

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 Councilmen Paul Bailey, Joseph Elcavage, William Gervens, Dennis Kirwan, Patricia Lotz-Moore, Carmelo Scangarello, and Mayor Joseph DiDonato.

Absent:None.

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

Reading of or Approval of Unapproved Minutes

None.

Bids & Awards

Acting Township Administrator Kevin J. Byrnes reported on the bid received for the Disposal of Type 10 and Type 13 Solid Waste on May 14, 2004.

The Township Administrator recommended that the Council accept the recommendation of the Township Engineer and award a five year contract to the low bidder Onyx Waste Services, Inc., per bid specifications and Treasurer's certification of funds available, and pending review by the Township Attorney.

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

Agenda No. **B 1**
RESOLUTION NO. 2004 - 172

**RESOLUTION AWARDING CONTRACT DISPOSAL OF TYPE 10 & TYPE 13
SOLID WASTE**

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

Subject of Bid:Disposal of Type 10 & Type 13 Solid Waste
Bid Date Received: May 14, 2004

Time Received: 10:00 A.M.

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

26-55-500-548

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

Contract Item: Disposal of Type 10 & Type 13 Solid Waste

Bidder Name & Address: Onyx Waste Services, Inc.

1 Center Court, Suite C

Totowa, NJ 07512

Total Contract Amount: Five year contract commencing August 1, 2004 and ending July 31, 2009 for a total amount of \$5,737,713.00

Adopted: June 16, 2004

Moved: Elcavage

Seconded: Scangarello

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

Voted Nay: None.

Resolution adopted.

Acting Township Administrator Kevin J. Byrnes reported on the bid received for Residential Solid Waste Collection on May 28, 2004.

The Township Administrator recommended that the Council accept the recommendation of the Township Engineer and award a five year contract to the low bidder Blue Diamond Disposal, Inc., per bid specifications and Treasurer's certification of funds available, and pending review by the Township Attorney.

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

Agenda No. **B 2**
RESOLUTION NO. 2004 - 173

**RESOLUTION AWARDING CONTRACT RESIDENTIAL SOLID WASTE
COLLECTION**

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

Subject of Bid: Residential Solid Waste Collection

Bid Date Received: May 28, 2004

Time Received: 10:00 A.M.

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

4-26-55-500-514

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

Contract Item: Residential Solid Waste Collection
Bidder Name & Address: Blue Diamond Disposal, Inc.
68 Dell Avenue
Kenvil, NJ 07847
MAILING ADDRESS: P.O. Box 267
Succasunna, NJ 07876

Total Contract Amount: Five year contract commencing August 1, 2004
and ending July 31, 2009 for a total amount
of \$3,456,000.00

Adopted: June 16, 2004

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

Proclamations

None.

Presentations

None.

Unfinished Business, Final Passage of Ordinances

Mayor DiDonato read the following **Map Ordinance**, by title, for adoption.

MAP ORDINANCE

Those persons wishing to address the Council having been heard, the public hearing on the Ordinance was closed.

Moved: Elcavage Seconded: Bailey
Voted Aye: Bailey, Elcavage, Gervens, Kirwan, Lotz-Moore, Scangarello.
Voted Nay: Lotz-Moore.
Motion carried.

The Ordinance was adopted.

Moved: Elcavage Seconded: Lotz-Moore
Voted Aye: Bailey, Elcavage, Gervens, Kirwan, Lotz-Moore, Scangarello.
Voted Nay: None.
Motion carried.

Agenda No. **E 1**

ORDINANCE NO. 2004 - 04

MAP ORDINANCE

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

Section 1. Chapter 18, Section 1.2, entitled "Zoning Map" shall be deleted and in its stead the following shall be adopted as 18.1.2 Zoning Map:

The GIS Parcel Layer Map shall be the "Zoning Map" of the Township of West Milford.

Section 2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except as far as the section or provision thereof.

Section 3. All ordinances and parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect after final passage, publication according to law and filing with the Passaic County Planning Board.

Introduced: May 5, 2004

Adopted: June 16, 2004

Effective Date: July 6, 2004

ORDINANCE SUMMARY

ORDINANCE AMENDING CHAPTER 18 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST MILFORD AND ESTABLISHING THAT THE GIS PARCEL LAYER MAP SHALL BE THE "ZONING MAP" OF THE TOWNSHIP OF WEST MILFORD.

