

**MINUTES**  
**BOROUGH OF NEW MILFORD**  
**7:00 PM WORK SESSION**  
**OPEN SESSION immediately following**  
**7:45 PM PUBLIC MEETING**  
**Monday, October 28, 2013**



**WORK SESSION:**

Mayor Subrizi read the Open Public Meeting and Mission Statements.

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

Also Present: M. Leibman, Borough Attorney; C. Demir, Administrator/Borough Clerk

**OPEN SESSION:**

1. NMEF – 10K Follow-Up

Event organizer, Joe LoPorto reported there were 200 registrants with approximately \$10,000 in revenue. He is confident the event will generate a profit after expenses and was successful for the first year. Approximately eight miles of road was closed throughout the event and there were no incidents reported. He said he was aware of just a few comments from affected residents; all other feedback was favorable. He expressed his appreciation for everyone's effort and said they are already gearing up for next year with a proposed date of 10/26/14.

Mayor Subrizi said she had some additional feedback from the Police Chief with some concerns from residents and suggested additional notice in future years. She said it was a great event and thanked both Mr. LoPorto and Mr. Prendergast for their efforts.

Mr. LoPorto said he will be meeting with PD, EMS, and DPW for an after action review. He additionally noted the course is now certified with USA Track and Field and the certification is good for ten years; he would like to maintain the same route if possible.

2. Construction Official/Property Maintenance Officer

Mayor Subrizi recognized Jim Taormina, Construction Official and Maria Sapuppo, Technical Assistant/Zoning Officer as being in attendance. Mayor Subrizi said the Council has discussed the need for a Property Maintenance Officer (PMO) and at the last meeting discussed the possibility of merging the position with the Construction Official (CO) position. She said she would like to get feedback on the idea of merging the positions.

Councilman Colucci said it seems a lot of information is intertwined as to what a PMO looks for in relation to what a CO knows as far as codes and regulations. He said it seems a normal mix and is in many other towns as well.

Mayor Subrizi said it was mixed when Doug Baker was with the Borough. She said there may also be a duplication in process since the CO and the PMO would engage in driving around town.

Councilwoman Grant said at one time both positions were held by one person, then the positions were separated, then the PMO position was eliminated – there have been a variety of methods to deal with property maintenance. She asked when the PMO position was established, while Mr. Baker was still here or after he was gone. She was advised it was established after he was gone. She asked what the reasons were at that time to separate the two jobs. Mayor Subrizi said she does not know the specific reasons behind the decision. She said there was an immediate need, after Mr. Baker passed away, for a Construction Official and one was hired; at that time property maintenance was not part of the CO job. Councilwoman Grant asked if the job description was officially changed. Mayor Subrizi asked if additional research into the past would be pertinent for Councilwoman Grant to move forward. The Administrator said she was not sure additional research would shed any light as to how the position had evolved. Councilwoman Grant asked for an explanation of what Mr. Taormina does now and what would be different. Mayor Subrizi said the Council is in open session discussing the possibility of restructuring the job, not discussing anything to do with Mr. Taormina's performance; it would be OK to outline the scope of his job.

Councilman Putrino asked if they could ask Mr. Taormina's his thoughts on a combined position and how it could work. Mayor Subrizi said she did not think it would be appropriate; it may be a discussion that could be had later. Councilwoman Grant asked if a job description for the CO could be obtained prior to the next meeting so it can be compared to what the PMO would do. Councilman Colucci said it is very much conducive and noted Mr. Baker was the Fire Inspector and the Zoning Officer as well. Councilman Putrino said to do all those jobs it would be necessary to be here every hour of the day. The Administrator said Mr. Baker worked full-time. Councilwoman Grant asked if the combined position would be a full-time position. Mayor Subrizi said she believes it could be done on a part-time basis. Councilwoman Grant asked how many hours the CO position is currently.

Mr. Taormina said he works six hours per week in the office and approximately six additional hours outside of his normal hours on plan review and callouts. Mr. Taormina said the Building Department does not cost the taxpayers anything and it is under the auspices of the Uniform Construction Code. He said the New Milford Building Department has been recommended by the State to do plan review for municipalities throughout the state of New Jersey and New Milford receives 10% of the plan review. Mr. Taormina said he is on call 24/7 and gets called out frequently by the Police Department for accidents involving buildings. Mr. Taormina said he would recommend a local resident to take the job part time and he would back them up if there is an issue with a structure.

Mayor Subrizi said she believes it is in the best interest of New Milford in terms of efficiency to combine the position. Councilwoman Grant said she is not sure how this would save money since we would be adding extra hours to the CO position; she said it would be her preference to have two separate positions with clearly defined duties.

Councilman Putrino said the Council should look at both options to decide which is better and perhaps come back with follow up questions.

Mayor Subrizi asked if anyone wanted to make a motion one way or the other at this time and if not suggested moving forward on the agenda.

Councilwoman Grant said the Council has already voted to have a PMO which is why an ordinance has been drafted. She said the attorney has provided a revision; she believes further revision is necessary. She will forward her comments back to the attorney. The Council agreed to relist the matter for discussion at the next work session.

### 3. Health Department – Child Health Clinic Expenses

The Administrator briefed the Council on a discussion she and Council President Duffie had with the Public Health Nurse, Lori Palma regarding the Child Health Clinic expenses. The Administrator said New Milford pays for the service of the Doctor, the Nurse, and the supplies to hold the clinic but the services are provided to numerous Mid-Bergen Commission member towns. She said that in 2001 the clinic served the residents of four member towns in addition to New Milford, however, the majority of the patients were from New Milford. Over the years the clinic has grown to include patients from twelve other Mid-Bergen towns and the ratio of patients is now about 50% from New Milford and 50% from other towns. The Administrator said Mid-Bergen charges the other member towns for these services but does not reimburse New Milford for the professional expenses or supplies.

Mr. Leibman said, with the Council's approval, he will attend the next meeting of Mid-Bergen to get an explanation and if he does not get satisfaction he will then serve them with an OPRA demand to get their financial records for review.

