislation created an Alliance to Prevent Alcoholism and Drug Abuse, comprised of all the communities in New Jersey, which is dedicated to a comprehensive and coordinated effort against alcoholism and drug abuse by providing funds to member municipal communities to support appropriate county and municipal based alcohol and drug abuse education and public awareness activities.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford will contractually adhere to all conditions and obligations as sub-grantee to the State of New Jersey and the County of Passaic as set forth in the Letter of Agreement between the Governor's Council on Alcoholism and Drug Abuse and Passaic County, for the grant administration of the 2008 Alliance to Prevent Alcoholism and Drug Abuse, for a grant amount of \$46,300.00, from the Governor's Council on Alcoholism and Drug Abuse, with a cash amount of \$11,575.00 which is assumed by CASA, and an in-kind match of \$34,725.00; and

**BE IT FURTHER RESOLVED** that the Municipal Alliance Chairperson and the Mayor or Township Administrator be and are hereby authorized to execute the proposed application.

Adopted: August 8, 2007

Agenda VII 10  
~ Resolution 2007-272 ~

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY FOR RENEWAL OF A MOTOR VEHICLE JUNKYARD LICENSE**

**WHEREAS**, application for renewal of Motor Vehicle Junkyard license for the 2007 License year for Victor Marchiafava, 110 Weaver Road, West Milford (Block 12501, Lot 22) was submitted in a timely manner; and

**WHEREAS**, review and inspection of the applicant premises found incomplete restoration of outstanding violations imposed by the New Jersey Department of Environmental Protection; and

**WHEREAS**, on February 5, 2007 Victor Marchiafava was sent a notice by letter that his renewal application would be held pending receipt of a New Jersey Department of Environmental Protection final closure letter of restoration; and

**WHEREAS**, the Township Clerk is in receipt of a letter dated June 28, 2007 from the New Jersey Department of Environmental Protection stating that the required restoration work has been completed;

**WHEREAS**, as a result it has been determined as follows:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to local governmental laws and regulations.
3. Premises have been inspected and recommendations received in the Office of the Township Clerk from the Police Chief, Construction Official, Zoning Officer, Fire Official and Health Official.



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Moved: Smolinski Seconded: Scangarello  
Voted Aye: Smolinski, Schimmenti, Scangarello.  
Voted Nay: None.  
Motion carried.

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Agenda VII 7  
~ Resolution 2007 - 269 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT TO LYNN ECOLOGICAL ASSOCIATES TO CONSULT ON THE FUTURE USE OF WEST MILFORD LAKE IN AN AMOUNT NOT TO EXCEED \$1,460**

**WHEREAS**, the Township of West Milford has received grant funding through the Association Of New Jersey Environmental Commissions (ANJEC); and

**WHEREAS**, these grant funds are to be used to conduct a formal analysis and educational program to determine the most appropriate future use of West Milford Lake analysis and requires the services of a wetlands biologist; and

**WHEREAS**, the Environmental Commission has recommended that Lynn Ecological Associates be retained to serve as the wetlands biologist in accordance with their proposal for same; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et. seq.) requires that the Resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, Lynn Ecological Associates has submitted a Business Entity Disclosure Certification which certifies that their firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of Lynn Ecological Associates from making any reportable contributions through the term of the contract, and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds said funds to be encumbered from an account to be established with grant funds subsequent to approval of Chapter 159, Items of Revenue, approval from the Director of the Division of Local Government Services.

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Lynn Ecological Associates, to consult as a wetlands biologist to determine the most appropriate future use of West Milford Lake in accordance with their proposal for same and the grant agreement with the Association Of New Jersey Environmental Commissions (ANJEC) in an amount not to exceed \$1,460.00.
2. This contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law.
3. The total fee authorized for this contract shall not exceed \$1,460.00 without the prior written approval of the Township Council.
4. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: August 8, 2007

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Moved: Schimmenti Seconded: Scangarello  
Voted Aye: Smolinski, Schimmenti, Scangarello.  
Voted Nay: None.  
Motion carried.