WHEREAS, applications for renewal of Plenary Retail Consumption Licenses for the 2004 - 2005 License year have been received and reviewed; and

WHEREAS, the Township Council has conducted a public review of the applications as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980; and

WHEREAS, as a result of that review the Township Council has determined as follows:

1. The submitted applications are complete in all respects.
2. The applicants are qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicants have disclosed to the issuing authority the source of all additional financing obtained in the previous license year (July 1, 2003 - June 30, 2004).

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk is directed to issue and deliver the license certificates for the Mayor and Township Council of the Township of West Milford.

Adopted: June 16, 2004

**2004 - 2005 PLENARY RETAIL CONSUMPTION LICENSES
TOWNSHIP OF WEST MILFORD**

NORMTRA LLL
t/a BIG JOHN'S PUB
49 Old Rt 23 N
Newfoundland, NJ 07435
1615-33-027-007

2236 CORPORATION
t/a W.M. ELK'S LODGE 2236
1860 Union Valley Road
West Milford, NJ 07480
1615-33-031-001

PMS L.L.C.
t/a THE HUNTSMAN RESTAURANT
1745 Macopin Road
West Milford, NJ 07480
1615-33-029-007

JESSIE'S COUNTRY KETTLE INC.
t/a JESSIE'S COUNTRY KETTLE
1603 Greenwood Lake Tpke.
Hewitt, NJ 07421
1615-33-031-007

LA ROCCA INC.
t/a LARocca
3219 Rt. 23
Oak Ridge, NJ 07438
1615-33-034-006

NEW VINELAND CORP
t/a MARSHALL HILL BAR & LIQUORS
9 Marshall Hill Road
West Milford, NJ 07480
1615-33-003-005

MPKM LLC
t/a SPAGHETTI WESTERN STEAKHOUSE
COUNTRY INN

BRUCO CORPORATION
t/a TOWN TAVERN

3055 Route 23
Oak Ridge, NJ 07438
1615-33-016-003

673 Macopin Road
West Milford, NJ 07480
1615-33-002-002

LAKEVIEW PUB & LIQUORS
t/a LAKEVIEW PUB & LIQUORS
1934-36 Greenwood Lake Turnpike
Hewitt, NJ 07421
1615-33-020-004

GUSTAV KOHLE CORP.
t/a MOUNTAIN REST INN
17 Wooley Road
West Milford, NJ 07480
1615-33-008-002

**SHARON A MCKEAGE TAVERN INC.
PUB & LIQUORS**

t/a MCKEAGES TAVERN
341 Macopin Road
West Milford, NJ 07480
1615-33-030-007

LONGSTAFF'S OAK RIDGE

t/a OAK RIDGE PUB & LIQUORS
62 Oak Ridge Road
Newfoundland, NJ 07435
1615-33-001-006

SABANI BASKIM

t/a LE BISTRO
9 Lakeside Road
Hewitt, NJ 07421
1615-33-017-006

BEARFORT PLAZA INC.

t/a VALLEY VIEW PUB
1612 Union Valley Road
West Milford, NJ 07480
1615-33-007-003

ANOLL, PETER & PETER W.

t/a LAKESIDE INN
322 Lakeside Road
Hewitt, NJ 07421
1615-33-011-003

**2004 - 2005 CLUB LICENSE
TOWNSHIP OF WEST MILFORD**

AMERICAN LEGION POST #289

177 Lincoln Avenue
West Milford, NJ 07480
1615-31-037-001

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

**RESOLUTION AUTHORIZING ISSUANCE OF A RECREATION GROUP USE
PERMIT
GREENWOOD FOREST VOLUNTEER FIRE CO. # 3**

WHEREAS, the Township's Director of Parks and Recreation has received a request for the use of Brown's Point for August 21, 2004 for a Pig Roast being sponsored by the Greenwood Forest Volunteer Fire Co. #3; and

WHEREAS, this event is of an extraordinary nature requiring the approval of the Township Council of the Township of West Milford; and

