

**MINUTES
BOROUGH OF NEW MILFORD
7:00 PM WORK SESSION
Monday, November 12, 2012**



WORK SESSION:

Mayor Subrizi read the Open Public Meeting and Mission Statements.

Councilwoman Randi Duffie	Present
Councilman Austin Ashley	Present
Councilman Diego Robalino	Present
Councilman Dominic Colucci	Present
Councilwoman Hedy Grant	Present
Council President Howard Berner	Present
Mayor Ann Subrizi	Present

Also Present: Mark Madaio, Borough Attorney; Christine Demiris, Administrator/ Clerk; Michael Putrino, Council Elect.

Councilwoman Grant made a motion to go into closed session. Councilman Colucci seconded the motion. All present in favor, none opposed.

CLOSED SESSION:

1. PBA Grievance
2. Property Acquisition -1033 Stueben Avenue
3. Personnel
4. Closed Minutes Review – 1/23/12; 2/13/12; 2/27/12; 3/5/12; 3/12/12; 5/14/12; 5/30/12; 6/11/12

At the conclusion of the closed session Councilwoman Duffie made a motion to return to open session. Councilwoman Grant seconded the motion. All present in favor, none opposed.

OPEN SESSION:

1. Risk Manager – Medical Insurance Renewal; JIF Renewal; 2013 Budget Incentive Plan

The Borough's Risk Manager, Arthur Caughlan, passed out informational materials to Mayor and Council. He reported that two years ago the JIF bought policies through the XL Insurance Group for Public Official Liability and Employment Practices Liability to make municipal insurance coverage more affordable to municipalities. JIF instituted a \$20,000 per claim deductible to keep costs down; this was not well received by the municipalities. Mr. Caughlan passed out more information on a new program for 2013; enabling municipalities to buy back their deductibles and co-pays for an additional premium. He went over the figures within the optional and current policies and told the Mayor and Council and recommended the Borough opt to pay the additional \$10,826.45 which would reduce the coinsurance to \$0 with a \$10,000 deductible. The deadline for a decision is February 1, 2013.

Mr. Caughlan distributed a document to Mayor and Council about containing claims. He said that in order to get the attention of municipalities, JIF began implementing experience ratings, beginning in 2012. The formulas and assessments have been revised for 2013. New Milford's share is going up by 4.2% based on the municipality's experience rate, which is based on claims submitted. He spoke about the borough's present claims fund contribution and how this figure varies depending on the amount of claims the borough submits, with a CAP of \$28,981. The JIF has proposed a formula to help pay extra money owed to them by taking a portion of the boroughs annual dividends earned instead. Mr. Caughlan stated that the JIF is not the only program municipalities can take part in, but it is the best program for the price. Councilwoman Duffie asked why the borough's share is so high and Mr. Caughlan explained several factors go into the final percentage.

Mr. Caughlan introduced Karen Crotty, his partner in health benefits and said that their talks with Cigna to continue health care coverage did not work out. There were some specific employee claims made during the year which would make continuing with Cigna in 2013 cost prohibitive. AETNA quoted a 7% increase over the amount the borough is paying currently. This is the best price to be found and some of the programs that AETNA is offering are better than what is covered in the current plan. Mr. Caughlan said that enrollment into AETNA must begin now. Choice Care cards will still be used. He spoke about some problems that Cigna had with the Choice Care portion of the plan and feels AETNA will run more smoothly. Council President Berner asked about Level Funding and Ms. Crotty explained that the AETNA is a Level Funding type of plan. She spoke about the detailed breakdown of the plan funding and said that percentage increases average to about a 9% in the industry covering state health benefits. Mr. Caughlan asked for direction from the Council as to their decision of which plan the borough will use for health benefits so that the process can move forward. Ms. Crotty said that AETNA allows for passive enrollment of employees which will make the transition smoother. Meetings with employees need to be scheduled to explain coverage. The borough will not be locked into an annual contract and can change health care carriers during the year. Last year New Milford paid \$1,525,085 and this year with AETNA the cost would be \$1,636,193.

Ms. Crotty explained the Trustmark Company and how their final rates are determined within 48 hours after mandatory employee questionnaires are completed. The rate would hold for twelve months. A participation rate of 80% of employees is needed to get an accurate rate. A discussion on ways to enable the employees to do the questionnaires by phone, email or paper ensued. Ms. Crotty said that Trustmark is superior to the state plan. It would take approximately 48 hours after the questionnaires are completed to get final figures and three weeks to implement from the time of information gathering to commitment.

Mr. Caughlan said that there is a January 1, 2013 deadline to make a decision on a Health Care provider and it is his feeling that it makes sense to go with AETNA. Other options can continue to be explored and can be changed during the course of the year.

Resolution 2012:313 was added to the agenda authorizing Mr. Caughlan to move the plan to AETNA; the Mayor and Council will continue to investigate the possibility of a subsequent change to Trustmark. The VSP vision program will be terminated.

2. Planner, Rezoning: Initial Discussion of Proposed Ordinance –

Mayor Subrizi said the Planner's appearance was cancelled because she was not sure the Council had a clear direction on what they wanted to have the Planner do. She felt that the governing body should discuss the United Water property before talking to the Planner about the possibility of creating a new zoning ordinance. Another option is to abandon the idea of rezoning and have the Zoning Board proceed with the application. The Mayor suggested scheduling a special meeting with the planner to discuss the options and gain additional knowledge. She said if the Council wished to abandon the idea of rezoning there would be no need for a special meeting.

A motion was made by Councilman Colucci, seconded by Councilman Robalino to schedule a special meeting to discuss the United Water property with the Borough Planner.

Councilwoman Duffie said the Council already has the document provided by the Planner; she does not see the need for a special meeting at this time. The Administrator/Clerk asked who should be called for a vote. Mr. Madaio said he has given his opinion many times as to his reasons why he does not believe the recused members should vote, however, they should be called and make their own decision to vote or not to vote. The motion failed on a roll call vote as follows:

For the motion: Colucci, Robalino,

Against the motion: Duffie, Grant, Ashley, Berner

Abstain: None

All agreed the topic of a special meeting may be revisited at a future date.

3. Surplus Policy –

The Administrator reported the Auditor provided information from "The New Fund Balance" – from the Government Finance Officers Association after Mayor and Council's initial discussion of formalizing an amount of funding to be put into annual surplus. She said that the GFOA recommends as little of 5% or two months of the annual budget to be kept as surplus. It was agreed that both figures would be too high for the borough to accommodate, and in an earlier discussion of 2% to 3% was considered. To stabilize the issue, the Mayor suggested using 2 and a half percent. Mr. Madaio suggested that the policy could be written to allow the borough to put as much money into surplus as possible without setting a percentage. Councilman Robalino asked for the surplus to go to 3% in the second year. Councilwoman Grant stated she does not agree with establishing a guideline because she would rather see leeway than to have a fixed guideline depending on municipal economic and financial circumstances.

The Administrator read the recommendation from the policy guidelines in the Best Practices toolkit. A discussion as to whether there is a need for a policy, details of percentages, wording and the necessity to review the policy annually was discussed. Councilwoman Duffie stated that in order to make the policy work best, the language should vague. Mr. Madaio said the resolution could be drafted with wording such as "surplus shall be carefully considered each year by the Governing Body during the budget process and the amount of surplus shall be sufficient to assure that any contingencies likely to face the Governing Body

can be met.” Mayor Subrizi asked if Council would consider a resolution to set surplus between 2% and 3% if money is available in the budget. The Administrator read the resolution she had originally drafted. Discussion continued on specific language and whether it is necessary to have a specific percentage amount within the resolution. Councilwoman Grant made a motion to craft a policy using the Borough Attorney’s verbiage. Councilwoman Duffie seconded the motion. All present in favor, none opposed.

4. Outsourcing Minutes –

The Administrator reviewed a previous decision to issue an RFQ for a typist to work on Council meeting minutes and reported an advertisement had been placed in the newspaper. There were no responses to the ad. Conversations with qualified employees who currently do various meeting minutes brought an agreement of a formula. It was estimated that it takes 2 hours to type each hour of a meeting. Assuming the part time hourly rate of \$15 as a base, pay would be compensated at \$30 per meeting hour. Closed minutes would be done by the Clerk or Deputy Clerk only.

The minutes at the present time are up to date as of June 11, 2012, open and closed. The Administrator reminded the Council that there have been more special meetings than typical as well as other factors which have caused a delay in turnaround time. The Mayor and Council agreed that there are a number of recent extra duties that fall within the Administrator’s jurisdiction making it difficult to type the minutes. Mr. Madaio stated that within the last 10 years, the contents of the minutes have gone from the statutorily required information to a form of mini transcripts. The type of minutes now expected by the Mayor and Council takes a considerable amount of time. He stated that if the Mayor and Council want statutory minutes than the minutes could be done in timely fashion by the Clerk and Deputy.