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Agenda VIII 1  
~ Resolution 2007- 273 ~

**RESOLUTION AUTHORIZING PASSAGE OF CONSENT AGENDA**

**WHEREAS**, the Mayor and Township Council of the Township of West Milford has reviewed the Consent Agenda consisting of various proposed Resolutions and Applications; and

**NOW, THEREFORE, BE IT RESOLVED**, that the following Resolutions and Applications on the Consent Agenda are hereby approved:

**Resolutions:**

- a. **Resolution 2007- 274** – Cancellation of Tax
- b. **Resolution 2007- 275** – Refund Overpayments
- c. **Resolution 2007- 276** – Partial Refund Performance Guarantee
- d. **Resolution 2007- 277** – Refund Escrow Funds

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- ~~e. Resolution 2007-278 – Refund Recreation Fees~~
- f. Resolution 2007-279 – Refund Escrow Funds
- g. Resolution 2007-280 – Refund Other Liens
- h. Resolution 2007-281 – Refund Overpayment for Health Services
- i. Resolution 2007-282 – Refund Performance Guarantees
- j. Resolution 2007-283 – Refund Street Opening Guarantee
- k. Resolution 2007-284 – Reinstatement of Taxes

**Applications:**

- a. Application for on Premise 50/50 Raffle by PTO Maple Road School.
- b. Application for on Premise 50/50 Raffle by Saint Joseph Church.
- c. Application for Social Affair Permit by Saint Joseph Church

Adopted: August 8, 2007

Moved: Smolinski Seconded: Scangarello  
 Voted Aye: Smolinski, Schimmenti, Scangarello.  
 Voted Nay: None.  
 Motion carried.

The following resolutions were included in the consent agenda:

Agenda VIII 1a  
 ~ Resolution 2007 - 274 ~  
**RESOLUTION AUTHORIZING CANCELLATION OF TAX**

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

**WHEREAS**, the Collector of Taxes recommends the cancellation of taxes 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:** 1. 100 % Totally Disabled Veteran 2. Taxable to Tax Exempt Property

BLOCK/LOT	NAME	AMOUNT	YEAR	REASON
4601-9	Shiloh Bible Camp, Inc.	\$7,518.08	2007 Full Year	2
4601-9	Shiloh Bible Camp, Inc.	\$3,760.00	2008 1st Half	2
1814-1	Patrick Landolfi	\$132.00	2007 1 <sup>st</sup> Half	1
1814-1	Patrick Landolfi	\$6.72	2007 4 <sup>th</sup> Qtr.	1
5402-1	Pat & Heidrun Mastricola	\$7,442.16	2007 2 <sup>nd</sup> Half	1
5402-1	Pat & Heidrun Mastricola	\$3,722.00	2008 1 <sup>st</sup> Half	1
<b>TOTAL</b>		<b>\$22,580.96</b>		

Adopted: August 8, 2007

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 Agenda VIII 1b  
 ~ Resolution 2007 – 275 ~  
**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.

**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
- 2. Duplicate Payment
- 3. Senior Citizen/Veteran Deduction
- 4. Homestead Rebate
- 5. Tax Appeal
- 6. Erroneous Payment
- 7. Over Billed Account

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<b><u>Block/Lot</u></b>	<b><u>Name</u></b>	<b><u>Amount</u></b>	<b><u>Year</u></b>	<b><u>Reason</u></b>
706-5	Raia, S & T, Nardone K & Raia, T, A, & S, C/O Raia Properties 500 N. Franklin Turnpike Ramsey, NJ 07446	\$1,284.56	2007	7
905-9	Thomas Keegan P.O. Box 206 Hewitt, NJ 07421	\$30.40	2007	7
1101-37	Vincent Lanza 4 Countryside Lane Ringwood, NJ 07456	\$83.36	2007	5
1809-7	Scacalossi, G & A & Marcello 2330 Vance Street Bronx, NY 10460	\$394.40	2007	5
2017-5	Kenneth C. Kroeze P.O. Box 670 Hewitt, NJ 07421	\$74.48	2007	7
2403-9	Timothy Conway 6 Upper Greenwood Road Hewitt, NJ 07421	\$744.76	2007	7
4302-5	T. Oppelaar & D. Rader 267 Fourth Avenue Hawthorne, NJ 07506	\$203.84	2007	7
5201-15	Jack Levkovitz 750 Westbrook Road West Milford, NJ 07480	\$1,426.28	2007	7
5311-1.17	Brian & Sara Foster 87 Canoe Brook Road Trumbull, Ct. 06611	\$544.00	2007	5
5311-3.07	Antoinette Fitzpatrick 2 Richmond Road Suite 307 West Milford, NJ 07480	\$544.00	2007	5
5312-1.13	William & Marion Liss 4 Richmond Road Suite 113 West Milford, NJ 07480	\$544.00	2007	5
5312-2.02	Mary V. Konefal 4 Richmond Road Suite 202 West Milford, NJ 07480	\$544.00	2007	5
5315-2.22	Ellen Lauterback 7222 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5315-3.02	Joseph Tassone 7302 Richmond Road West Milford, NJ 07480	\$272.00	2007	5
5315-3.04	Jean L. Gregg 7304 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5315-3.06	Barbara Elmers 7306 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5315-3.21	Catherine Gannon 7321 Richmond Road West Milford, NJ 07480	\$272.00	2007	5
5315-3.22	Christine Rocco Gallagher 7322 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5315-4.10	Eleanor Dill 7410 Richmond Road West Milford, NJ 07480	\$272.00	2007	5
5315-4.18	Ian Smith 7418 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5315-4.19	Clarence Lasalandra 7419 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5316-1.02	Waldman, Renda & McKinney, PA Attorney at Law P.O. Box 508 Hawthorne, NJ 07507	\$457.00	2007	5