Council President Duffie said both the Nurse and the Doctor feel very strongly that the clinic is a good thing, public health is very important and they serve patients that are in need. She said however, Mid-Bergen has held the Borough hostage, having asked repeatedly for a contract and reducing the services provided over the past few years.

Councilman Ashley asked how often we pay Mid-Bergen. The Administrator said they are paid quarterly. Councilman Ashley suggested not paying for the fourth quarter until we receive a copy of the contract. Mr. Leibman said New Milford is a founding member of the Commission; he does not believe there is a contract. He said many years ago New Milford joined together with other municipalities in one of the first shared services agreements in Bergen County. He said he has asked for their formation documents; they have told him they cannot find them. He said they all seem very well intentioned but seem to be operating on a shoe string with minimal effort. He said he does not believe it was intentional to hurt New

Milford; it probably started off as the Administrator said with one or two patients from another town and slowly over time it became inequitable. He said they do not appear to be professionally run, he does not believe they have a board attorney who attends their meetings and makes sure things are done properly.

Councilman Ashley said New Milford is sending taxpayer money to an organization that is not billing the Borough appropriately. Mr. Leibman said for years they have had an office in the New Milford Borough Hall; this cuts both ways – to some degree New Milford received greater services with personnel onsite all the time but New Milford felt slighted because they were providing free office space to the other towns so they started collecting rent. Councilman Ashley said the agreement needs to be formalized.

The Council agreed to have Mr. Leibman attend Mid-Bergen's next meeting.

4. Warriors Run – June 15, 2014

Mayor Subrizi referenced the letter received and said it would be similar to the Andiamo's run at a different time of the year. She asked if there were any objections to the concept with the final plans to be determined. Councilman Colucci suggested it might be the same day as the Fire Department 5K. Mayor Subrizi said it is on Father's Day, a Sunday. Council President Duffie said she would have no objection providing it does not conflict with anything else going on in town on that day. Mayor Subrizi said the run would start and end in New Milford but would not be wholly contained in New Milford. Mayor Subrizi said they are looking to mobilize on Cecchino Drive. The Council agreed there is no objection to the concept provided they notify the Board of Education.

5. St. Joseph Fall Carnival – September 12 – 14, 2014 – Road Closure Request

The Administrator referenced the letter received and said she had spoken with Chief Papapietro and a representative from the school. The Chief said he would close Harrison at Pershing to accommodate the request. The school representative was advised the requested police protection for assistance in crossing Elm Street would need to be obtained through the Borough of Oradell. The Council had no objection. The Administrator will notify the school.

6. Cherry/Chestnut Drainage – DPW/Engineer Recommendation

The Administrator referenced a diagram, previously emailed to the Council, which outlined a suggestion from the DPW Superintendent to add a storm manhole at the location where the Chestnut Street drainage pipe enters Cherry Street in addition to reconfiguring the existing inlets to reconnect to the manhole. The engineer has reviewed the suggestion and agrees it would be worthwhile to pursue this prior to moving forward with a large scale drainage project. She said the engineer has estimated the cost to be about \$10,500 but the quotes from contractors ranged from \$16,000 to \$20,000.

Mayor Subrizi asked if it would be part of the 2014 capital budget. The Administrator said that it would have to be and noted the engineer suggested bidding it with a larger project such as the resurfacing of the Boulevard; by doing so it may bring the cost down. She asked if the Council wished to bundle it with another project or proceed with it independently.

Councilwoman Grant asked the likelihood this will succeed in fixing the problem. The Administrator said there is no 100% solution, however the engineer believes it is a good place to start because the water is actually competing with itself currently.

Councilman Putrino asked if the engineer still wants to add the catch basin across the street. The Administrator said she has suggested doing this first. Councilman Putrino asked when the Administrator anticipates the start of the Boulevard resurfacing. The Administrator said she expects it to be done in the Spring. Councilman Putrino asked if the storm water grant application was still in process. He was advised that it is.

The Council agreed to add it as an alternate to the Boulevard resurfacing project.

Mayor Subrizi asked if there were any questions or comments from the Council on any of the ordinances or resolutions. Councilman Putrino asked to have resolution 2013:282 and 2013:289 pulled from the consent agenda for a separate vote.

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

#### **CLOSED SESSION:**

1. Potential Litigation – Ferretti Carting
2. Collective Bargaining – 12-Hour Schedule
3. Review of Closed Session Minutes – October 7, 2013

At the conclusion of the closed session Councilwoman Grant made a motion to go into open session. Councilman Putrino seconded the motion. All present in favor, none opposed.

Council President Duffie made a motion to adjourn and reconvene in the Council Chambers. Councilwoman Grant seconded the motion. All present in favor, none opposed.

#### **PUBLIC SESSION:** (Actual Start 8:19 PM)

Mayor Subrizi called the meeting to order, asked for a moment of silent prayer and/or reflection, and led the flag salute. Mayor Subrizi read the Open Public Meeting Law and Mission Statements and pointed out the fire exits in the Council Chambers.

**ROLL CALL:**

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

Also Present: M. Leibman, Borough Attorney; C. Demiris, Administrator/Borough Clerk

**APPOINTMENTS: KIEFER HANDSCHUH – FIRE COMPANY #2**

Councilman Colucci made a motion to approve the appointment. Councilman Putrino seconded the motion. All present in favor, none opposed.

**CHRISTOPHER SHAW – JR. FIRE DEPARTMENT**

Councilman Colucci made a motion to approve the appointment. Councilman Robalino seconded the motion. All present in favor, none opposed.

**COUNCIL COMMITTEE REPORTS:**

Councilman Robalino made a motion to file Committee Reports with the Borough Clerk to be spread in full upon the minutes. Councilman Colucci seconded the motion. All present in favor, none opposed.

**OLD BUSINESS:**

Councilman Colucci made a motion to approve the minutes from the October 7, 2013 Closed Session and Work/Public Session. Councilwoman Grant seconded the motion. All present in favor, none opposed.

**ADOPT ORDINANCE 2013:09**

CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$97,000 FOR THE UNDERTAKING OF IMPROVMENTS AT BABE RUTH FIELD, WILLIAMS FIELD AND KENNEDY FIELD IN, BY AND FOR THE BOROUGH OF NEW MILFORD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM A COUNTY GRANT AND FROM THE OPEN SPACE TRUST FUND OF THE BOROUGH.