The Clerk’s budget will need to be increased by \$5,400 minimum if the minutes are to be jobbed out. Council agreed to the increase. Councilwoman Grant asked that the Planning Board and Zoning Board get compensated monetarily for the typing of the minutes that they now do at home on their own time. The Administrator said the salary ordinance will need to be amended to recognize the new figure.

5. Fire Department- Proposed Changes: Out of Town Members and Increased Age Limit

Councilman Colucci reported that he met with several members of the Fire Department recently and spoke about two potential changes the Fire Department would like the Mayor and Council to consider. According to current ordinance, members age out of being eligible to join the department at age 46 and a half. Also the borough will not allow out of town members. He said that borough DPW workers who do not live in the borough would like to become members of the New Milford Fire Department.

Fire Chief Tufaro addressed the governing body. He said the borough ordinance regarding the age of new members mirrors that of the state and most members are in favor of leaving the cut off as it stands. He explained that there are state benefits that a member over 46 would not be entitled to if they were allowed to join the borough department. He also stated

there is an adequate number of members at this time. As for out of town membership, the Chief stated there are commitments a member must meet that are not convenient for those who live out of town. At this time there is a need for volunteers to help in the Firemen's Corp. Firemen's Corp volunteers aid the fire department in various capacities that do not involve firefighting.

6. Rent Leveling Ordinance –

Borough Attorney, Mr. Madaio recapped previous discussions of the Council on the topic of amending the Rent Leveling ordinance. He referenced the recent letter Rent Leveling board member John DeSantis gave to the governing body for review. He spoke about specific paragraphs within Mr. DeSantis's letter: paragraph 8 referred to altering the rights of certain apartment complex tenants in the event of condo or co-op conversion. Mr. Madaio stated that this suggestion is preempted by state statute. In paragraph 9, the current state statute referring to a property owner wanting to occupy the rented premise cannot be changed by a municipality. Other points were cited, and Mr. Madaio stated that he does not feel that government has the right to enforce some points brought up in the letter. A municipal ordinance should coincide with state law. The topic of allowing seniors a 30 day notice clause to break their lease was discussed and Mr. Madaio said that the state already has a 40 day notice clause by statute. Changing the date of when rent checks are due was discussed and Mr. Madaio stated that he did not feel it was okay for tenants to pick a day themselves. He spoke about tax pass throughs and thought that this could be adopted as an amendment to the Rent Leveling ordinance. He cited an ordinance in effect in Ridgefield regarding two additional classes of tenant eligibility for qualified senior citizen status and felt positive that their ordinance could be arguable in a court of law. He said that he would draft a borough ordinance based on the recommendations of Mayor and Council but state statute is clear on many points.

Mr. DeSantis spoke about a provision to provide that certain seniors not be required to pay more than one third of their total income. Mr. DeSantis spoke about the needs and rights of the seniors, and stated that Legislator Connie Wagner has resubmitted a bill to the assembly to provide assistance to seniors regarding rent. Mr. DeSantis spoke about the needs of senior renters with limited incomes and asked that New Milford be a leading example in creating an ordinance to provide relief for them. He said that he did not want any burdens to land on the taxpayers for the senior relief. Members of the governing body praised Mr. DeSantis for his hard work and noble intentions but agreed that as a municipality they can do only what is allowed by current laws.

Rent Leveling board member Anthony Lauro, of Affiliated Management, New Milford Estates entered the conversation and said that many landlords work with the tenants individually to help them stay in their apartments. Seniors are considered their best tenants and most landlords will go out of their way to help them.

Council President Berner said that some apartment complexes run at a loss and cannot afford to lower rents. The Mayor recapped the sentiments of the group saying that many of the things Mr. DeSantis is looking to do cannot be done by the Mayor and Council although his heart and sentiment touches everyone present. Councilwoman Duffie said that there are a number of people in the borough who need help and if the Mayor and Council are not able to

provide help through an ordinance, then perhaps they can make improvements in the Social Services Department. It could be a more visible presence to the senior renters. Landlords could help spread the word that the department is available to help residents who need it. The Mayor asked the Administrator to speak to Donna Foxen, of Social Services to see if there are also county or regional programs that could be helpful to the seniors.

7. Repair Shops – Debris Definition

Mr. Madaio passed out documentation with various definitions of the word “debris” and local ordinances from nearby municipalities with similar factors as the borough. Each ordinance draws on definition sections. He asked that the Mayor and Council research the various ordinances before further discussion.

8. Recreational Vehicles

Mr. Madaio asked the Mayor and Council what they want to see in a new ordinance for Recreational Vehicles. Councilman Ashley asked for a regulation to contain parked RV’s to be within specific minimum setbacks. Mayor Subrizi asked if a subcommittee could be formed to discuss and bring ideas back to the table. It was suggested that the Planning Board discuss the topic.

APPROVAL OF MINUTES

A motion was made by Council President Berner, seconded by Councilman Robalino to approve the minutes for February 13, 2012. The motion passed as follows:

For the Motion: Colucci, Robalino, Grant, Ashley

Against the Motion: none

Abstain: Duffie

A motion was made by Councilman Robalino, seconded by Councilman Colucci to approve the minutes for February 27, 2012. The motion passed as follows:

For the Motion: Duffie, Colucci, Robalino, Grant, Ashley

Against the Motion: none

Abstain: Grant

A motion was made by Councilman Colucci, seconded by Councilwoman Duffie to approve the closed minutes of the January 23, 2012, March 5, 2012, March 12, 2012, May 14, 2012, May 30, 2012, and June 11, 2012. All present in favor, none opposed

OLD BUSINESS:

ADOPT ORDINANCE 2012:19

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF NEW MILFORD
SALARY ADOPTED AS ORDINANCE 91:01 AND AMENDED BY ORDINANCE
91:21, 92:07, 93:01, 94:13, 95:07, 96:05, 97:11, 98:05, 99:04, 2000:07, 2001:11, 2002:15,
2003:10, 2004:13, 2004:15, 2005:16, 2006:09, 2007:12, 2008:02, 2008:09, 2009:14, 2010:11;
2011:13; 2012:01

Councilman Colucci made a motion to open to the public for comment on this ordinance. Councilman Robalino seconded the motion. All present in favor, none opposed.

The record reflects no member of the public wished to comment on this ordinance.

Councilwoman Duffie made a motion to close to the public. Councilwoman Grant seconded the motion. All present in favor, none opposed.

Councilwoman Duffie made a motion to pass this ordinance on its second and final reading. Council President Berner seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

Councilman Ashley requested the Resolution 2012:307 be taken out of the Consent and voted on separately.

COMMENTS FROM THE PUBLIC

A motion was made by Councilwoman Grant, seconded by Councilwoman Duffie to open the Public portion of the meeting.

Mary McElroy, 297 Greve Drive – Ms. McElroy asked if the grants writer will be scheduled to attend a Mayor and Council meeting to speak about the possibility of receiving grant money to buy the United Water Company property. She asked if there would be any discussions in upcoming meetings to get grant money to improve the recreational field's condition. Mayor Subrizi said that a referendum, which asked residents if they wanted the borough to pay for field improvements with tax dollars, failed in the recent election. She said the grants writer attended the March 14, 2011 meeting. She was asked at that time if money was available to fund the buying of the United Water property. Grants writer, Marlene Casey stated at that meeting it was possible to buy the property in stages with grant money but would require a leap of faith to bond it and pay it back over the course of three years with grant funds. Grants are limited to the amount of the Green Acres appraisal. A strategy was discussed, but the Council at the time was not supportive of buying the property. Rezoning the property also did not have the majority of the governing body's support. It was agreed that Ms. Casey will be invited back to a Council meeting to speak about grant money again. Ms. McElroy said that she has looked at other area towns who have done field improvements and she knows that there are three ways for it to be done, through municipal bonding, a school bond and some grant money, or selling out to a developer who will give an in-kind donation. She said that both the high school field and the recreational field are in very bad shape. Ms. McElroy asked if anyone on the governing body has spoken to the Brookchester Apartment Complex principles regarding turning their units into affordable housing to satisfy the COAH obligations. Mayor Subrizi stated that she has tried to reach out numerous times but they will not speak to her. Ms. McElroy said that the Mayor or Council should go to the management offices and demand attention.

Ana Leone, 505 Boulevard – Ms. Leone asked if the governing body thinks that the Brookchester complex owners are not interested because their phone calls were not returned. She asked the Mayor to send a certified letter expressing the request to put affordable housing in the complex.