WHEREAS, the Township Council has reviewed the application and the report submitted to it by the Director of Parks and Recreation;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that based upon the review of the application and the report of the Director of Parks and Recreation, it does hereby approve of the issuance of a Group Use Permit for Brown's Point on August 21, 2004 to the Greenwood Forest Volunteer Fire Co. # 3 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 August 9, 2004 to surrounding residents which will include a description of activities and the times of those events scheduled for August 21, 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 August 9, 2004 for a system of traffic control, security and crowd control for the August 21, 2004 event in accordance with the recommendation of the Chief of Police.
7. 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.)
8. It shall provide the Township with a copy of any vendor permit

WHEREAS, said agreement has been reviewed by the Township's Municipal Attorney and has been recommended for the execution of the wire transfer to TICIC by the Township in the amount of \$ 111,130.00; and

WHEREAS, the Township desires to abide by the said agreement involving the disbursement of the Balanced Housing Funds.

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

1. The terms and conditions of a certain Balanced Housing Fund Servicing Agreement, dated January 16, 2003 ("Servicing Agreement") are hereby still intact.
2. The Mayor, Council and Township Clerk are hereby authorized to direct the Township Treasurer to transfer the aforementioned funds to TICIC.
3. This resolution shall take effect immediately.

Adopted: June 16, 2004

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

Agenda No. **F 5**
RESOLUTION NO. 2004 - 178

RESOLUTION ESTABLISHING A 2004 AUTUMN LIGHTS COMMITTEE

WHEREAS, the Township Council of the Township of West Milford is desirous of retaining the popular Autumn Lights Festival, now in its tenth year; and

WHEREAS, the Council believes there is sufficient public interest and willing volunteers to result in a successful event.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford hereby establishes a 2004 Autumn Lights Committee for the purpose of undertaking and promoting an October 9, 2004 (raindate October 10, 2004) town-wide festival with the following provisions:

1. The members of the committee shall serve until December 31, 2004.
2. The continuing need for the Autumn Lights committee shall be reviewed by the Township Council at its January 1 re-organization meeting and the

committee shall cease to exist at that time unless re-established by Council resolution.

BE IT FURTHER RESOLVED that Laurie Ardis be appointed Autumn Lights Committee Chair and that residents interested in volunteering to assist with the festival be urged to contact Laurie Ardis.

Adopted: June 16, 2004

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

Agenda No. **F 6**
RESOLUTION NO. 2004 - 179

**RESOLUTION CONCERNING RECREATION OPPORTUNITIES
FOR INDIVIDUALS WITH DISABILITIES**

WHEREAS, the Township of West Milford desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for funding in the amount of \$33,650.00 State share with \$6,730.00 local share for a total contract of \$40,380.00 for 2005 to carry out Comprehensive Recreation Programs for Individuals With Disabilities; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of West Milford does hereby authorize the application for such a grant, and that the Mayor and Township Council recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of West Milford and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED that the persons whose names, titles, and signatures appear below are authorized to sign the application, the contract and any other documents necessary in connection therewith:

Signed _____ Signed _____
Joseph A, DiDonato Kevin J. Byrnes
Mayor Township Administrator / Clerk

Date _____ Date _____

Adopted: June 16, 2004

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

Agenda No. **F 7**
 RESOLUTION NO. 2004 - 180

RESOLUTION AUTHORIZING THE SALE OF TOWNSHIP-OWNED VEHICLES

WHEREAS, the Township of West Milford is the owner of the vehicles on the attached list that are no longer needed for public use; and
WHEREAS, the Township of West Milford desires to authorize the sale of the attached list of surplus equipment at public sale pursuant to N.J.S.A. 40A: 11-36, to the highest bidder.

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

1. Township officers are hereby authorized and directed to take any and all steps necessary to proceed with a public sale of said surplus equipment.
2. The Notice of Sale shall be advertised in the newspaper on June 27, 2004. The Public Sale will be held on Friday, July 9, 2004 at 10:00 a.m. in the Council Meeting Room, 1480 Union Valley Road, West Milford, NJ.
3. The vehicles will be sold to the highest bidder for cash or certified check.
4. No limit shall be placed on the number of vehicles that can be purchased by any one bidder.
5. This resolution shall take effect immediately.