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5316-1.13	Philip Bendish Income Only Trust 9113 Richmond Road West Milford, NJ 07480	\$99.00	2007	5
5316-3.02	Barbara Ostrowski 9302 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5316-3.13	Marilyn R. Meier 9313 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5316-3.22	Walter J. Mulcahy Sr. 9322 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5317-1.10	William & Doris Schaefer 6110 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5317-1.14	Donna E. Dolan 6114 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5317-2.23	Charles & Katie Turner 6223 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5317-2.25	Beverly P. Riderstoff 6225 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5317-3.05	Gloria Affel 6305 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5504-3.08	Marion Weren 1308 Richmond Road West Milford, NJ 07480	\$301.92	2007	5
5505-1.04	Helen Michaud 5104 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5505-1.08	Craper, S & J and D M Chelstowski Trustee 5108 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5505-4.15	Robert & Sally Hegney 5415 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
6902-33	Granatell Associates 125 Main Avenue Elmwood Park, NJ 07407	\$1,815.28	2007	7
8101-12	M. Werner & S & C Leonescu 843 Union Valley Road West Milford, NJ 07480	\$486.88	2007	5
15901-1	Oak Ridge Road Associates LLC 445 West Main Street Wyckoff, NJ 07481	\$461.45	2007	7
8706-9	Countrywide Tax Service MS SVW-24 P.O. Box 10211 Van Nuys, CA 91410-10211	\$2,289.00	2007	6
5317-2.18	Anne Vara & Diane Spina 6218 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5504-3.16	Diane Spina 1316 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5317-3.07	Lucille Cattau 6307 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5315-3.16	Henry Gorecki 7316 Richmond Road West Milford, NJ 07480	\$272.00	2007	5
5315-3.09	B. Martinique, D. Capaci, and R. Boehm 7309 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5315-2.03	Madeline Bulgarini 7203 Richmond Road West Milford, NJ 07480	\$544.00	2007	5

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5312-1.16	Jeannette Manning 4 Richmond Road Suite 116 West Milford, NJ 07480	\$247.52	2007	5
5316-1.12	Sandra Pinchefsky 9112 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5311-3.02	Ann Marie Schmitt 2 Richmond Road Suite 302 West Milford, NJ 07480	\$544.00	2007	5
2606-6	Edward Azar LLC Gallant Professional Building 2840 Route 23 South Newfoundland, NJ 07480	\$1,854.00	2007	2
2001-14	Brian & Cecilia Cassella 2 Quinton Road Hewitt, NJ 07421	\$190.40	2007	5
2202-1.07	Robert & Lorna Stark 35 Castle Rock Road Hewitt, NJ 07421	\$739.84	2007	5
2409-14	Eric Wunk 7 Chatham Road Hewitt, NJ 07421	\$855.00	2007	5
3002-5	James & Kimberly Ryan 28 Dogwood Lane Hewitt, NJ 07421	\$440.64	2007	5
3103-13	Adrian & Aurore Thurstans 2 Kushaqua Trail South Hewitt, NJ 07421	\$946.56	2007	5
3705-4	Madeleine McCarthy P.O. Box 245 Hewitt, NJ 07421	\$171.36	2007	5
5311-1.02	Irene Doherty 2 Richmond Road Suite 102 West Milford, NJ 07480	\$544.00	2007	5
5311-1.24	Gail Stanley 2 Richmond Road Suite 124 West Milford, NJ 07480	\$272.00	2007	5
5311-1.29	Louise & Samuel Napolitano, Jr. 2 Richmond Road Suite 129 West Milford, NJ 07480	\$272.00	2007	5
5311-2.04	James & Pauline Fogerty 2 Richmond Road Suite 204 West Milford, NJ 07480	\$544.00	2007	5
5311-2.17	Robert & Linda DiFalco 2 Richmond Road Suite 217 West Milford, NJ 07480	\$544.00	2007	5
5312-3.20	Bruno Fierro 4 Richmond Road Suite 320 West Milford, NJ 07480	\$272.00	2007	5
5315-1.03	Rita Donnelly 7103 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5315-2.01	Thomas & Michele Commaroto 7201 Richmond Road West Milford, NJ 07480	\$272.00	2007	5
5315-2.02	Jerry Nieto 7202 Richmond Road West Milford, NJ 07480	\$272.00	2007	5
5315-2.06	Susan Walenta Hunt 7206 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5315-2.26	Judith Lain 7226 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5315-3.20	Jane Spears 7320 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5315-4.02	Isabelle Solis 7402 Richmond Road West Milford, NJ 07480	\$272.00	2007	5