Council President Duffie made a motion to open to the public for comment on this ordinance. Councilman Putrino seconded the motion. All present in favor, none opposed.

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

Council President Duffie made a motion to close to the public. Councilman Colucci seconded the motion. All present in favor, none opposed.

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

#### **ADOPT ORDINANCE 2013:10**

AN ORDINANCE TO AMEND CHAPTER XIX, OF THE ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED 'PARKS AND RECREATION,' SECTION 19-3, FEES

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

John Rutledge – River Road. Mr. Rutledge asked the percentage of the increase to the fees. Mayor Subrizi explained the fees have not actually been increased; the ordinance does not reflect the current fees and is being revised for this reason.

Councilman Ashley made a motion to close to the public. Council President Duffie seconded the motion. All present in favor, none opposed.

Councilman Ashley made a motion to adopt this ordinance on its second and final reading. Councilman Colucci seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

#### **ADOPT ORDINANCE 2013:11**

AN ORDINANCE TO AMEND CHAPTER I OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED "GENERAL PROVISIONS" THEREBY AMENDING SUBSECTION 1-2 ENTITLED "DEFINITIONS"

Councilwoman Grant made a motion to open to the public for comment on this ordinance. Council President Duffie seconded the motion. All present in favor, none opposed.

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

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

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

## **ADOPT ORDINANCE 2013:12**

CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$54,730 FOR THE DEMOLITION AND SITE RESTORATION OF HURRICANE IRENE DAMAGED HOMES IN, BY AND FOR THE BOROUGH OF NEW MILFORD IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM HOMEOWNER'S FLOOD INSURANCE PROCEEDS ASSIGNED TO THE BOROUGH

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

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

Councilman Colucci made a motion to close to the public. Councilman Putrino seconded the motion. All present in favor, none opposed.

Councilman Colucci made a motion to adopt this ordinance on its second and final reading. Councilman Ashley seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

## **NEW BUSINESS:**

## **INTRODUCE ORDINANCE 2013:13**

CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$46,000 FOR THE UNDERTAKING OF VARIOUS INTERIOR IMPROVEMENTS TO THE SENIOR CENTER IN, BY AND FOR THE BOROUGH OF NEW MILFORD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM A FEDERAL GRANT

Councilman Colucci made a motion to introduce this ordinance on its first reading. Councilwoman Grant seconded the motion. The motion passed on a roll call vote as follows:  
For the motion: Robalino, Ashley, Duffie, Colucci, Grant  
Against the motion: None  
Abstain: Putrino

The ordinance will be published in the Record and a public hearing will be held on November 25, 2013 at 7:00 PM or as soon thereafter as the matter can be reached.

## **INTRODUCE ORDINANCE 2013:14**

AN ORDINANCE TO AMEND CHAPTER VII OF THE ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED "TRAFFIC", THEREBY AMENDING SECTION 7-6 ENTITLED "THROUGH STREETS, STOP INTERSECTIONS AND YIELD INTERSECTIONS"



Councilman Ashley made a motion to introduce this ordinance on its first reading. Councilman Putrino seconded the motion. All present in favor, none opposed.

The ordinance will be published in the Record and a public hearing will be held on November 25, 2013 at 7:00 PM or as soon thereafter as the matter can be reached.

#### **INTRODUCE ORDINANCE 2013:15**

AN ORDINANCE TO AMEND CHAPTER VII OF THE ORDINANCE OF THE BOROUGH OF NEW MILFORD ENTITLED "TRAFFIC", THEREBY AMENDING SUBSECTION 7-3.3 ENTITLED "PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS"

Councilman Colucci made a motion to introduce this ordinance on its first reading. Council President Duffie seconded the motion. All present in favor, none opposed.

The ordinance will be published in the Record and a public hearing will be held on November 25, 2013 at 7:00 PM or as soon thereafter as the matter can be reached.

#### **INTRODUCE ORDINANCE 2013:16**

CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$76,250 FOR THE ACQUISITION OF REAL PROPERTY FOR OPEN SPACE PURPOSES IN, BY AND FOR THE BOROUGH OF NEW MILFORD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM A COUNTY GRANT AND FROM THE OPEN SPACE TRUST FUND OF THE BOROUGH.

Councilman Colucci made a motion to introduce this ordinance on its first reading. Councilman Robalino seconded the motion. All present in favor, none opposed.

The ordinance will be published in the Record and a public hearing will be held on November 13, 2013 at 7:00 PM or as soon thereafter as the matter can be reached.

#### **INTRODUCE ORDINANCE 2013:17**

AN ORDINANCE TO AMEND CHAPTER III OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED "GENERAL LICENSING," THEREBY AMENDING SECTION 4-17.4 ENTITLED "GARAGE SALES", "PERMITS AND FEES"

Councilman Putrino made a motion to introduce this ordinance on its first reading. Council President Duffie seconded the motion. The motion passed on a roll call vote as follows:

For the motion: Robalino, Duffie, Colucci, Grant, Putrino

Against the motion: Ashley

Abstain: None

The ordinance will be published in the Record and a public hearing will be held on November 25, 2013 at 7:00 PM or as soon thereafter as the matter can be reached.

## **INTRODUCE ORDINANCE 2013:18**

AN ORDINANCE TO AMEND CHAPTER IV OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED "POLICE REGULATIONS," THEREBY AMENDING SECTION 3-10A ENTITLED "CRIMINAL HISTORY BACKGROUND CHECKS"

Councilman Colucci made a motion to introduce this ordinance on its first reading. Councilman Robalino seconded the motion. All present in favor, none opposed.

The ordinance will be published in the Record and a public hearing will be held on November 25, 2013 at 7:00 PM or as soon thereafter as the matter can be reached.

Mr. Leibman reported he met with the Planner and Mr. Brunetti's professional staff. He said he expects the draft ordinance to be complete by the end of the week in anticipation of the first reading on November 13<sup>th</sup>. Upon introduction the ordinance will be forwarded to the Planning Board for their review at their meeting on November 26<sup>th</sup> in anticipation of the second reading by the Mayor and Council on December 16<sup>th</sup>.