Adopted: June 16, 2004

TOWNSHIP SALE VEHICLES

	YEAR	MAKE	DESCRIPTION	VIN #
1.	1989	GMC	2500 PICK-UP	1GTGK24K3KE536138
2.	1995	CHEVROLET	CAPRICE	1GLBL52P7SR156048
3.	1991	GMC	SIERRA PICK-UP	1GTGK24K3ME509573
4.	2000	FORD	CROWN VICTORIA	2FAFP71W3YX195998
5.	2000	FORD	CROWN VICTORIA	2FAFP71WXYX195996
6.	1989	INTERNATIONAL	S 1900 DUMP & PLOW	1HTLDTVN1KH649045
7.	1988	INTERNATIONAL	S-1900 DUMP	1HTLDTVN7JH564886
8.	1989	INTERNATIONAL	S-1900 DUMP	1HTLDTVN3KH649046
9.	1991	GMC	MASON DUMP TRUCK	1GDJK34KXME505074
10.	1987	CHEVROLET	S-10 BLAZER	1GNCT18R8H0159865
11.	2001	FORD	CROWN VICTORIA	2FAFP71W31X172050

12. 2001 FORD CROWN VICTORIA 2FAFP71W71X172049
13. 1986 FORD PICK-UP 1FTCF15N2GNB08607
14. 2000 FORD CROWN VICTORIA 2FAFP71W5YX195999
15. 1989 FORD VAN 1FDKE37G0KHA82522
16. 1987 INTERNATIONAL VAN 1HVLNHGM6HH513198

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

Councilman Elcavage moved to table the Resolution Authorizing the Release of a Letter of Credit and Posting of Maintenance Bond for Bobby Lane for further review.

Moved: Elcavage Seconded: Kirwan
Voted Aye: Bailey, Elcavage, Gervens, Kirwan, Lotz-Moore, Scangarello.
Voted Nay: None.
Motion carried.

Agenda No. **F 9**
RESOLUTION NO. 2004 - 181

**RESOLUTION AUTHORIZING THE RENEWAL OF PLENARY RETAIL
CONSUMPTION LICENSES
FOR THE 2004 - 2005 LICENSE YEAR WITH CONDITIONS**

WHEREAS, applications for renewal of Plenary Retail Consumption Licenses for the 2004 - 2005 License year have been received and reviewed; and

WHEREAS, the Mayor and Township Council has conducted a public review of the applications as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980; and

WHEREAS, as a result of that review the Township Council has determined as follows:

1. The submitted applications are complete in all respects.
2. The applicants are qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicants have disclosed to the issuing authority the source of all additional financing obtained in the previous license year (July 1, 2003 - June 30, 2004).

WHEREAS, The Township Council was advised by the Police Department of investigations on these licenses; and

WHEREAS, the Police Department has recommended that the licenses be

renewed to the current owners with conditions.

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk is directed to issue and deliver the license certificates for the Mayor and Township Council of the Township of West Milford with conditions as follows:

LICENSE/LICENSEE/T/A	CONDITIONS
<p>Reflection Lakes Inn t/a Reflection Lakes Inn West Milford, NJ 07480 1615-33-026-002</p>	<p>1) Adequate signing must be placed on trees surrounding the 3/4 acre grove area to the front of the bar utilizing this area for everyday business, self limiting the licensed premise outside perimeter in order to safely manage the premises with the least amount of employees. When this area is utilized for liquor consumption the bar must make one employee available to supervise this area thereby requiring at least two employees on duty.</p> <p>2) On days of planned events where the entire 5 acres is to be utilized as a licensed premise the owners have agreed to have at the minimum 5 - 6 employees to supervise this open area. The outside area must be adequately supervised in order that under age and intoxicated persons are not served and disagreements between customer better managed.</p>

MURAPPAUL CORP. 1) The owner is to consider parking limitations when scheduling advertized special events.
t/a ISLAND OF SPIRITS
3025 Rt. 23
Oak Ridge, NJ 07438
1615-33-019-001