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5315-4.12	Lawrence Biss 7412 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5316-1.06	Lillian Lee Winston 9106 Richmond Road West Milford, NJ 07480	\$272.00	2007	5
5316-1.22	John J. Bilinski 9122 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5316-2.13	Lorraine Church 9213 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5316-3.09	Frances Gushlaw 9309 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5316-3.15	Darlene Anderson 9315 Richmond Road West Milford, NJ 07480	\$1,246.58	2007	5
5317-1.18	Dixon, Robert K, & Rohan, V And Kopp, V 6118 Richmond Road West Milford, NJ 07480	\$272.00	2007	5
5317-1.19	David & Myriam Thelemaque 6119 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5317-1.22	Zella Talbott 6122 Richmond Road West Milford, NJ 07480	\$272.00	2007	5
5317-2.02	Ruth Vanderwal 6202 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5317-3.08	Rosanne Chiappone 6308 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5317-3.22	David Tarlowe 6322 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5317-3.24	Gloria Hargreaves 6324 Richmond Road West Milford, NJ 07480	\$272.00	2007	5
5317-4.12	Barbara Carcich 6412 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5504-3.04	Ronald Yovich 1304 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5504-4.09	Patricia Bellarmino 1409 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
6001-8	Kenneth & Loida Claudio 438 Morsetown Road West Milford, NJ 07480	\$723.52	2007	5
5317-3.04	Anny Kloss 6304 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
5312-3.04	Alice Boyajian 4 Richmond Road Suite 304 West Milford, NJ 07480	\$544.00	2007	5
5505-4.05	Phyllis Grisanti 5405 Richmond Road West Milford, NJ 07480	\$544.00	2007	5
<b>TOTAL</b>		<b>\$48,032.03</b>		

Adopted: August 8, 2007

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Agenda VIII 1c

~ Resolution 2007 - 276 ~

**RESOLUTION AUTHORIZING PARTIAL REFUND OF PERFORMANCE GUARANTEE**

**BE IT RESOLVED**, by the Township Council of the Township of West Milford that, upon the report and request of the Township's Engineering Department, the following Performance Guarantee be partially refunded:

**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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<u>Name &amp; Address</u>	<u>Block &amp; Lot</u>	<u>Amount Refunded</u>	<u>Pg. No.</u>
Vincent Lanza P.O. Box 746 Ringwood, NJ 07456	6002/3	\$ 1,600.00	57

Adopted: August 8, 2007

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 Agenda VIII 1d  
 ~ Resolution 2007 - 277 ~  
**RESOLUTION AUTHORIZING REFUND OF ESCROW MONIES**

**BE IT RESOLVED**, by the Township Council of the Township of West Milford that, based upon the report and request of the Township's Planning Director, the following Escrow monies be refunded:

<u>Name &amp; Address</u>	<u>Reason</u>	<u>Amount of Deposit</u>	<u>Amount of Refund</u>
High Crest Lake Lodge, Inc. P.O. Box 210 Butler, NJ 07405	Two (2) Special Police Officers	\$180.00	\$47.78

Adopted: August 8, 2007

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 Agenda VIII 1e  
 ~ Resolution 2007- 278 ~  
**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF RECREATION FEES**

RESOLUTION TO BE RECONSIDERED BY COUNCIL AT THE AUGUST 22, 2007 WORKSHOP MEETING. DUE TO COUNCILMAN SCHIMMENTI'S RECUSAL, THERE WAS NOT A QUORUM TO PASS THIS RESOLUTION ON AUGUST 8, 2007.