The Administrator reviewed the proposed schedule of 2014 meeting dates for the Mayor and Council. She suggested holding the work session in April on the first Monday, because the second Monday is the first day of Passover. She also suggested holding the work session in October on the first Monday because the second Monday is Columbus Day. The Council agreed with these two suggestions. The resolution to approve the meeting dates will be prepared for the next meeting.

The Administrator provided a status on the LED stop signs for the intersection of the Boulevard and Graphic Boulevard. The DPW Superintendent has been trying to obtain a guarantee from either the manufacturer or PSE&G that the solar capacity of the sign will function as there is significant tree cover in the area. He has been unable to obtain this guarantee. The Council agreed the solar functionality does not require full sunlight at all times and the LED lighting will not be the sole warning device, it is secondary. The Council agreed the Superintendent should move forward regardless of the lack of a guarantee.

Council President Duffie asked if it would be possible to get a quarterly report on the balance in the open space trust account. The Administrator said it would be possible but the balance is not indicative of what has actually been appropriated from the fund to approved open space projects.

Councilman Colucci said the NMFD worked through much of the night at the fire on Summit Avenue. Food and drinks were provided by Box 54 a volunteer canteen company that supports local fire departments. Councilman Colucci made a motion to donate \$100 to Box 54 to replenish the fund. Council President Duffie seconded the motion. All present in favor, none opposed.

Councilman Colucci asked to add the Fire Department request for funds to support their anniversary year events to the next work session for discussion. Councilman Robalino asked if it

would be possible to get an itemization of what they have planned for the funding they have requested.

Mayor Subrizi said the Public Events Committee would like to begin planning for New Milford's 100<sup>th</sup> Anniversary in 2022. She said they hope to raise \$1,000 per year in anticipation of the event and asked to have this added to the next work session agenda for discussion.

Councilman Putrino suggested the need to form the finance committee for 2014. He asked to have this added to the next work session agenda.

## **COMMENTS FROM THE PUBLIC**

Councilman Robalino made a motion to open the meeting for public comment. Councilman Putrino seconded the motion. All present in favor, none opposed.

John Rutledge – 355 River Road. Mr. Rutledge commented on the solar powered stop sign and asked if any consideration was given to “greening” the Fire Department and Police Department with proposed renovations; he suggested solar power and geothermal energy. Councilman Colucci said solar panels can still be considered but the problem with geothermal is the technology is extremely expensive to set-up and repair.

A motion was made by Councilman Ashley to close to the public. The motion was seconded by Council President Duffie. All present in favor, none opposed.

## **RESOLUTIONS:**

- 2013:279 Closed Session
- 2013:280 Payment of Bills and Vouchers
- 2013:281 Approve Raffle License 2013:19 – PTO David E. Owens Middle School – On-Premise Merchandise
- 2013:282 Approve Introduction of Capital Ordinance 2013:13 – Senior Center Improvements
- 2013:283 Approve Introduction of Capital Ordinance 2013:16 – Property Acquisition – 1033 Steuben Avenue
- 2013:284 Authorize Payment of \$62,883.85 on Tax Sale Certificate 09-02 to R. Rothman
- 2013:285 Approve Cancellation of Balance of 4<sup>th</sup> Quarter 2013 Taxes and 1<sup>st</sup> Half of 2014 Taxes – Block 1524, Lot 9 – Borough Acquisition of Property
- 2013:286 Approve Cancellation of 4<sup>th</sup> Quarter 2013 Taxes – Block 202, Lot 39 – Forfeiture of Property to Federal Government
- 2013:287 Approve Cancellation of All Open Taxes – Block 1407, Lot 56 – NJ Supreme Court Decision
- 2013:288 Authorize Tax Collector to Remove Property from Tax Sale – Block 101, Lot 1
- 2013:289 Approve Social Affair Permit – New Milford-Teaneck Lodge #2290 BPOE – November 15, 2013

## **VOTE ON RESOLUTIONS**

Councilman Robalino made a motion to approve the consent agenda consisting of resolutions 2013:279 through 2013:281 and resolutions 2013:283 through 2013:288. Councilman Colucci seconded the motion. All present in favor, none opposed.

Councilman Colucci made a motion to approve resolution 2013:282. Council President Duffie seconded the motion. The motion passed on a roll call vote as follows:

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

Against the motion: None

Abstain: Putrino

Council President Duffie made a motion to approve resolution 2013:289. Councilman Colucci seconded the motion. The motion passed on a roll call vote as follows:

For the motion: Robalino, Duffie, Colucci, Grant

Against the motion: None

Abstain: Ashley, Putrino

## **ADJOURNMENT**

Councilwoman Grant made a motion to adjourn. Councilman Colucci seconded the motion. All present in favor, none opposed. Time 8:54 PM.

Respectfully submitted,



Christine Demiris, RMC  
Borough Clerk

10/28/2013  
Board Of Education

Diego Robalino  
Liaison

October 7<sup>th</sup> meeting coincided with M & C meeting and was unable to attend.

October 21<sup>st</sup> meeting;

Superintendent Polizzi spoke about great success of the 4<sup>th</sup> Annual Edscape that was held on Saturday (10/19/13) at the New Milford High School.

Great presentations and workshops by innovative educators were available.

- Success Stories
- Best Practices
- Professional Growth
- Etc.

Also, it was the most Tweeted subject that day (in the world), with 400 people chatting. A bragging moment was his wording.

Berkeley School held their "Week of Respect" to teach the youngsters how to be considerate and respectful of others.

The Middle School had a visit from inmates from the Bergen County Jail, they listened to the guests tell their stories of the lives they led and how they've changed.

The High School students have been learning about how to avoid "distracting driving"/

Danielle Shanley;

The High School had their Senior Academy Night, and Faculty BBQ.  
New movie will soon be available to students about Human Trafficking.

Michael Sawicz;

Intense training will be held in A/C for Board members

John Bigger;

Account has been opened and PO Box made available for donations to Debbie Yager and family due to their total home loss in a fire last week.