George Adelung, 723 Berkley – Mr. Adelung said that there is a need to outline a way that United Water property can be bought by the Borough. He said that everyone does not agree on what should be done with the property but he was under the impression that there was once a plan to buy the property. He said that he was told by certain council people that the borough was going to buy the United Water property and build a field, and therefore people did not approve the referendum for a new turf field. Mayor Subrizi stated that there was a timeline from January

2011 to April 2011 when the Borough considered the purchase of the property. This was the same time when the topic of rezoning the property was considered. It was decided at that time not to buy or rezone the property. Mr. Adelung said that people in the town need more information on how the property can be bought now. Mr. Madaio explained that the only way for the borough to take the property now is under eminent domain. Mayor Subrizi said that at this meeting the option of rezoning was turned down. Mr. Adelung said that the field referendum failed in part because the residents did not want a new field at the middle school. A discussion ensued on funding and the future of the United Water property between Mr. Adelung and the governing body. Councilwoman Duffie said that the governing body needs to have a plan for the fields that the borough and the school board already own.

John DeSantis, 190 Powell Drive – Mr. DeSantis stated that he wrote to Legislator Connie Wagner asking for COAH restrictions to be loosened in some way. He asked that the Mayor and Council challenge mandated regulations. Mr. DeSantis spoke about the senior renting issue and said that government should reflect the better part of our nature and more should be done for seniors. Mr. Madaio said that he could write an ordinance with the points that Mr. DeSantis outlined but there is a large chance that it would not hold up in a court of law. A rent leveling ordinance must give a landlord a fair increase on his investment.

The Mayor asked to suspend public comment until after the Administrator and Council can give reports. Councilwoman Grant stated that a vote must be taken to continue the meeting since the time of officially ending the meeting has past. A motion was made by Councilwoman Grant, seconded by Councilwoman Duffie to continue the meeting until 11:00 PM. All present in favor, none opposed.

Mayor Subrizi read a thank you letter complimenting the Borough and the way they handled the emergency and aftermath of Superstorm Sandy. The letter was from Joseph Supino, 607 Duke Road.

The Administrator said that she has received a letter requesting the waiving of permit fees for repairs and replacements due to losses from Superstorm Sandy. It was agreed to waive fees for three months.

The Administrator said that a number of trees ripped up a number of sidewalks. The governing body discussed trying to file a FEMA claim to pay for repairs of the sidewalks. The police have compiled a five page list of one hundred trees at this time with more to come. The Administrator said that at this time there are 66 resets and 33 replacements counted at a cost of over \$12,000. Mayor Subrizi stated that in the past the borough absorbed the cost of the sidewalks and asked what the Council wanted to do. The Chief of Police will be asked if the expense may be covered by FEMA.

The Administrator said there was a recent incident during a CO inspection when the DPW went to the wrong location and passed the condition of the sidewalks and a CO was given. The new owner has since moved in and now wants the sidewalks repaired at the expense of the former owner or town. The Council agreed the buyer's attorney should go back to the seller's attorney to be compensated.

Councilwoman Grant stated that she would like the DPW and Fire Department to submit reports regarding Superstorm Sandy. She was advised the Police Department and Ambulance Corp have already submitted reports. The reports show that there are important precautions to be taken before any other issues arise. The Mayor said that she would like to schedule a meeting with emergency services on November 19, 2012 at 5:00pm. Mr. Madaio said other towns are doing the meetings through committees. It was agreed Mayor Subrizi, Councilwoman Grant and Councilman Ashley will attend on 11/19; the meeting will be scheduled for 4:30 PM.

Councilwoman Grant said that the Borough has been asked to support a flood hazard control act. She would like a resolution be drafted for the next meeting. Also the Borough has been asked

to support a Good Samaritan emergency response act and she would like a resolution to be drafted for the next meeting for that as well.

Councilman Robalino said that even though the town voted no on the referendum, he would like to know if the Mayor and Council would like to discuss moving forward with the funding of the field in partnership with the Board of Education. The topic will be put on a future agenda.

Councilman Robalino said that a vote was taken earlier to have an ordinance drafted to rezone the United Water property. The study that was commissioned by the planner has not been heard yet. He spoke about the ethics in regards to two of the Councilmen's votes. Mr. Madaio said he has given advice many times and if the councilmembers choose to vote it is not up to the attorney or clerk to stop them from voting; he noted the vote could be challenged.

Ana Leone, 505 Boulevard - Ms. Leone said that she is disappointed. The Field of Dreams and United Water property are two different matters. The voted down field referendum is not the same question as a question on whether or not to buy the United Water property; you can't assume that because voters rejected a \$3 million field they would reject the \$8 million purchase of the United Water property.

RESOLUTIONS:

- 2012:301 Closed Session
- 2012:302 Payment of Bills and Vouchers
- 2012:303 Approve 2012 Appropriation Budget Transfers
- 2012:304 Request Director of DLGS to approve insertion of revenue and like appropriation for State of New Jersey Title III – Senior Citizens in the amount of \$15,510.00
- 2012:305 Request Director of DLGS to approve insertion of revenue and like appropriation for State of New Jersey HAVA Polling Place Accessibility in the amount of \$2,995.00
- 2012:306 Request Director of DLGS to approve insertion of revenue and like appropriation for OMB Bullet Proof Vest Partnership Program in the amount of \$1,852.50
- 2012:307 Approve Raffle Application 2012:22 – New Milford-Teaneck Lodge #2290, BPOE – Instant Raffle Annual License
- 2012:308 Authorize Tax Collector to Remove Property from Tax Sale – Block 101, Lot 1
- 2012:309 Authorize Escrow Refund – Giancola, 211 Ridge Street, in the amount of \$743.50
- 2012:310 Authorize Refund of Hotel Fees in the amount of \$318 each to Ann Subrizi, Dominic Colucci, and Hedy Grant – Due to the Cancellation of the League of Municipalities Conference
- 2012:311 Authorize Approval of Stipulation of Settlement – Block 501, Lot 4
- 2012:312 Authorize Mayor to Sign Rider to Contract of Sale – 1033 Steuben Avenue
- 2012:313 Authorize Agreement with Aetna for Employee Medical Benefits
- 2012:314 Authorize Building Department to Waive Permit Fees for Hurricane Related Repairs

Councilwoman Grant made a motion to approve resolution 2012:307. Councilwoman Duffie seconded the motion. The motion passed as follows:

For the motion: Duffie, Robalino, Colucci, Grant, Berner
Against the Motion: None
Abstain: Ashley

Councilman Robalino made a motion to approve the consent agenda, resolutions 2012:301 through 2012:306 and 2012:308 through 2012:314. Councilwoman Duffie seconded the motion. All present in favor, none opposed.

ADJOURNMENT

As there was no further business, Councilwoman Grant made a motion to adjourn. Councilman Colucci seconded the motion. All present in favor, none opposed. Time 10:57 pm.

Respectfully submitted,

Diane Grimaldi
Deputy Borough Clerk

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:301

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
DUFFIE	✓			
ASHLEY	✓			
ROBALINO	✓			
COLUCCI	✓			
GRANT	✓			
BERNER	✓			
MAYOR (tie)				

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

1. PBA Grievance -- *TABLED*
2. Property Acquisition -- 1033 Steuben Avenue
3. Personnel
4. Closed Session Minutes Review -- 1/23/12; 2/13/12; 2/27/12; 3/5/12; 3/12/12; 5/14/12; 5/30/12; 6/11/12

WHEREAS, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW, THEREFORE BE IT RESOLVED that the public be excluded from this meeting.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on November 12, 2012.

SEAL

[Signature]

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:302

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
DUFFIE	✓			
ASHLEY	✓			
ROBALINO	✓			
COLUCCI	✓			
GRANT	✓			
BERNER	✓			
MAYOR (tie)				

WHEREAS, the claims and accounts listed below, have been authorized by the CFO, and found correct.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council hereby authorize the payment of these claims, and that warrants be drawn therefore when funds are available in the aggregate amount of \$4,938,539.22.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on November 12, 2012.