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 Agenda VIII 1f  
 ~ Resolution 2007 - 279 ~  
**RESOLUTION AUTHORIZING REFUND OF ESCROW MONIES**

**BE IT RESOLVED**, by the Township Council of the Township of West Milford that, based upon the report and request of the Township's Planning Director, the following Escrow monies be refunded:

<u>Name &amp; Address</u>	<u>Application No.</u>	<u>Amount of Escrow</u>	<u>Amount Refunded</u>
Robert DiBella 15 Upper Greenwood Lake Rd Hewitt, NJ 07421	0540-0712	\$1,438.06	\$1,438.06

Adopted: August 8, 2007

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 Agenda VIII 1g  
 ~ Resolution 2007 - 280 ~  
**RESOLUTION AUTHORIZING REFUND OF OTHER LIENS**

**WHEREAS**, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective lien.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of West Milford that the proper officers be and are hereby authorized and directed to pay the indicated amount to the holder of the lien certificate as hereinafter shown below:

<b>Certificate No.</b>	<b>Certificate Date</b>	<b>Block/Lot/Qual</b>	<b>Reimbursement Amount</b>	<b>Pay to the Lien Holder</b>
07-010	04/03/2007	01701-025	\$150.14	CHUN T LI 9 MALJIM COURT WAYNE, NJ 07470
07-036	04/03/2007	03602-003	\$3,666.15	PLYMOUTH PARK TAX SERVICE LLC P.O. BOX 2288 MORRISTOWN, NJ 07962
07-038	04/03/2007	03907-001.01	\$7,883.64	PLYMOUTH PARK TAX SERVICE LLC P.O. BOX 2288 MORRISTOWN, NJ 07962
07-039	04/03/2007	03907-001.02	\$13,136.62	FIDELITY TAX LLC. P.O. BOX 5707

**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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				FORT LAUDERDALE, FL 33310
07-060	04/03/2007	09404-008	\$59,931.93	USBANK-CUST/SASS MUNI V DTR 2 LIBERTY PLACE 50 SOUTH 16TH ST. STE 1950 PHILADELPHIA, PA 19102
07-064	04/03/2007	10503-003	\$7,427.04	PLYMOUTH PARK TAX SERVICE LLC P.O. BOX 2288 MORRISTOWN, NJ 07962
GRAND TOTAL			<u>92,195.52</u>	

Adopted: August 8, 2007

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Agenda VIII 1h

~ Resolution 2007 - 281 ~

**RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT FOR HEALTH SERVICES**

**BE IT RESOLVED**, by the Township Council of the Township of West Milford that, upon the report and request of the Animal Control Officer the following overpayment for cat license be refunded:

<u>Name &amp; Address</u>	<u>Amount Refunded</u>
Michael De Marco 78 Riverside Road Hewitt, NJ 07421	\$ 10.00

Adopted: August 8, 2007

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Agenda VIII 1i

~ Resolution 2007 - 282 ~

**RESOLUTION AUTHORIZING REFUND OF PERFORMANCE GUARANTEES**

**BE IT RESOLVED**, by the Township Council of the Township of West Milford 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>
Vincent Lanza P.O. Box 746 Ringwood, NJ 07456	6002/2.01	\$ 3,300.00	70
Willis Schouten 1 Vanessa Court West Milford, NJ 07480	6002/2.04	\$ 200.00	68
Michael & Ann Niechwadowicz 1 Cross Street Dover, NJ 07801	10001/12	\$ 2,000.00	58

Adopted: August 8, 2007

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Agenda VIII 1j

~ Resolution 2007 - 283 ~

**RESOLUTION AUTHORIZING REFUND OF STREET OPENING PERFORMANCE GUARANTEE**

**BE IT RESOLVED**, by the Township Council of the Township of West Milford that, upon the report and request of the Township's Engineering Department, the following Street Opening Performance Guarantee be refunded:

<u>Name &amp; Address</u>	<u>Block &amp; Lot</u>	<u>Amount Refunded</u>	<u>Pg. No.</u>
Bald Eagle Commons P.O. Box 1 Ringwood, NJ 07456	216 Cahill Cross Road	\$ 100.00	75