## Drug Alliance Meeting: 10/17/2013

Meeting called to order at 7:05 PM

<b>Attendees:</b>	Diego Robalino	Veronica Capone
	Cheryl Tormo	Rebecca S. Auerbach
	Denise Erba	Joe Erba
	George Herrero	Karishma Khan

### Student Liaison

- Karishma Khan was introduced to the committee as the new Student Liaison for the Alliance committee.

### Dance:

- Joe Erba has booked the VFW Hall for the Halloween Dance which will be held on Wednesday, October 30, 2013. We will be allowed to enter the hall early to decorate if we desire

### Red Ribbon Week:

- Celebrated during the week of October 23 to 31, 2013. The annual poster contest will be judged by Officer Herrero, Rebecca Auerbach, and Cheryl Tormo.

### Carnival:

- Veronica is going to make contact with someone from St. John's to find out which amusement company they used for their carnival. Joe has contacted 8 other companies but still has not heard back

### Miscellaneous News:

- On Thursday, September 26, 2013, Joe and Denise Erba attended the Government Council on Alcohol and Drug Addiction seminar. Attendance to this seminar and action planning is necessary to New Milford to receive the grant for years 2014 through 2017.
- On Friday, October 25, 2013, Joe Erba will be meeting with the Bergen County Administrator to go over the third quarter report which is submitted to the Governor's Council
- Cheryl Tormo has purchased candy to be used for "Trunk or Treat" which will be held on Friday, October 25, 2013 in the Berkley School parking lot. A photo needs to be taken and posted on The Patch website.

Meeting adjourned at 7:30 PM

Minutes recorded by Karishma Khan

## Councilman Ashley's Liaison Report for 10/28/2013

### Public Events-

- Veterans Day service will be held at borough hall on November 11

### Recreation-

- Softball Coordinator- Debbie Yager  
Donations for the YAGER family can be mailed to PO Box 140  
Checks should be made out to 'Friends of Debbie', this account was opened at NVE.  
Donations can also be dropped off at the Boro Clerk's Office in an envelope marked New Milford Recreation Between 8AM & 4PM daily.
- Coaches for Recreation sports are volunteers and always needed.

### Shade Tree-

- 1) Five year management plan- next year the commission will begin working on the new five year management plan. It is necessary for the borough to have an approved management plan in order to maintain immunity.
- 2) Shade Tree Federation Meeting- October 25-26 2013- 3 members of the commission attended. Main points of first day of meeting.
  - a) Changing of borough tree inventory will be needed in the insure climate suitable tree species
  - b) Trees are a part of the borough's infrastructure and must be maintained accordingly. A failure on the part of the Borough to properly fund tree maintenance will result in more catastrophic losses experienced during the October Snow storm of 2011, hurricanes Irene and sandy.
  - c) The Borough must take a 80 year tree approach. Planting trees that will be of a suitable species in the area 80 years from now (2093).
- 3) The Shade Tree Commission is planning an aggressive planting schedule for the foreseeable future in order to repair the damage done in the last three years.

## In post-Sandy North Jersey, trees remain a serious concern - NorthJersey.com

NorthJersey.com



*Tree destruction in Clifton from Sandy is pictured.*

Tree destruction in Clifton from Sandy is pictured.

Got leaves?

In the midst of North Jersey's colorful annual onslaught, Rosann LaPorta of Saddle Brook is living a relatively rake-free existence.

"When I moved onto my block, in 1986, this was a tree-lined street," LaPorta said. "Today, there are hardly any trees left, between all the storms and everyone afraid about the next one. I think it all

started about 10 years ago, people taking trees down, but in the last couple of years, the difference has been really noticeable."

It's a trend, post-Superstorm Sandy, that is becoming increasingly common in the suburbs of Bergen and Passaic counties. New Jersey lost an estimated 400,000 trees in Sandy, more than a few of which took down power lines, crashed through homes and pulverized cars.

### **Full coverage: Superstorm Sandy, one year later**

And after Sandy, many of the trees that survived found themselves on some homeowners' lists of Things To Do Without — a kind of en masse anxiety that has been keeping tree-removal services busy and causing concern among area arborists and naturists.

LaPorta lives on Cypress Avenue, one of a dozen streets in a neighborhood locals refer to as "the tree streets," for their names (Willow, Pine, Spruce, etc.), not their foliage. The tree streets are bordered on the north by Wilson Street and bisected by Fair Lawn Parkway.

On one side of the once "tree-lined" Cypress Avenue there are more than 15 homes, but not one with a tree between the curb and the sidewalk. On the other side of the street, only two small trees remain.

Jennifer Minervini, who lives three blocks away on Pine Avenue, said that another two or three trees at the far end of her block were removed just recently.

"And it was odd driving down there," Minervini said. "The block looks so empty."

Like so many area residents, Minervini attributes her neighborhood's new look to increased fears about extreme weather; fears that were exacerbated by the crushing "Halloween snowstorm" that blasted the Northeast on Oct. 29, 2011, and Sandy, which reached the Jersey



Shore on Oct. 29, 2012, causing massive storm damage exceeded only by Hurricane Katrina.

(After Sandy, PSE&G had to deal with 48,000 fallen trees or tree limbs in its service area, which includes most of Bergen County. For JCP&L, which serves 11 counties, including parts of Passaic, the number was closer to 65,000 trees that came down on or around their equipment and had to be cut and cleared. Statewide, an estimated 2,600,000 customers were without power at some point during the storm.)

### **'Makes you nervous'**

Two of Minervini's neighbors on Pine Avenue had to replace the roofs of their homes after trees in their yards came down during Sandy.

"And, when you see that kind of damage," Minervini said, "it makes you nervous."

Earlier this year, about 15 miles away, Kevin and Elaine Howes cut down two large trees in the front of their yard in Oakland.

"We always had a lot of trees, and I never worried about them," Elaine Howes, said. "But that was before Sandy."

In the midst of the storm, seven trees came down on the Howes property. Three of them hit the house, and one, a giant oak, slammed through the roof.