SEAL

[Signature]

Total Bill List: 350710.32

BOROUGH OF NEW MILFORD**Bill list****NOVEMBER 12, 2012**

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
DEPOSITORY TRUST	49812.50	WIRE 11/1/12 BOND INTEREST (2009)	INTEREST ON	1615
COUNTY OF BERGEN	1070870.00	4TH QTR 2012 COUNTY TAXES	COUNTY	1616
COUNTY OPEN SPACE	11657.00	4TH QTR 2012 COUNTY OPEN SPACE	COUNTY	1617
NEW MILFORD	24121.00	4TH QTR 2012 MUNICIPAL OPEN SPACE	MUNICIPAL	1618
NEW MILFORD PUBLIC	4150.00	BALANCE OF BUDGET	LIBRARY	1619
EILEEN LEONARD	120.00	6/27/12, 8/22/12 SHADE TREE	SHADE TREE	1620
FRANK PAPAPIETRO	83.00	REIMB. 500 BUSINESS CARDS-CHIEF OF	POLICE	1621
SCOTT PETRIE	104.31	REIMB. START UP SUPPLIES FOR 2 NEW	POLICE	1622
RELIANCE STANDARD	1378.81	NOVEMBER PREMIUM STD 159044	INSURANCE	1623
MAIN STREET USA	1084.63	NOVEMBER 2012 PREMIUM	INSURANCE	1624
DELTA DENTAL OF	8803.74	NOVEMBER 2012 PREMIUMS	INSURANCE	1625
WELLS, JAWORSKI &	375.45	JUNE 2012 LEGAL SERVICES	RENT	1626
LERCH, VINCI &	582.50	INV. 22436 SEPT. PBA	LEGAL	1627
BOSWELL MCCLAVE	1496.00	INV. 71317 9/28/12 NM578 2012	ENGINEERING	1628
BOSWELL MCCLAVE	0.00	INV. 71317 9/28/12 NM578 2012	CODE	1628
BOSWELL MCCLAVE	176.00	INV. 71317 9/28/12 NM578 2012	CODE	1628
BOSWELL MCCLAVE	654.00	INV.69898 7/31/12 NM578 2012	ENGINEERING	1629
BOSWELL MCCLAVE	792.00	INV. 70727 8/31/12 NM578 2012	ENGINEERING	1630
APLES ADVANTAGE	376.98	INV. 3184249992 SUPPLIES	POLICE	1631
STAPLES ADVANTAGE	305.04	INV.3184179549	MUNICIPAL	1632
STEWART BUSINESS	181.00	INV. 18W464 92/23-10/23/12 COPIER	MUNICIPAL	1633
BERGEN COUNTY	294.00	JULY-DECEMBER 2012 SERVICES	MUNICIPAL	1634
BERGEN COUNTY	294.00	JULY-DECEMBER 2012 SERVICES	POLICE	1634
BERGEN COUNTY	294.00	JULY-DECEMBER 2012 SERVICES	PUBLIC	1634
BERGEN COUNTY	0.00	JULY-DECEMBER 2012 SERVICES	BOARD OF	1634
BERGEN COUNTY	2075.00	JULY-DECEMBER 2012 SERVICES	BOARD OF	1634
BERGEN COUNTY	13236.21	JULY-DECEMBER 2012 SERVICES	ANIMAL	1634
MONMOUTH COUNTY	30.00	SEMINAR-BRIAN LONG-RECORD MGT	POLICE	1635
NEW MILFORD FIRE	847.85	REIMB. OCTOBER EXPENSES	FIRE O/E	1636
NEW MILFORD FIRE	0.00	REIMB. OCTOBER EXPENSES	FIRE O/E	1636
NEW MILFORD FIRE	299.60	REIMB. OCTOBER EXPENSES	FIRE O/E	1636
NEW MILFORD FIRE	275.00	OCTOBER EXPENSES FIRE CO.#2	FIRE O/E	1637
NEW MILFORD FIRE	0.00	OCTOBER EXPENSES FIRE CO.#2	FIRE O/E	1637
NEW MILFORD FIRE	0.00	OCTOBER EXPENSES FIRE CO.#2	FIRE O/E	1637
NEW MILFORD FIRE	115.78	OCTOBER EXPENSES FIRE CO.#2	FIRE O/E	1637
NATIONAL FIRE	165.00	ANNUAL DUES NMFD #2507580	FIRE O/E	1638
NEW JERSEY FIRE	180.00	INV. 41012 4 SMOKE FLUID-GALLON	FIRE O/E	1639
NEW JERSEY FIRE	140.00	INV. 40957 8 SAFETY VESTS	FIRE O/E	1640
STATE LINE	120.40	INV.85577,85813,86203,86326	FIRE O/E	1641
STATE LINE	0.00	INV.85577,85813,86203,86326	FIRE O/E	1641
STATE LINE	361.10	INV.85577,85813,86203,86326	FIRE O/E	1641
OPER ELECTRIC	112.47	INV. S014203622.0011000 FEET-REEL	POLICE	1642
HARRIS UNIFORMS	300.00	INV. 20595 50 BREAST LOGOS-NM	POLICE	1643
HARRIS UNIFORMS	675.95	INV.20470, 20565, 20498	POLICE	1644
G.T.B.M., INC.	3412.50	INFO-COP RENEWAL-11/1/12-10/31/13	POLICE	1645
ENFORSYS POLICE	2240.00	INV. 6108 OCT-DEC. MAINT.	POLICE	1646
NORTHWEST BERGEN	7000.00	INV. 9938 4TH QTR 2012 FIRE & EMS	POLICE	1647

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
CHIEF FIRE	450.00	INV.118490 SPRINKLER SYSTEMS	PUBLIC	1648
SHAMROCK PRINTING	70.87	INV. 14673 1050 FIRE AWARENESS DAY	FIRE O/E	1649
ELECTRONIC	552.00	INV. 51383 SENIOR CTR ALARM	PUBLIC	1650
P & J CONTROL INC.	885.00	INV.21205579-21205581SEMI-ANNUAL	PUBLIC	1651
.FETY-KLEEN	719.78	INV. 58905336 REMOVE	RECYCLING	1652
NORTHEAST GAS	68.00	INV. 14419 SEPT. RENTAL FEES	PUBLIC	1653
DURIE LAWN MOWER &	94.95	INV. 11972, 12537 OIL FOR	PUBLIC	1654
H & H MACK SALES,	494.80	INV.222720066,222850059	PUBLIC	1655
JMG REALTY, INC.	30519.66	MAY,JUNE,JULY,AUG.SEPT. 2012	GARBAGE &	1656
WASTE MANAGEMENT	30744.10	NOVEMBER RESIDENTIAL GARBAGE	GARBAGE &	1657
PUBLIC SERVICE	11055.45	SEPTEMBER ELECTRIC CHARGES	O/E STREET	1658
PUBLIC SERVICE	0.00	SEPTEMBER ELECTRIC CHARGES	O/E	1658
PUBLIC SERVICE	8339.21	SEPTEMBER ELECTRIC CHARGES	O/E	1658
ANN SUBRIZI	318.00	REFUND CANCELLED LEAGUE CONFERENCE	MUNICIPAL	1659
DOMINIC COLUCCI	318.00	REFUND CANCELLED LEAGUE CONFERENCE	MUNICIPAL	1660
HEDY GRANT	318.00	REFUND CANCELLED LEAGUE CONFERENCE	MUNICIPAL	1661
JET-VAC INC.	519.75	INV.W07999 INSTALL DUKE ROOT	PUBLIC	1662
PAYCHEX	919.72	OCT.2012 PAYROLL INV.234719,	MUNICIPAL	1663
NEW MILFORD BOARD	2331002.17	NOVEMBER 2012 SCHOOL APPROPRIATION	SCHOOL	1664
EDIE RYERSON	70.00	10/2/12 ENVIRONMENTAL MEETING	ENVIRONMENT	1665
HOLY NAME HOSPITAL	0.00	AUGUST AMBULANCE BACK-UP SERVICE	MUNICIPAL	1666
HOLY NAME HOSPITAL	1.66	AUGUST AMBULANCE BACK-UP SERVICE	MUNICIPAL	1666
HOLY NAME HOSPITAL	849.17	AUGUST AMBULANCE BACK-UP SERVICE	FIRST AID	1666
HOLY NAME HOSPITAL	0.00	SEPTEMBER 2012 AMBULANCE BACK-UP	MUNICIPAL	1667
HOLY NAME HOSPITAL	1.66	SEPTEMBER 2012 AMBULANCE BACK-UP	MUNICIPAL	1667
HOLY NAME HOSPITAL	849.17	SEPTEMBER 2012 AMBULANCE BACK-UP	FIRST AID	1667
IGNA HEALTHCARE	126515.24	NOVEMBER 2012 PREMIUM	INSURANCE	1668
LAGSHIP HEALTH	78.83	NOVEMBER 2012 PREMIUM	INSURANCE	1669
AUTOMOTIVE BRAKE	635.00	INV. 131287 COMPRESSOR	PUBLIC	1670
QUENCH	0.00	4TH QTR 2012 WATER COOLER	PUBLIC	1671
QUENCH	183.00	4TH QTR 2012 WATER COOLER	PUBLIC	1671
QUENCH	183.00	4TH QTR 2012 WATER COOLER	PUBLIC	1671
QUENCH	183.00	4TH QTR 2012 WATER COOLER	SENIOR	1671
ARROW ELEVATOR	185.00	NOVEMBER 2012 ELEVATOR	PUBLIC	1672
APPRAISAL SYSTEMS,	10000.00	INVOICE NO. 4 OCT. RE-ASSESSMENT	ASSESSMENT	1673
RAPID PUMP & METER	285.00	OCT. 2012 JACKSON AVE PUMP	PUBLIC	1674
RACHLES/MICHELE'S	3116.68	INV. 157518 10/15/12 904.20 GALS	O/E GAS &	1675
I.D.M. MEDICAL	181.75	INV. B2707, B2738 OXYGEN REFILLS	POLICE	1676
LEXIS NEXIS	209.00	SEPT. 2012 ON LINE CHARGES	O/E	1677
V.E. RALPH & SON,	267.36	INV.245687 EMERGENCY MEDICAL	POLICE	1678
P & A AUTO PARTS	278.38	INV13-.438582,436049,436189,436204	VEHICLE	1679
FERRETTI CARTING,	12083.33	OCTOBER 2012 RESIDENTIAL	RECYCLNG	1680
FERRETTI CARTING,	4500.00	OCTOBER APT/NMHS/NMMS RECYCLING	RECYCLING	1681
BERGEN COUNTY	23992.99	SEPTEMBER 341.44 TONS RESIDENTIAL	GARBAGE &	1682
UNITED WATER NEW	3854.46	SEPTEMBER 2012 WATER BILLING	O/E WATER	1683
UNITED WATER NEW	15437.43	OCTOBER 2012 HYDRANT CHARGES	O/E WATER	1684
NEW MILFORD FIRE	801.93	FOOD FOR STAND BY DURING HURRICANE	FIRE O/E	1685
CANTERBURY VILLAGE	3461.49	REIMBURSE 2010 HYDRANT CHRAGES	O/E WATER	1686
CANTERBURY VILLAGE	3577.80	REIMBURSE 2012 HYDRANT CHARGES	O/E WATER	1687
LFRED MAC DONALD	68.42	CUST. 107402 2 FIELD SWEEPER BELTS	RECREATION	1688
THE TERRE COMPANY	1481.40	INV. 117444 60 BAGS WINTER SPUR	RECREATION	1689
SHAMROCK PRINTING	332.65	INV.14702 5,000 TAX COLL WINDOW	COLLECTION	1690
BERGEN COUNTY	328401.00	4TH QTR 2012 WASTE WATER CHARGES	SEWER	1691
MUNICIPAL	3110.06	INV. 349860,351115,353617,FIRE	FIRE O/E	1692
VALTEK, INC.	440.00	INV. 9312414 REPAIR ENGINE 34	FIRE O/E	1693