Adopted: August 8, 2007

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Agenda VIII 1k

~ Resolution 2007 - 284 ~

**RESOLUTION AUTHORIZING REINSTATEMENT OF TAXES**

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

**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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

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

REASON: INSUFFICIENT FUNDS

<u>BLOCK/LOT</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>YEAR</u>
102-20.09	Monica Lanza	\$2,411.00	2007
1804-3	A. & J. Corsini C/O J. Dutko	\$43.86	2007
1816-20	A. & J. Corsini C/O J. Dutko	\$1,596.49	2007
1812-1	A. & J. Corsini C/O J. Dutko	\$345.78	2007
6902-23	J. & L. Davis	\$2,793.95	2007
601-8	P. & G. Beers	\$563.62	2007
	<b>TOTAL</b>	<b><u>\$7,754.70</u></b>	

Adopted: August 8, 2007

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Agenda VIII 2  
 ~ Resolution 2007- 285 ~  
**RESOLUTION AUTHORIZING PASSAGE OF AN  
 ITEMS OF REVENUE SPECIAL CONSENT AGENDA**

**WHEREAS**, the Mayor and Township Council of the Township of West Milford has reviewed the Items of Revenue Resolutions which comprise this Special Consent Agenda; and

**NOW, THEREFORE, BE IT RESOLVED**, that the following Resolutions on the Special Consent Agenda are hereby approved:

**Resolutions:**

- a. **Resolution 2007- 286** – Body Armor Grant \$4,592.69
- b. **Resolution 2007- 287** – Hepatitis B Grant \$5,000.00
- c. **Resolution 2007- 288** – Pandemic Influenza Preparedness Grant \$10,072.00
- d. **Resolution 2007- 289** – Drunk Driving Enforcement Fund Grant \$563.80
- e. **Resolution 2007- 290** – Over the Limit, Under Arrest Grant \$5,000.00
- f. **Resolution 2007- 291** – Obey Signs or Pay the Fines Grant \$4,000.00
- g. **Resolution 2007- 292** – Streetscape Program Grant \$346,500.00
- h. **Resolution 2007- 293** – Water Quality Management Grant Program \$108,217.00
- i. **Resolution 2007- 294** – ANJEC, West Milford Lake Infrastructure Study \$7,500.00

Adopted: August 8, 2007

Moved: Scangarello Seconded: Smolinski  
 Voted Aye: Smolinski, Schimmenti, Scangarello.  
 Voted Nay: None.  
 Motion carried.

The following resolutions were included in the consent agenda:

Agenda No. VIII 2a  
 ~ Resolution 2007-286 ~  
**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW  
 JERSEY REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUE AND APPROPRIATION –  
 BODY ARMOUR**

**WHEREAS**, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount.

SECTION 1: **NOW, THEREFORE, BE IT RESOLVED**, that the Council of the Township of West Milford, in the County of Passaic, State of New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2005 in the sum of

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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\$4,592.69 which item is now available as a revenue from the State of New Jersey, Department of Law and Public Safety, Division of Criminal Justice, in order to provide body armor replacements to West Milford police officers; and

SECTION 2: BE IT FURTHER RESOLVED that a like sum of \$4,592.69 be and the same is hereby appropriated under the caption of: Grant, Body Armor \$4,592.69.

Adopted: August 8, 2007

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Agenda No. VIII 2b
~ Resolution 2007-287 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUE AND APPROPRIATION - HEPATITIS GRANT

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Township of West Milford, in the County of Passaic, State of New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2007 in the sum of \$5,000.00 which item is now available as a revenue from the State of New Jersey, Department of Health in order to facilitate communicable disease services, hepatitis B; and

BE IT FURTHER RESOLVED that a like sum of \$5,000.00 be and the same is hereby appropriated under the caption of: Grant, Hepatitis B \$5,000.00.

Adopted: August 8, 2007

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Agenda No. VIII 2c
~ Resolution 2007-288 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUE AND APPROPRIATION - PANDEMIC INFLUENZA PREPAREDNESS GRANT

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Township of West Milford, in the County of Passaic, State of New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2007 in the sum of \$10,072.00 which item is now available as a revenue from the State of New Jersey, Department of Health and Senior Services - In order to facilitate Pandemic Influenza Preparedness; and

BE IT FURTHER RESOLVED that a like sum of \$10,072.00 be and the same is hereby appropriated under the caption of: Grant, Pandemic Influenza Preparedness \$10,072.00.