As Howes recalled, "a huge branch came down and crashed through the dining room ceiling — about a foot away from the china closet, which was filled with heirlooms that had been given to me by my mother. And that was it: I began crying hysterically."

It was a scene that played out throughout North Jersey, from Rutherford (the so-called Borough of Trees) to Mahwah, once the home of the soldier, journalist and poet Joyce Kilmer, who wrote his poem "Trees" there 100 years ago.

First published in the August 1913 issue of "Poetry" magazine, the 12-line work — which begins, "I think that I shall never see/A poem lovely as a tree..." — is considered an American classic. It has been recited at countless Arbor Day celebrations and is, for many, a paean to the scenic, densely treed towns on both sides of the Hudson River.

Those towns are in no immediate danger of becoming treeless. Nor is the rest of North Jersey. (According to some estimates, Sandy claimed only a tenth of 1 percent of the state's tree canopy.) Still, it's hard not to notice how many neighborhoods here look so much different from just a couple of years ago.

Terry Farley, of West Milford, said her area is still reeling from the storm damage it has endured.

"After Irene a lot of trees in Passaic were cut down," Farley said, referring to the tropical storm that hit North Jersey about a month before the 2011 snowstorm. "And, still, the amount of trees that came down during Sandy was crazy. You can see a swath of trees from West Milford through Jefferson Township and Oak Ridge that came down. It looks like tornadoes hit. But, I still

think they need to cut more."

Jill Irwin said her street, Marlo Road in Wayne, lost 16 trees in Sandy, including two on either end of the block.

"We couldn't drive off our street for several days," she said. "It was terrible, but it was also heartbreaking to see them come down because they had been there since our development was built in the '60s. Three tree crews from Vermont eventually came to remove them, along with an electrical crew from Little Rock, Ark. I was so happy to see them, I brought them doughnuts and coffee."

Hill Street in Wood-Ridge, which once had tall, lush chestnut trees in front of almost every home, went under the knife last year, months before Sandy arrived, as part of a borough project to replace curbs and sidewalks there. Every tree was cut down on a two-block stretch of the street and replaced with smaller ones that are lower than the power lines.

A longtime resident, Tony Sinatra, a contractor with Michael Louis Construction in Hasbrouck Heights, said he misses the trees every day.

"But, let's face it," he added, "trees are difficult, and they have to be maintained. I thought losing our trees was terrible for the neighborhood. But I suppose it was also a necessity, so people wouldn't have to live through the torment of any more downed wires."

Joel Flagler, agriculture agent with the Rutgers Cooperative Extension of Bergen County, said he is "acutely aware of the loss of trees in our area" and added that the rush to cut down more of them is a growing concern among arborists and foresters.

"Trees are the oldest living things on earth," Flagler added. "They are part of the human experience. They provide shade, they give off pure oxygen and they take in contaminants. They affect us in a positive way physiologically. They give us a sense of calm. And there is a strong relationship between quality trees and real estate values."

Still, Flagler said, in the wake of Sandy his office has been fielding endless questions from Bergen County homeowners who saw the tree damage their neighbors experienced and are worried about the future.

Their "sense of calm" has turned to worry.

### **Need for expert advice**

Flagler noted that many towns in Bergen County are working with arborists "who realize the importance of keeping their communities green and keeping their streets vegetated."

He advised all homeowners with large trees on their properties to consult licensed arborists and certified tree experts before removing healthy trees (see accompanying article).

"We're dealing with human emotions and the response to an intense couple of storms," Flagler said. "But it's a bit like people who take out their lawns because they don't want to deal with lawn

pests. The benefits of trees far outweigh the risks."

Frank Juliano, director of the Reeves-Reed Arboretum in Summit, agrees. After Sandy, Juliano found himself quoting Ralph Waldo Emerson: "Adopt the pace of nature; her secret is patience."

The quote, Juliano said, "means a lot to me because people tend to overreact, from fear and a desire to control things. What nature tells us continually is that we don't have control."

The arboretum lost about 90 trees to Sandy, and while some will be replaced, others will not. "When something like this happens," Juliano said, "it's smart not to try to re-create what was there but to learn from [the experience] and make the changes necessary. We have to allow nature to do what it has to do."

That optimistic spirit is reflected in "Elements," a sculpture installation that opened at the arboretum in June. It contains 27 pieces by Tom Holmes, including sculptures that incorporate stone and metal, as well as broken branches and other debris left behind by Sandy. The exhibition runs through Thursday.

Email: [ervolino@northjersey.com](mailto:ervolino@northjersey.com)

*North Jersey Media Group Inc.*

Councilwoman Randi Duffie

#### October 2013 Committee Report

10/02: The Board of Health met. There was a review of a draft of new by-laws, was discussed, and revised. There will be a set of by laws for review at the November meeting.

10/03: The Rent leveling Board met. Discussions included; compliance with our ordinance, tax appeals by the landlords, tenants concerns of increased cost of tax pass-through's, and new pass-throughs at Dorchester. The Board has two membership openings, one full tenant member, and one alternate tenant member.

10/05: The Beautification Committee had a plant sale during Clean Communities Day. For sale were mums, ornamental kale, and asters, all home grown in New Milford at Perrone's Farm. The people of NM, as always, were very generous & we nearly sold out! The funds raised will pay for our spring planting of daffodils. The committee plans to have this sale annually.

10/08: The Historic commission met. Discussion included; replacement of aging Historic Home markers, plans for a series taped conversations with long time New Milford residents (their thoughts & memories), and plans to honor one of our former members with a gift. The Board has one membership opening.

10/17: The Beautification Committee met. Plans were made for the "Corn Stalking" of the Borough Hall, Main St, and various other areas on Sunday October 27<sup>th</sup>. New members are always welcome!