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
UNITED WATER NEW	4642.70	AUGUST 2012 WATER BILLING	O/E WATER	1694
PAYROLL	901.47	NOVEMBER 1-15, 2012 PAYROLL	GENERAL	1695
PAYROLL	8700.85	NOVEMBER 1-15, 2012 PAYROLL	MUNICIPAL	1695
PAYROLL	6839.03	NOVEMBER 1-15, 2012 PAYROLL	COLLECTION	1695
PAYROLL	1213.85	NOVEMBER 1-15, 2012 PAYROLL	ASSESSMENT	1695
PAYROLL	620.34	NOVEMBER 1-15, 2012 PAYROLL	ASSESSMENT	1695
PAYROLL	5062.55	NOVEMBER 1-15, 2012 PAYROLL	CODE	1695
PAYROLL	866.20	NOVEMBER 1-15, 2012 PAYROLL	POLICE	1695
PAYROLL	3166.60	NOVEMBER 1-15, 2012 PAYROLL	POLICE	1695
PAYROLL	4548.83	NOVEMBER 1-15, 2012 PAYROLL	POLICE	1695
PAYROLL	44353.66	NOVEMBER 1-15, 2012 PAYROLL	POLICE	1695
PAYROLL	145351.19	NOVEMBER 1-15, 2012 PAYROLL	POLICE	1695
PAYROLL	432.00	NOVEMBER 1-15, 2012 PAYROLL	POLICE	1695
PAYROLL	160.00	NOVEMBER 1-15, 2012 PAYROLL	UNIFORM	1695
PAYROLL	455.13	NOVEMBER 1-15, 2012 PAYROLL	UNIFORM	1695
PAYROLL	14523.87	NOVEMBER 1-15, 2012 PAYROLL	PUBLIC	1695
PAYROLL	54646.23	NOVEMBER 1-15, 2012 PAYROLL	PUBLIC	1695
PAYROLL	600.00	NOVEMBER 1-15, 2012 PAYROLL	PUBLIC	1695
PAYROLL	1502.55	NOVEMBER 1-15, 2012 PAYROLL	RECYCLING	1695
PAYROLL	3228.72	NOVEMBER 1-15, 2012 PAYROLL	PUBLIC	1695
PAYROLL	4520.47	NOVEMBER 1-15, 2012 PAYROLL	BOARD OF	1695
PAYROLL	220.00	NOVEMBER 1-15, 2012 PAYROLL	RECREATION	1695
PAYROLL	2799.01	NOVEMBER 1-15, 2012 PAYROLL	SENIOR	1695
PAYROLL	22890.89	NOVEMBER 1-15, 2012 PAYROLL	LIBRARY	1695
PAYROLL	279.24	NOVEMBER 1-15, 2012 PAYROLL	MUNICIPAL	1695
PAYROLL	4175.97	NOVEMBER 1-15, 2012 PAYROLL	MUNICIPAL	1695
PAYROLL	0.00	NOVEMBER 1-15, 2012 PAYROLL	TITLE III -	1695
PAYROLL	2298.08	NOVEMBER 1-15, 2012 PAYROLL	TITLE III -	1695
PAYROLL	8826.17	NOVEMBER 1-15, 2012 BORO SOCIAL	SOCIAL	1696
PAYROLL	4460.35	NOVEMBER 1-15, 2012 BORO MEDICARE	SOCIAL	1697

Total fund: 01 Current 4524884.09

Total Bill List: 4524884.09

BOROUGH OF NEW MILFORD

Bill list

NOVEMBER 12, 2012

Combined ANIMAL CONTROL 13

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
NJ STATE DEPT. OF	9.00	OCTOBER 2012 DOG LICENSE FEES	RES'V FOR	1007

Total fund: 2930 RES'V FOR ANIMAL CTRL EXPENSE

9.00

Total Bill List: 9.00

BOROUGH OF NEW MILFORD

Bill list

NOVEMBER 12, 2012 CAPITAL

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
LEAVITT	1790.00	INV. 7063508 10/22/12 5 MINITOR V	2012	1070
NEW JERSEY FIRE	8315.40	INV.40983 CARBON WRAP CYLINDER,	2012	1071
NEW JERSEY FIRE	2621.70	INV. 40825 3 SCOTT CARBON WRAP	2012	1072
STORR TRACTOR	26286.97	INV. 579503 TORO INFIELD PRO 5040	2012	1073
AAA EMERGENCY	1178.00	INV.231091 2 CAIRNS LEATHER HELMET	2012	1074
MUNICIPAL	3320.00	INV.354860 2 TURNOUT COATS, 2	2012	1075

Total fund: 04 CAPITAL

43512.07

Total Bill List: 43512.07

BOROUGH OF NEW MILFORD

Bill list

NOVEMBER 12. 2012

Combined OPEN SPACE TRUST 16

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
ROGUT MC CARTHY PC	216.39	JULY-SEPT. SERVICES-KENNEDY FIELD	RES'V OST	151
Total fund: 2180 RES'V OST '12 KENNEDY FLD				216.39
ROGUT MC CARTHY PC	216.39	JULY-SEPT. SERVICES-KENNEDY FIELD	ORD 12-0008	151
Total fund: 2930 RES'V OPEN SPACE TRUST				216.39
Total Bill List:		432.78		

BILL LIST FOR MEETING OF:

NOVEMBER 12, 2012

UNEMPLOYMENT ACCOUNT

VENDOR	CHECK NO.	AMOUNT
N.J. UNEMPLOYMENT COMPENSATION FUND	1002	\$18,990.96

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:303

Offered by: *Christie Dennis*

Seconded by: *M*

Member	Aye	No	Abstain	Absent
BERNER	✓			
DUFFIE	✓			
ROBALINO	✓			
ASHLEY	✓			
GRANT	✓			
COLUCCI	✓			
MAYOR (tie)				

BE IT RESOLVED, by the Governing Body of the Borough of New Milford, that the following appropriation transfers, affecting the 2012 Local Municipal Budget Year, be approved:

BE IT FURTHER RESOLVED, that the proper Borough officers be and they are hereby directed to enter the said transfers on the financial records of the Borough:

BUDGET TRANSFERS TO:

CLERK	01-2010-20-1202	3,000
ENGINEERING	01-2010-20-1652	5,000
RENT LEVELING	01-2010-22-2002	3,000
BUILDING & GROUNDS	01-2010-26-3102	5,000
VEHICLE MAINTENANCE	01-2010-26-3152	5,000
STREET LIGHTING	01-2010-31-4352	40,000
WATER	01-2010-31-4452	10,000
HYDRANTS	01-2010-31-4452	7,000
SEWER UTILITY	01-2010-31-4552	5,500

BUDGET TRANSFERS FROM:

ELECTRICITY	01-2010-31-4362	-40,000
HEALTH INSURANCE	01-2010-23-2202	-43,500

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on November 12, 2012.