Adopted: August 8, 2007

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Agenda No. VIII 2d
~ Resolution 2007-289 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUE AND APPROPRIATION - DRUNK DRIVING ENFORCEMENT FUND GRANT

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

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WHEREAS, said Director may also approve the insertion of any item of appropriation For equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Council Of the Township of West Milford, in the County of Passaic, State of New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2007 in the sum of \$563.80 which item is now available as a revenue for a grant captioned Alcohol Education Rehabilitation Fund from the State of New Jersey in order to facilitate special court sessions enforcing driving while intoxicated violations during 2007 the provision of said statute; and

BE IT FURTHER RESOLVED that a like sum of \$563.80 be and the same is hereby appropriated under the caption of: Drunk Driving Enforcement Fund grant \$563.80

Adopted: August 8, 2007

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Agenda No. VIII 2e
~ Resolution 2007-290 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUE AND APPROPRIATION - OVER THE LIMIT, UNDER ARREST GRANT

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Township of West Milford, in the County of Passaic, State of New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2007 in the sum of \$5,000.00 which item is now available as a revenue from the State of New Jersey, Department of Law and Public Safety, Division of Criminal Justice, in order to facilitate provide body armor replacements to West Milford police officers; and

BE IT FURTHER RESOLVED that a like sum of \$5,000.00 be and the same is hereby appropriated under the caption: Grant, Over the Limit, Under Arrest Grant \$5,000.00.

Adopted: August 8, 2007

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Agenda No. VIII 2f
~ Resolution 2007-291 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUE AND APPROPRIATION - OBEY SIGNS OR PAY THE FINES GRANT

WHEREAS, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Township of West Milford, in the County of Passaic, State of New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2007 in the sum of \$4,000.00 which item is now available as a revenue from the State of New Jersey, Department of Law and Public Safety, Division of Criminal Justice, in order to facilitate speed enforcement to West Milford police officers; and

BE IT FURTHER RESOLVED that a like sum of \$4,000.00 be and the same is hereby appropriated under the caption: Grant, Obey Signs or Pay the Fines Grant \$4,000.00

Adopted: August 8, 2007

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Agenda No. VIII 2g
~ Resolution 2007-292 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUE AND APPROPRIATION - STREETSCAPE PROGRAM GRANT

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**WHEREAS**, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount.

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the Township of West Milford, in the County of Passaic, State of New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2007 in the sum of \$346,500.00 which item is now available as a revenue from the State of New Jersey, Department of Housing and Development, in order to make improvements to the Union Valley Road Central Business District; and

**BE IT FURTHER RESOLVED** that a like sum of \$346,500.00 be and the same is hereby appropriated under the caption of: Grant Streetscape Program \$346,500.00

Adopted: August 8, 2007

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Agenda No. VIII 2h

~ Resolution 2007-293 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUE AND APPROPRIATION – WATER QUALITY MANAGEMENT GRANT**

**WHEREAS**, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount,

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the Township of West Milford, in the County of Passaic, State of New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2007 in the sum of \$108,217.00 which item is now available as a revenue from the State of New Jersey, Department of Environmental Protection – In order to facilitate Waste Water Management Treatment; and

**BE IT FURTHER RESOLVED** that a like sum of \$108,217.00 be and the same is hereby appropriated under the caption of: Grant, Water Quality Management Grant Program \$108,217.00

Adopted: August 8, 2007

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Agenda No. VIII 2i

~ Resolution 2007-294 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUE AND APPROPRIATION – ANJEC, WEST MILFORD LAKE INFRASTRUCTURE STUDY GRANT**

**WHEREAS**, N.J.S. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount,

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the Township of West Milford, in the County of Passaic, State of New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2007 in the sum of \$7,500.00 which item is now available as a revenue from the Association of New Jersey Environmental Commissions (ANJEC) , in order to facilitate a green infrastructure study at West Milford Lake; and

**BE IT FURTHER RESOLVED** that a like sum of \$7,500.00 be and the same is hereby appropriated under the caption of: Grant, ANJEC, West Milford Lake Infrastructure Study \$7,500.00

Adopted: August 8, 2007

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**Payment of Bills**

Agenda IX

~ Resolution 2007-295 ~

**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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 Date of Meeting:  
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 August 8, 2007  
 7:30 P.M.  
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**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:

<b>Acct #</b>	<b>Account Name</b>	<b>Amount</b>
1	Current Account. . . . .	\$752,581.77
2	Reserve Account . . . . .	988.00
3	Animal Control Trust	1,656.08
6	Capital. . . . .	283.68
7	Grants. . . . .	25,996.60
8	Refuse. . . . .	812.00
	<del>Refunds. . . . .</del>	<del>441,238.55</del>
9	Refunds Amended	140,882.55
12	General Ledger. . . . .	4,701,916.69
16	Heritage Trust. . . . .	
14	Open Space Trust	
17	Trust . . . . .	2,347.78
18	Development Escrow. . . . .	713.00
19	LOSAP	
20	Special Reserve	
		\$5,628,534.15
	Total	\$5,628,178.15
	Less Refund Resolution	<del>(141,238.55)</del>
	Less Refund Resolution Amended	<del>(140,882.55)</del>
	<b>Actual Bill List</b>	
		<b>\$5,487,295.60</b>
	Other Payments	
	Less Refund Resolution	
	<b>Total Expenditures</b>	<b>\$5,487,295.60</b>