Adopted: June 16, 2004

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

Agenda No. **F 10**
RESOLUTION NO. 2004 - 182

**RESOLUTION AMENDING A PRIOR RESOLUTION AUTHORIZING
ACCEPTANCE
OF AN NJDEP NPS GRANT (FY2004 SECTION 319h) FOR DEVELOPMENT
OF A LAKE RESTORATION PLAN FOR GREENWOOD LAKE**

WHEREAS, none of the Councilmembers or Mayor of the Township of West Milford is desirous of removing Resolutions or Applications for individual action from this Agenda,

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

- a. **Resolution** of the Township Council of the Township of West Milford Establishing Petty Cash Funds and Change Funds for Bubbling Springs, Recreation Office and Coffee House
- b. **Resolution** Authorizing Refund of Performance Guarantees
- c. **Resolution** Authorizing Refund of Other Liens
- d. **Resolution** Authorizing Cancellation of Tax
- e. **Resolution** Authorizing Partial Refund of Performance Guarantees
- f. **Resolution** Authorizing Refund of Overpayments
- g. **Application** for Special Permit for Social Affair by Greenwood Forest Fire Company for August 21, 2004

Adopted: June 16, 2004

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

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

Agenda No. **G1 a**
RESOLUTION NO. 2004 - 184

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD ESTABLISHING PETTY CASH FUNDS AND CHANGE FUNDS FOR BUBBLING SPRINGS, RECREATION OFFICE AND COFFEE HOUSE

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of petty cash and change funds; and

WHEREAS, it is necessary from time to time to allow the availability of cash fund for immediate unforeseen minor cash expenditures no greater than \$25.00 each and change funds as follows:

PETTY CASH	Bubbling Springs	\$200.00
PETTY CASH	Recreation Department	\$200.00
CHANGE FUND	Recreation Department	\$ 50.00
CHANGE FUND	Coffee House	\$ 50.00

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

the above referenced funds be established for 2004; and

BE IF FURTHER RESOLVED that said WHEREAS amounts are to be returned to the Township's General Fund no later than December 31 st. each year.

Adopted: June 16, 2004

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Agenda No. **G1 b**  
RESOLUTION NO. 2004 - 185

**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> |
|---------------------------------------------------------------------------|------------------------|------------------------|----------------|
| Philip & Catherine Shanahan<br>1 Hickory Avenue<br>West Milford, NJ 07480 | 5301/22                | \$ 250.00              | 47             |

Adopted: June 16, 2004

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Agenda No. **G1 c**
RESOLUTION NO. 2004 - 186

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 Lien Cert. #	Date of Sale	Block/Lot	Amount	Pay to the Lienholder
93-222	05/13/1993	14801-012	\$ 14,097.81	LEONARD; MILDRED & ROBERT

ROTHMAN
409 GRAND AVENUE
ENGLEWOOD, NJ 07631

For the Redemption of Lien Cert. #	Date of Sale	Block/Lot	Amount	Pay to the Lienholder
94-208 ROBERT	05/12/1994	14801-012	\$ 46,082.67	LEONARD; MILDRED & ROTHMAN 409 GRAND AVENUE ENGLEWOOD, NJ 07631
95-185 ROBERT	05/11/1995	14801-012	\$133,588.06	LEONARD; MILDRED & ROTHMAN 409 GRAND AVENUE ENGLEWOOD, NJ 07631
97-134 FUNDCO;	05/15/1997	14801-012	\$ 24,238.73	FUNB AS CUST. FOR INC CORPORATE TRUST DEPT 3950 RCA BLVD SUITE 5002 PALM BEACH GARDENS, FL 33410
98-153	04/09/1998	14801-012	\$ 69,819.36	DCAGC MANAGEMENT CORPORATION C/O EUGENE DENAGEL 71 CATSKILL COURT BELLE MEAD, NJ 08502
99-060	04/12/1999	02611-026	\$ 25,746.21	THOMAS WINKLER 229 GRANITE AVE HALEDON, NJ 07508
03-059	04/07/2003	08509-012	\$ 1,717.57	WENDY KORTEWEG 411 SICOMAC DRIVE WYCKOFF;, NJ 07481
04-018 LLC	04/05/2004	02303-013	\$ 11,904.51	AMERICAN TAX FUNDING; PO BOX 862658 ORLANDO;, FL 32886-2658
04-051 CORP	04/05/2004	07617-006	\$ 5,459.53	CRUSADER SERVICING 179 WASHINGTON LANE JENKINTOWN, PA 19046
04-057 PLYM PK	04/05/2004	08702-004	\$ 1,592.09	WACHOVIA CUST FOR