SEAL

Christie Dennis

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:304

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
DUFFIE	✓			
ASHLEY	✓			
ROBALINO	✓			
COLUCCI	✓			
GRANT	✓			
BERNER	✓			
MAYOR (tie)				

WHEREAS, N.J.S. 40A:-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or 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, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, by the Governing body of the Borough of New Milford in the County of Bergen, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$15,510.00 which item is now available as revenue from the State of N.J. Title III - Senior Citizen Program in the amount of \$15,510.00.

BE IT FURTHER RESOLVED that the like sum of \$15,510.00 is hereby appropriated under the caption of "Title III – Senior Citizens" account 01-2901-99-7162; and

BE IT FURTHER RESOLVED, that the above is a result of a State of N.J. Grant of \$15,510.00 from the Title III – Senior Citizen Program; and

BE IT FURTHER RESOLVED by the Mayor and Council that two (2) certified copies of this resolution will be filed with the Division of Local Government Services.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on November 12, 2012.

SEAL

[Signature]

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES

Pursuant to N.J.S.A. 40A:4-87 I hereby certify that the following resolution has been duly adopted by the governing body of: Borough of New Milford

Name of Municipality

Clerk's Signature

I hereby certify the

Name of Municipality

tion of the state or federal monies cited in the following resolution, which meets all statutory requirements and will be included in the 2012 municipal budget.

Year

has realized or is in receipt of written notification

Resolution Number: 2012: 304

Date of Adoption: 11/12/12

Revenue Title:

Title III - Senior Citizens

Amount:

\$ 15,510.00

Appropriation Title:

Title III - Senior Citizens

Amount:

\$ 15,510.00

Local Match - Source:

Amount:

\$

Approval is hereby given to the cited resolution adopted by the governing body pursuant to N.J.S.A. 40A: 4-87

For Director, Division of Local Government Services

by:

Duly Appointed Designee

Date Certified

THIS CERTIFICATION FORM MAY BE REPRODUCED
TO BE USED FOR STATE AND FEDERAL GRANTS ONLY

FOR DCA USE ONLY

Municode: _____

Doc. No. : _____

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES

Pursuant to N.J.S.A. 40A:4-87 I hereby certify that the following resolution has been duly adopted by the governing body of: Borough of New Milford

Name of Municipality

Christine Demarco
Clerk's Signature

I hereby certify the

Borough of New Milford
Name of Municipality

has realized or is in receipt of written notification of the state or federal monies cited in the following resolution, which meets all statutory requirements and will be included in the

2012 municipal budget.
Year

[Signature]
Signature, Chief Financial Officer

Resolution Number: 2012:304

Date of Adoption: 11/12/12

Revenue Title:	<u>Title III - Senior Citizens</u>	Amount:	<u>\$ 15,510.00</u>
Appropriation Title:	<u>Title III - Senior Citizens</u>	Amount:	<u>\$ 15,510.00</u>
Local Match - Source:	<u></u>	Amount:	<u>\$</u>

Approval is hereby given to the cited resolution adopted by the governing body pursuant to N.J.S.A. 40A: 4-87

For Director, Division of Local Government Services

by: _____
Duly Appointed Designee Date Certified

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FOR DCA USE ONLY
Municode: _____
Doc. No. : _____

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:305

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
DUFFIE	✓			
ASHLEY	✓			
ROBALINO	✓			
COLUCCI	✓			
GRANT	✓			
BERNER	✓			
MAYOR (tie)				

WHEREAS, N.J.S. 40A:-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or 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, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, by the Governing body of the Borough of New Milford in the County of Bergen, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$2,995.00, which item is now available as revenue from the State of New Jersey HAVA Polling Place Accessibility in the amount of \$2,995.00.

BE IT FURTHER RESOLVED that the like sum of \$2,995.00 is hereby appropriated under the caption of "HAVA" account 01-2901-99-7600; and

BE IT FURTHER RESOLVED, that the above is a result of a State of New Jersey Grant of \$2,995.00 from the HAVA Polling Place Accessibility; and

BE IT FURTHER RESOLVED by the Mayor and Council that two (2) certified copies of this resolution will be filed with the Division of Local Government Services.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on November 12, 2012.

SEAL

[Signature]

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES

Pursuant to N.J.S.A. 40A:4-87 I hereby certify that the following resolution has been duly adopted by the governing body of: Borough of New Milford

Name of Municipality

Clerk's Signature

I hereby certify the

Borough of New Milford
Name of Municipality

has realized or is in receipt of written notification of the state or federal monies cited in the following resolution, which meets all statutory requirements and will be included in the

2012 municipal budget.
Year

Signature, Chief Financial Officer

Resolution Number:

2012:305

Date of Adoption:

11/12/12

Revenue Title:

HAVA-Polling Place Accessibility

Amount:

\$ 2,995.00

Appropriation Title:

HAVA-Polling Place Accessibility

Amount:

\$ 2,995.00

Local Match - Source:

Amount:

\$

Approval is hereby given to the cited resolution adopted by the governing body pursuant to N.J.S.A. 40A: 4-87

For Director, Division of Local Government Services

by:

Duly Appointed Designee

Date Certified

THIS CERTIFICATION FORM MAY BE REPRODUCED
TO BE USED FOR STATE AND FEDERAL GRANTS ONLY

FOR DCA USE ONLY

Municode: _____

Doc. No.: _____

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES

Pursuant to N.J.S.A. 40A:4-87 I hereby certify that the following resolution has been duly adopted by the governing body of: Borough of New Milford

Name of Municipality

Clerk's Signature

I hereby certify the

Borough of New Milford
Name of Municipality

has realized or is in receipt of written notification of the state or federal monies cited in the following resolution, which meets all statutory requirements and will be included in the

2012 municipal budget.

Year

Signature/Chief Financial Officer

Resolution Number:

2012:305

Date of Adoption:

11/12/12

Revenue Title:

HAVA-Polling Place Accessibility

Amount:

\$ 2,995.00

Appropriation Title:

HAVA-Polling Place Accessibility

Amount:

\$ 2,995.00

Local Match - Source:

Amount:

\$

Approval is hereby given to the cited resolution adopted by the governing body pursuant to N.J.S.A. 40A: 4-87

For Director, Division of Local Government Services

by:

Duly Appointed Designee

Date Certified

THIS CERTIFICATION FORM MAY BE REPRODUCED
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FOR DCA USE ONLY

Municode: _____

Doc. No. : _____

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:306

Offered by:

Seconded by:

Member	Aye	No	Abstain	Absent
DUFFIE	✓			
ASHLEY	✓			
ROBALINO	✓			
COLUCCI	✓			
GRANT	✓			
BERNER	✓			
MAYOR (tie)				

WHEREAS, N.J.S. 40A:-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or 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, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, by the Governing body of the Borough of New Milford in the County of Bergen, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$1,852.50, which item is now available as revenue from the OMB Bullet Proof Vest Partnership Program in the amount of \$1,852.50.

BE IT FURTHER RESOLVED that the like sum of \$1,852.50 is hereby appropriated under the caption of "Bullet Proof Vest Partnership" account 01-2910-99-7201; and

BE IT FURTHER RESOLVED, that the above is a result of an OMB Grant of \$1,852.50 from the Bullet Proof Vest Partnership; and

BE IT FURTHER RESOLVED by the Mayor and Council that two (2) certified copies of this resolution will be filed with the Division of Local Government Services.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on November 12, 2012.

SEAL

Christine Dennis

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES

Pursuant to N.J.S.A. 40A:4-87 I hereby certify that the following resolution has been duly adopted by the governing body of: Borough of New Milford

Name of Municipality

I hereby certify the

Borough of New Milford

Name of Municipality

tion of the state or federal monies cited in the following resolution, which meets all statutory

requirements and will be included in the 2012 municipal budget.