Adopted: August 8, 2007

Discussion: Councilman Scangarello asked why the Township is returning money to the State for the bear proof garbage cans. Administrator Kunze advised that this is a partial payment to the contractor for the supply of the cans. Councilman Smolinski noted that this bill list reflects a quarterly payment to Passaic County for open space in the amount of \$99,812.11. Mayor DiDonato noted this bill list includes about \$4.7 million in payments to Passaic County.

Moved: Scangarello Seconded: Smolinski  
 Voted Aye: Smolinski, Schimmenti, Scangarello.  
 Voted Nay: None.  
 Motion carried.

Agenda X

**Reports of Administrator, Mayor and Members of the Council**

Administrator Kunze advised that the 2008 budget packets will be going out to staff some time next week.

Councilman Smolinski advised that the Recreation Department hosted the last of their series of five concerts at Bubbling Springs. About 500 people attended and parking was tight. He commended the Recreation Department and urged any interested sponsors to get involved in this community event. He noted that Paterson residents were recently notified of the results of their revaluation. As expected, about one-third of the population saw an increase, one-third remained level, and one-third saw a decrease. However, of those who will see an increase, those increases in certain incidents are very significant. He urged West Milford seniors to take advantage of the freeze program advising that, those seniors who are signed up will be locked in at today's tax rate. He anticipates that West Milford will be required to conduct a revaluation in the near future. Any interested persons should call the tax department. He stated that

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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there have been too many occasions in West Milford where concerns have been expressed about wells potentially running dry. To forestall such concerns in the future, he proposed that the Township review the land development ordinance to determine if it can be enhanced to address this subject. He noted that Township officials and appointees abide by the laws governing their actions. Perhaps the Council should enact stricter legislation to assist them. He asked that this subject be discussed at an upcoming workshop meeting.

Councilman Schimmenti stated that he has been inspired tonight by the fact that the Council was productive during this meeting. Township business was conducted and voices were heard.

Councilman Scangarello noted that the Council received a letter and a petition in their packets from residents on Cooley Lane who have concerns about one property in that area. Administrator Kunze advised that staff has been involved in this matter and the residents will receive a letter outlining the steps that have been taken to address their concerns. Councilman Smolinski thanked Congressman Scott Garrett for helping the Township with getting a \$250,000 grant for Greenwood Lake. Administrator Kunze advised that these funds will go directly to the Greenwood Lake Bi-State Commission and he will contact them to determine if they have received the funds yet. Councilman Scangarello advised that preparations are being made for the annual Autumn Lights Festival. Interested volunteers should contact the Administrator's office.

Township Attorney, Fred Semrau stated that he wants to brief Council in Executive Session tonight about potential property acquisitions. The conversation is not centered on any specific property.

**Executive Session**

Agenda XIII  
~ Resolution No. 2007- 296 ~  
**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 8<sup>th</sup> day of August 2007, that:

1. Prior to the conclusion of this **Regular 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.
  - (X) 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.
  - Potential Property Acquisition – Potentially Block 8002, Lot 1; Eagle Ridge; Valley Ridge; Apple Acres; Castle Rock Estates.
    - ( ) 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).

Adopted: August 8, 2007

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Moved: Smolinski Seconded: Scangarello  
Voted Aye: Smolinski, Schimmenti, Scangarello.  
Voted Nay: None.  
Motion carried.

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The Council went into executive session at 8:40 p.m.  
The Council reconvened in public at 9:18 p.m. with all present as before.

**Adjournment**

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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There being no further business to come before the Council, the Township Council adjourned the meeting at 8:41 p.m.

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Moved: Schimmenti Seconded: Scangarello  
Voted Aye: Smolinski, Schimmenti, Scangarello.  
Voted Nay: None.  
Motion carried.

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APPROVED: August 22, 2007

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MAYOR JOSEPH DiDONATO  
PRESIDING OFFICER

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ANTOINETTE BATTAGLIA  
TOWNSHIP CLERK