Respectfully submitted, Councilwoman Randi Duffie



# **COUNCIL LIAISON REPORT**

## **Councilwoman Hedy Grant**

Public Meeting of the Mayor & Council  
October 28, 2013

### **LIBRARY BOARD OF TRUSTEES**

- \*Met on October 17.
- \*Voted to retain an attorney, Michael Cerone, Jr., Esq., to advise us on issues regarding the Patriot Act and other matters.
- \*The Beautification Committee will donate 4 trees to be planted at the library.
- \*Reviewed plans for the new circulation desk.
- \*Discussed info we'd like on our new website.
- \*The Friends of the Library will hold a Basket Raffle November 18<sup>th</sup> through November 23<sup>rd</sup>.
- \*The Holiday Shopping Boutique will be on December 14<sup>th</sup>.
- \*DVD "rentals" have increased since they can now be borrowed without charge.

### **PLANNING BOARD**

- \*Met on October 22.
- \*Continued to discuss revisions to the Master Plan.
- \*Reviewed new maps of the borough drafted by our planner, Paul Grygiel.
- \*Reviewed a proposed revised ordinance for soil removal.

### **ENVIRONMENTAL COMMISSION (10.1.13)**

- \*Changed the date of its meeting from October 1 to October 10 so the members could listen to a webinar.
- \*Canceled the October 10 meeting; webinar was made available to members on their individual computers.



## COUNCIL LIAISON REPORT

Public Meeting of the Mayor & Council

*October 28, 2013*

**Councilman Michael Putrino**

### HISTORIC NEW BRIDGE LANDING PARK COMMISSION

- Meeting of 10/3 was cancelled (no quorum)
- HNBL continuing their discussion with DEP regarding allocation of operating funding.
- HNBL in discussions with Green Acres regarding the potential purchase of the old general store building located on the New Milford of New Bridge Landing.
- For more information about HNBL or to see their complete calendar of special events, please visit [www.newbridgelanding.org](http://www.newbridgelanding.org).

### NEW MILFORD VOLUNTEER AMBULANCE CORPS. (NMVAC)

- The Corps. met on 10/21, 8pm at the NMVAC building.
- NMVAC is reviewing details of NMEF 10K run.
- NMVAC is interested in working with the borough on a new website.
- NMVAC is looking forward to meeting with Capital Alternatives to discuss potential grant opportunities.
- For more information about NMVAC, please visit [newmilfordnypd.org/nmvac.htm](http://newmilfordnypd.org/nmvac.htm).

### CHAMBER OF COMMERCE

- The Chamber met on 10/21, 5:30pm at Borough Hall.
- Maureen Kamen (Tax Assessor) was guest speaker and discussed the recent "tax shift" and other results of 2011 borough tax re-evaluation.
- For more information on the Chamber please visit [www.newmilfordchamber.org](http://www.newmilfordchamber.org).

### GARBAGE & RECYCLING

- No committee meeting held in October.
- Clean Communities Day was successful.
- Recycling Coordinator and I are continuing to work on updating recycling pages on NM boro website.
- Recycling Coordinator and I are continuing to work on updating the borough recycling calendar.
- Investigating offering tours of recycling yard to schools and girl scouts, etc...
- Investigating visiting elementary schools to discuss recycling with children.
- Investigating Recycling App for New Milford.
- For more information on Garbage & Recycling in New Milford please visit [www.newmilfordboro.com](http://www.newmilfordboro.com).

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:279

Offered by: Mike J. A.

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
ROBALINO	✓			
ASHLEY	✓			
DUFFIE	✓			
COLUCCI	✓			
GRANT	✓			
PUTRINO	✓			
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. Potential Litigation – Ferretti Carting
2. Collective Bargaining – 12-Hour Schedule
3. Review of Closed Session Minutes – October 7, 2013

**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 October 28, 2013.

SEAL

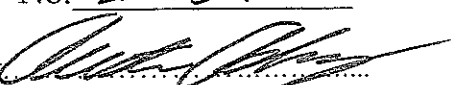
Christine Bernusio

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:280

Offered by: 

Seconded by: 

Member	Aye	No	Abstain	Absent
ROBALINO	<input checked="" type="checkbox"/>			
ASHLEY	<input checked="" type="checkbox"/>			
DUFFIE	<input checked="" type="checkbox"/>			
COLUCCI	<input checked="" type="checkbox"/>			
GRANT	<input checked="" type="checkbox"/>			
PUTRINO	<input checked="" type="checkbox"/>			
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 \$1,099,545.22.

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 October 28, 2013.

SEAL





**BOROUGH OF NEW MILFORD****Bill list****OCTOBER 1-15, 2013 PAYROLL**

<b><u>Vendor</u></b>	<b><u>Amount</u></b>	<b><u>Description</u></b>	<b><u>Account</u></b>	<b><u>Check #</u></b>
PAYROLL	4552.08	OCTOBER 1-15, 2013 PAYROLL	DUE FROM	3619
PAYROLL	1354.17	OCTOBER 1-15, 2013 PAYROLL	GENERAL	3619
PAYROLL	8266.46	OCTOBER 1-15, 2013 PAYROLL	MUNICIPAL	3619
PAYROLL	7115.35	OCTOBER 1-15, 2013 PAYROLL	COLLECTION	3619
PAYROLL	1262.80	OCTOBER 1-15, 2013 PAYROLL	ASSESSMENT	3619
PAYROLL	750.00	OCTOBER 1-15, 2013 PAYROLL	ASSESSMENT	3619
PAYROLL	226.20	OCTOBER 1-15, 2013 PAYROLL	CODE	3619
PAYROLL	5240.83	OCTOBER 1-15, 2013 PAYROLL	CODE	3619
PAYROLL	50.00	OCTOBER 1-15, 2013 PAYROLL	RENT	3619
PAYROLL	171.36	OCTOBER 1-15, 2013 PAYROLL	POLICE	3619
PAYROLL	7607.39	OCTOBER 1-15, 2013 PAYROLL	POLICE	3619
PAYROLL	4754.48	OCTOBER 1-15, 2013 PAYROLL	POLICE	3619
PAYROLL	19522.02	OCTOBER 1-15, 2013 PAYROLL	POLICE	3619
PAYROLL	150670.93	OCTOBER 1-15, 2013 PAYROLL	POLICE	3619
PAYROLL	550.15	OCTOBER 1-15, 2013 PAYROLL	POLICE	3619
PAYROLL	473.50	OCTOBER 1-15, 2013 PAYROLL	UNIFORM	3619
PAYROLL	1225.24	OCTOBER 1-15, 2013 PAYROLL	PUBLIC	3619
PAYROLL	50732.99	OCTOBER 1-15, 2013 PAYROLL	PUBLIC	3619
PAYROLL	900.00	OCTOBER 1-15, 2013 PAYROLL	PUBLIC	3619
PAYROLL	1586.18	OCTOBER 1-15, 2013 PAYROLL	RECYCLING	3619
PAYROLL	3375.62	OCTOBER 1-15, 2013 PAYROLL	PUBLIC	3619
PAYROLL	4589.64	OCTOBER 1-15, 2013 PAYROLL	BOARD OF	3619
PAYROLL	110.00	OCTOBER 1-15, 2013 PAYROLL	RECREATION	3619
PAYROLL	880.00	OCTOBER 1-15, 2013 PAYROLL	RECREATION	3619
PAYROLL	5951.47	OCTOBER 1-15, 2013 PAYROLL	SENIOR	3619
PAYROLL	0.00	OCTOBER 1-15, 2013 PAYROLL	LIBRARY	3619
PAYROLL	23467.05	OCTOBER 1-15, 2013 PAYROLL	LIBRARY	3619
PAYROLL	4130.19	OCTOBER 1-15, 2013 PAYROLL	MUNICIPAL	3619
PAYROLL	8177.34	OCTOBER 1-15, 2013 BORO SOCIAL	SOCIAL	3620
PAYROLL	4086.38	OCTOBER 1-15, 2013 BORO MEDICARE	SOCIAL	3621