Year

has realized or is in receipt of written notification

Resolution Number: 2012:306

Date of Adoption: 11/12/12

Revenue Title:

OMB Bulletproof Vest Partnership

Amount:

\$ 1,852.50

Appropriation Title:

OMB-Bulletproof Vest Partnership

Amount:

\$ 1,852.50

Local Match - Source:

Amount:

\$

Approval is hereby given to the cited resolution adopted by the governing body pursuant to N.J.S.A. 40A: 4-87

For Director, Division of Local Government Services

by:

Duly Appointed Designee

Date Certified

FOR DCA USE ONLY

Municode: _____

Doc. No.: _____

THIS CERTIFICATION FORM MAY BE REPRODUCED
TO BE USED FOR STATE AND FEDERAL GRANTS ONLY

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES

Pursuant to N.J.S.A. 40A:4-87 I hereby certify that the following resolution has been duly adopted by the governing body of: Borough of New Milford

Name of Municipality

I hereby certify the

Borough of New Milford

Name of Municipality

tion of the state or federal monies cited in the following resolution, which meets all statutory

requirements and will be included in the 2012 municipal budget.

Year

has realized or is in receipt of written notification of

Resolution Number: 2012: 306

Date of Adoption: 11/12/12

Revenue Title:

OMB Bulletproof Vest Partnership

Amount:

\$ 1,852.50

Appropriation Title:

OMB-Bulletproof Vest Partnership

Amount:

\$ 1,852.50

Local Match - Source:

Amount:

\$

Approval is hereby given to the cited resolution adopted by the governing body pursuant to N.J.S.A. 40A: 4-87

For Director, Division of Local Government Services

by: _____ Duly Appointed Designee Date Certified _____

THIS CERTIFICATION FORM MAY BE REPRODUCED
TO BE USED FOR STATE AND FEDERAL GRANTS ONLY

FOR DCA USE ONLY

Municode: _____

Doc. No.: _____

Christine Semelko
Clerk's Signature

[Signature]
Signature, Chief Financial Officer

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:307

Offered by:.....

Seconded by:.....

Member	Aye	No	Abstain	Absent
DUFFIE	✓			
ASHLEY			✓	
ROBALINO	✓			
COLUCCI	✓			
GRANT	✓			
BERNER	✓			
MAYOR (tie)				

RAFFLE/BINGO LICENSE

WHEREAS, the following applicant has filed an application for a raffle/bingo license, and

WHEREAS, a routine police investigation fails to reveal any reason for not granting this license,

NOW, THEREFORE, BE IT RESOLVED that the following license be issued:

APPLICANT: New Milford-Teaneck Lodge #2290, BPOE

LICENSE TYPE: Instant Raffle – Annual License

DATE: December 13, 2012 – December 12, 2013

PLACE: 1 Ptl. Ray Woods Lane
New Milford, NJ 07646

LICENSE #: 2012:22

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on November 12, 2012.

SEAL

Christine Demus

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:308

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
DUFFIE	✓			
ASHLEY	✓			
ROBALINO	✓			
COLUCCI	✓			
GRANT	✓			
BERNER	✓			
MAYOR (tie)				

WHEREAS, the Borough of New Milford entered into a contract for sale of real estate for the property shown on the municipal tax map as Block 101 Lot 1 commonly known as 1033 Steuben Avenue on September 26, 2011; and

WHEREAS, the seller shall pay all taxes and arrearages at the time of closing out of the proceeds of the sale;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of New Milford, New Jersey that the Tax Collector removes this property from the Borough of New Milford Tax Sale scheduled to be held on November 29, 2012.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on November 12, 2012

Christine Lemus

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:309

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
DUFFIE	✓			
ASHLEY	✓			
ROBALINO	✓			
COLUCCI	✓			
GRANT	✓			
BERNER	✓			
MAYOR (tie)				

WHEREAS, Mr. and Mrs. Giancola, 211 Ridge Street, New Milford, NJ 07646 made an application for an in ground pool permit on October 17, 2011, and

WHEREAS, Mr. and Mrs. Giancola,, was issued a permit, number 1110-49, and established an escrow account for the engineer to review the typography plans; and

WHEREAS, Mr. and Mrs. Giancola, 211 Ridge Street, New Milford, NJ 07646, has installed the pool and passed all the final inspections. Mr. and Mrs. Giancola has asked for the remainder of escrow fee to be refunded as per the enclosed letter, and certificate of approval; and

WHEREAS, Mr. and Mrs. Giancola, 211 Ridge Street, New Milford, NJ 07646, is now due a refund of \$743.50.

NOW THEREFORE BE IT RESOLVED that the Building Department return to Mr. and Mrs. Giancola, 211 Ridge Street, New Milford, NJ 07646 the sum of \$743.50 the remainder of the balance of the escrow account.

BUILDING DEPARTMENT – Construction Permit #1110-49

GIANCOLA ESCROW ACCOUNT \$ 743.50

Please adjust the above account.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on November 12, 2012

SEAL

[Signature]

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:310

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
DUFFIE	✓			
ASHLEY	✓			
ROBALINO	✓			
COLUCCI	✓			
GRANT	✓			
BERNER	✓			
MAYOR (tie)				

WHEREAS, the following have requested reimbursement for payment made to the Borough of New Milford for hotel accommodations to attend the League of Municipalities; and

WHEREAS, the New Jersey League of Municipalities has been cancelled following Hurricane Sandy; and

WHEREAS, Mayor Subrizi, Councilman Colucci, and Councilwoman Grant have requested a refund in the amount of \$318.00; and

Ann Subrizi, 619 McCarthy Drive, New Milford
Dominic Colucci, 223 Bergen Avenue, New Milford
Hedy Grant, 175 Boulevard, New Milford

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of New Milford that the sum of \$318 be returned to each for the cancellation of the New Jersey State League of Municipalities 97th Conference.

BOROUGH CURRENT ACCOUNT
01-2010-20-1202-046

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on November 12, 2012.

SEAL

Christine Demaris

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:311

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
DUFFIE	✓			
ASHLEY	✓			
ROBALINO	✓			
COLUCCI	✓			
GRANT	✓			
BERNER	✓			
MAYOR (tie)				

WHEREAS, a Stipulation of Settlement has been drafted between the Borough of New Milford and 730 River Road Properties, Inc. regarding the property identified as Block 501, Lot 4; and

WHEREAS, Mark D. Madaio, Borough Tax Appeal Attorney and Maureen Kaman, the Borough Tax Assessor have reviewed and approved the Stipulation of Settlement as attached;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of New Milford hereby approve the Stipulation of Settlement between the Borough of New Milford and 730 River Road Properties, Inc. regarding the property identified as Block 501, Lot 4;

BE IT FURTHER RESOLVED, Mark D. Madaio, Esq. is authorized to sign the Stipulation of Settlement on behalf of the Borough.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on November 12, 2012.

SEAL

[Signature]

BALLARD SPAHR LLP
A Pennsylvania Limited Liability Partnership
Jeffrey S. Beenstock, Esquire
210 Lake Drive East, Suite 200
Cherry Hill, New Jersey 08002
(856) 761-3400

Attorneys for Plaintiff – 730 River Road Properties, Inc., a New Jersey corporation

730 RIVER ROAD PROPERTIES, INC.,	:	TAX COURT OF NEW JERSEY
	:	DOCKET NOS. 002320-2011 & 004621-2012
Plaintiff,	:	
	:	CIVIL ACTION COMPLAINT
v.	:	
BOROUGH OF NEW MILFORD,	:	STIPULATION OF SETTLEMENT
	:	
Defendant.	:	

1. It is hereby stipulated and agreed that, by reason of that certain Settlement Agreement dated _____, 2012, the assessment of the following property be adjusted and a judgment entered as follows:

Block:	501
Lot:	4
Street Address:	730 River Road
Parcels:	1
Year(s):	2011 and 2012

Original Assessment for 2011 and 2012:

Land	\$ 381,400
Improvements	\$3,321,900
Total	\$3,703,300

2011 Requested Judgment:

Land	\$ 329,566
Improvements	\$2,870,434
Total	\$3,200,000

2012 Requested Judgment:

Land	\$ 329,566
Improvements	\$2,870,434
Total	\$3,200,000

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.

3. Based upon the foregoing, the undersigned represent to the Court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.

_____, 2012

Date:

Jeffrey S. Beenstock, Esquire
Attorney for Plaintiff, 730 River Road
Properties, Inc.

_____, 2012

Date:

Mark D. Madaio, Esquire
Attorney for Defendant, New Milford Borough

TAX APPEAL SETTLEMENT AGREEMENT

THIS TAX APPEAL SETTLEMENT AGREEMENT (this "Agreement") is made as of this ____ day of _____, 2012 (the "Effective Date") by and between the **BOROUGH OF NEW MILFORD** (the "Borough") and **730 RIVER ROAD PROPERTIES, INC.** ("Owner").