TAX SRVS
P.O. BOX 2288
MORRISTOWN, NJ 07962

04-066 04/05/2004 10602-014 \$ 11,992.06 AMERICAN TAX FUNDING;
LLC

PO BOX 862658
ORLANDO, FL 32886-2658

Grand Total \$346,238.60

Adopted: June 2, 2004

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Agenda No. **G1 d**  
RESOLUTION NO. 2003 - 187

**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

REASON: County of Passaic Property

| <b>BLOCK &amp; LOT</b> | <b>NAME</b>       | <b>AMOUNT</b>     | <b>YEAR</b> |
|------------------------|-------------------|-------------------|-------------|
| 3801-11                | County of Passaic | \$2,282.00        | 2004 1 ½    |
| <b>TOTAL</b>           |                   | <b>\$2,282.00</b> |             |

Adopted: June 16, 2004

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Agenda No. **G1 e**
RESOLUTION NO. 2004 - 188

RESOLUTION AUTHORIZING PARTIAL REFUND OF PERFORMANCE GUARANTEES

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

Name & Address Blk - Lot Amount Refunded Pg. No.

Gary Hartwig 3604/5 \$ 1,500.00 66
54 Tintle Avenue
West Milford, NJ 07480

Adopted: June 16, 2004

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Agenda No. **G1 f**  
RESOLUTION NO. 2004 - 189

**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

| <b>Block/LotName</b>          | <b>Amount</b>          | <b>Year</b> | <b>Reason</b> |
|-------------------------------|------------------------|-------------|---------------|
| 11001-45 Dale & Robin Winters | \$ 89.40               | 2003        | 5             |
| 114 Broadway                  | 46.92                  | 2004        |               |
| West Milford, NJ 07480        |                        |             |               |
| <b>TOTAL</b>                  | <b><u>\$136.32</u></b> |             |               |

Adopted: June 16, 2004

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Approval of Expenditures

Agenda No. **H 1**
RESOLUTION NO. 2004 - 190

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 \$ 284,884.99

02	Reserve	\$ 18,915.95
03	Dog Tax	\$ 38.00
04	Recycling	\$ 0.00
05	Recreation	\$ 0.00
06	Capital	\$ 59,895.40
07	Grants	\$ 6,055.34
08	Refuse	\$ 162,646.42
09	Refunds.....	\$ 346,829.92
10	Neighborhood Preservation	\$ 0.00
12	General Ledger	\$ 0.00
16	Heritage Trust	\$ 240.16
	Open Space Trust	\$ 0.00
17	Trust	\$ 6,915.00
18	Development Escrow	\$ 4,432.50
19	LOSAP	\$ 0.00
20	Special Reserve	\$ 0.00
	<i>Total</i>	\$ 890,853.68
	<i>Less Refund Resolution</i>	- \$ (346,829.92)
	<i>Actual Bill List</i>	\$ 544,023.76
	<i>Other Payments</i>	\$ 0.00
	<i>Less Refund Resolution</i>	- \$ (0.00)
	TOTAL Expenditures.....	\$ 544,023.76

Adopted: June 16, 2004

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

Reports of Administrator, Mayor and Members of the Council

The Mayor and Members of the Council commented on various Municipal and Government matters pending.

Appointments

None.

Presentations of Communications, Petitions

None.

Petitions & Requests of Public

Several residents addressed the Council regarding matters of concern.

Councilman Elcavage moved to close the Petitions & Requests of Public.
Moved: Elcavage Second: Kirwan
Voted Aye: Bailey, Elcavage, Gervens, Kirwan, Lotz-Moore, Scangarello.
Voted Nay: None.

Motion carried.

Executive Session

None.

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 9:48 P.M.

Moved: Bailey

Seconded: Lotz-Moore

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

Voted Nay: None.

Meeting adjourned.

MAYOR JOSEPH DIDONATO
PRESIDING OFFICER

KEVIN J. BYRNES
TOWNSHIP CLERK