BACKGROUND

WHEREAS, Owner owns certain improved real property located at 730 River Road in the Borough of New Milford and designated as Block 501, Lot 4 on the official tax map of the Borough of New Milford, County of Bergen, State of New Jersey (the "Property"); and

WHEREAS, Owner appealed the real estate tax assessment of the Property for tax year 2011 in the Tax Court of New Jersey under Docket No. 002320-2011 (the "2011 Tax Appeal"); and

WHEREAS, Owner subsequently appealed the real estate tax assessment of the Property for tax year 2012 in the Tax Court of New Jersey under Docket No. 004621-2012 (the "2012 Tax Appeal" and together with the 2011 Tax Appeal, the "Tax Appeals"); and

WHEREAS, Owner and Borough have amicably resolved the Tax Appeals pursuant to the terms and conditions of this Agreement.

NOW, THEREFORE, for and in consideration of the agreements set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, the parties agree as follows:

1. The parties will file with the court in the Tax Appeals a Stipulation of Settlement in substantially the form attached hereto as Exhibit A (the "Stipulation").

2. In settlement of the Tax Appeals, the parties agree that the assessment of the Property will be the following amounts for the following tax years:

Tax Year	Land	Improvements	Total
2011	\$329,566	\$2,870,434	\$3,200,000
2012	\$329,566	\$2,870,434	\$3,200,000
2013 (revaluation)	\$319,267	\$2,780,933	\$3,100,000

3. The parties acknowledge and agree that the assessments set forth in Section 2 above are material considerations for the parties to enter into the Stipulation, and the parties would not enter into the Stipulation without the agreed upon assessments.

4. Each party represents to the other that the terms and conditions of this Agreement have been authorized by all required action and are binding on and enforceable against such party.

5. Notices and communications under this Agreement shall be in writing and shall be given by either (a) hand delivery, (b) first class mail (postage prepaid), or (c) reliable overnight commercial courier (charges prepaid), at the addresses specified below:

If to the Borough: Borough of Milford
930 River Road
New Milford, NJ 07646
Attention: Municipal Clerk

If to Owner: 730 River Road Properties, Inc.
c/o Curtis Circulation Corporation
2500 McClellan Avenue
Pennsauken, NJ 08109
Attn: Domenic Crocetti

Notice shall be deemed to have been given and received: (a) if by hand delivery, upon delivery; (b) if by mail, three (3) calendar days after the date first deposited in the United States mail; and (c) if by overnight courier, on the date scheduled for delivery. A party may change its address by giving written notice to the other party as specified in this Section 5.

6. In the event of a breach of the terms and conditions of this Agreement, the non-breaching party may seek specific performance hereof or injunctive relief, or both, through an appropriate judicial remedy, which shall include any damages that the non-breaching party may be legally entitled to recover, together with reasonable expenses of litigation, including costs and attorney's fees, incurred in connection therewith.

7. This Agreement shall be binding upon and inure to the benefit of the parties, their respective heirs, successors and assigns.

8. This Agreement sets forth all of the promises, covenants, agreements, conditions and understandings between the parties with respect to the subject matter hereof, and supersedes all prior and contemporaneous agreements and understandings, inducements or conditions, express or implied, oral or written, with respect thereto, except as contained herein.

9. This Agreement shall not be modified unless done so in writing and signed by all parties.

10. The failure of a party to insist on strict performance of any, or all of, the terms of this Agreement, or to exercise any right or remedy under this Agreement, shall not constitute a waiver or relinquishment of any nature regarding such right or remedy or any other right or remedy. No waiver of any breach or default hereunder shall be considered valid unless in writing and signed by the party giving such waiver, and no such waiver shall be deemed a waiver of any subsequent breach or default of the same or similar nature.

11. If any provision of this Agreement is held invalid as a result of its conflict with any federal, state or local law, regulation, or other requirements, statutory or administrative, the remainder of this Agreement shall be null and void.

12. This Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey applicable to contracts made and to be performed therein. Jurisdiction and venue for any dispute relating to this agreement shall be proper only in the courts of New Jersey.

13. This Agreement may be executed in any number of counterparts, each of which when executed shall be deemed to be an original and, all of which, when taken together, shall constitute one and the same instrument. For purposes of the execution of this agreement, facsimile signatures shall be deemed a valid signature. The execution and delivery of this Agreement may be conducted by electronic means in accordance with the Uniform Electronic Transactions Act, N.J.S.A. 12A:12-1 et seq.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the parties have executed this Agreement, intending it to be effective as of the Effective Date.

ATTEST:

BOROUGH OF NEW MILFORD

By: _____
Christine DeMiris, Borough Clerk

By: _____
Ann V. Subrizi, Mayor

730 RIVER ROAD PROPERTIES, INC., a
New Jersey corporation

By: _____
Name: _____
Title: _____

EXHIBIT A
Form of Stipulation of Settlement
[see attached]

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012: 312

Offered by: [Signature]

Seconded by [Signature]

Member	Aye	No	Abstain	Absent
DUFFIE	✓			
ASHLEY	✓			
ROBALINO	✓			
COLUCCI	✓			
GRANT	✓			
BERNER	✓			
MAYOR (tie)				

WHEREAS, the Mayor and Council of the Borough of New Milford have entered into an agreement to purchase the property identified as follows: Block 101, Lot 1, commonly known as 1033 Steuben Avenue in the Borough of New Milford from Ms. Margaret Healy (Seller) of 936 B Pacific Street, New Milford, NJ 07646; and

WHEREAS, the Contract of Sale requires the seller to remove asbestos from the property prior to closing; and

WHEREAS, the Borough of New Milford (buyer) will be responsible for the demolition of the subject premises upon acquisition; and

WHEREAS, the an asbestos knock down will result in the removal of the asbestos and demolition of the subject premises; and

WHEREAS, a Rider to Contract of Sale of Real Estate has been prepared to increase the Contract price to cover one-half of the cost of the asbestos knock down; and

WHEREAS, the Council hereby authorizes Mayor Ann Subrizi sign the Rider to Contract of Sale of Real Estate for 1033 Steuben Avenue, New Milford, NJ, Block 101, Lot 1;

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of New Milford have adopted this resolution at a meeting held on November 12, 2012 and that a copy of the resolution shall be forwarded Mark D. Madaio, Esq., 29 Legion Drive, Bergenfield, NJ 07621 and Kevin J. Conyngham, Esq. Zimmerer, Murray, Conyngham & Kunzier, Park 80 West, Plaza Two, 250 Pehle Avenue, Suite 108, Saddle Brook, NJ 07633 on behalf of Ms. Margaret Healy.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on November 12, 2012.

SEAL

[Signature]

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012: 313

Offered by: Councilman Robalino

Seconded by: Councilwoman Duffie

Member	Aye	No	Abstain	Absent
DUFFIE	✓			
ASHLEY	✓			
ROBALINO	✓			
COLUCCI	✓			
GRANT	✓			
BERNER	✓			
MAYOR (tie)				

WHEREAS, the Mayor and Council wish to provide medical benefits to the employees of the Borough of New Milford; and

WHEREAS, Aetna has provided a quote for medical benefits comparable to the existing health benefits provided by CIGNA; and

WHEREAS, the quote from Aetna is significantly less than the 2013 renewal rate from CIGNA.

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of New Milford hereby agree to authorize execution of an agreement with Aetna to provide health benefits to employees of the Borough of New Milford, effective January 1, 2013.

BE IT FURTHER RESOLVED, the Mayor and Council hereby authorize the Administrator, Christine Demiris, to sign the agreement.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on November 12, 2012.

SEAL

Christine Demiris

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012: 314

Offered by: Councilman Robalino

Seconded by: Councilwoman Duffie.....

Member	Aye	No	Abstain	Absent
DUFFIE	✓			
ASHLEY	✓			
ROBALINO	✓			
COLUCCI	✓			
GRANT	✓			
BERNER	✓			
MAYOR (tie)				

WHEREAS, Hurricane Sandy was exceptionally destructive; and

WHEREAS, the damage incurred by this Hurricane has cost the residents and property owners of New Milford an undetermined amount; and

WHEREAS, under normal circumstances residents and property owners would be required to apply for and pay a fee to obtain permits from the Borough Building Department in order to replace and repair their structures and replace appliances that suffered damage from the storm;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of New Milford that all fees normally charged by the Building Department of the Borough of New Milford be waived for those repairing or replacing items directly damaged in during the recent Hurricane, and that any fees collected prior to the passage of this resolution be refunded; and

BE IT FURTHER RESOLVED, that those certain fees collected on behalf of the State of New Jersey and not under the jurisdiction of the Borough of New Milford, shall be waived as well; and

BE IT FURTHER RESOLVED, that should the Legislature of the State of New Jersey enact legislation covering these items, then whichever shall better benefit the residents and property owners of New Milford, this resolution or the state legislation, shall supersede the other; and

BE IT FURTHER REOLVED, that this waiving of permit payment shall remain in effect for 90 days from its date of adoption and that should the need arise, it may be extended by a vote of the Borough Council.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on November 26, 2012.

SEAL

Christine Bernick