**Total fund: 01 Current****321779.82****Total Bill List: 321779.82**

**BOROUGH OF NEW MILFORD****Bill list****OCTOBER 28, 2013**

<b><u>Vendor</u></b>	<b><u>Amount</u></b>	<b><u>Description</u></b>	<b><u>Account</u></b>	<b><u>Check #</u></b>
JOHN F. MORONEY	114.66	REIMB. HP FORMATTER BOARD	POLICE	3622
JOHN P. PAMPALONI	395.00	OCTOBER 2013 SEWER INSPECTOR	PUBLIC	3623
TERRI L. SMITH,	906.25	10/1/13 4 HRS, 10/8/13 3.25 HRS	BOARD OF	3624
CHASAN LEYNER &	125.90	AUGUST LABOR COUNSEL SERVICES	LEGAL	3625
MARK D. MADAIO,	1072.50	SEPTEMBER 2013 SERVICES	LEGAL	3626
PHILLIPS PREISS	2811.25	INV.17500 JULY J13034G MASTER PLAN	RESERVE FOR	3627
PHILLIPS PREISS	6240.00	INV. 17598 AUGUST 2013 MASTER PLAN	RESERVE FOR	3628
RICHARD J.	375.00	6/25/13 & 7/23/13 MASTER PLAN	PLANNING	3629
SCOTT G.	200.00	INV. 58485 9/10/13, 10/8/13 2013	ZONING	3630
KAUFMAN, SEMERARO,	5262.50	INV. 209143 SEPT. LEGAL SERVICES	LEGAL	3631
DE COTIIS,	62.50	INV. 152181 PBA SEPT. SERVICES	LEGAL	3632
BOSWELL MCCLAVE	181.00	INV.79238 9/30/13 NM-598 5	RES'V-GRANT	3633
BOSWELL MCCLAVE	362.00	INV.79239 9/30/13 NM602 GENERAL	ENGINEERING	3634
BOSWELL MCCLAVE	176.00	INV. 79241 9/17/13 ATTEND MEETING	PLANNING	3635
BOSWELL MCCLAVE	0.00	INV. 79241 9/17/13 ATTEND MEETING	ZONING	3635
BOSWELL MCCLAVE	0.00	INV. 79241 9/17/13 ATTEND MEETING	ZONING	3635
NEW MILFORD PUBLIC	845.00	BALANCE OF 2013 BUDGET	LIBRARY	3636
NEW MILFORD FIRE	1750.00	2013 ANNUAL UNIFORM ALLOWANCE	FIRE 0/E	3637
NEW MILFORD FIRE	280.00	REIMB. FIRE	FIRE 0/E	3638
NEW MILFORD FIRE	211.10	REIMB. FIRE	FIRE 0/E	3638
NEW MILFORD FIRE	0.00	REIMB. FIRE	FIRE 0/E	3638
NEW MILFORD FIRE	162.94	REIMB. FIRE	FIRE 0/E	3638
NEW MILFORD FIRE	23.76	REIMB. FIRE	FIRE 0/E	3638
TREASURER, STATE OF	2909.00	JULY-SEPT. 2013 STATE TRAINING	STATE	3639
NEW MILFORD FIRE	0.00	ANNUAL UNIFORM ALLOWANCE & DINNER	FIRE 0/E	3640
NEW MILFORD FIRE	5000.00	ANNUAL UNIFORM ALLOWANCE & DINNER	FIRE 0/E	3640
NEW MILFORD FIRE	1750.00	ANNUAL UNIFORM ALLOWANCE & DINNER	FIRE 0/E	3640
METROPOLITAN	2433.33	INV.100498519-855-9 10/15-11/4/13	O/E	3641
CABLEVISION	196.73	OCTOBER 2013 CABLE-REC,DPW,FIRE	MUNICIPAL	3642
CABLEVISION	0.00	OCTOBER 2013 CABLE-REC,DPW,FIRE	POLICE	3642
CABLEVISION	17.57	OCTOBER 2013 CABLE-REC,DPW,FIRE	POLICE	3642
CABLEVISION	59.90	OCTOBER 2013 CABLE-REC,DPW,FIRE	PUBLIC	3642
CABLEVISION	84.90	OCTOBER 2013 CABLE-REC,DPW,FIRE	RECREATION	3642
STAPLES ADVANTAGE	127.60	INV. 3211066280,3211696229	MUNICIPAL	3643
PERRONE'S FARM &	74.70	INV. 1580 10/4/13 18 FLOWERS FOR	CLEAN	3644
NORTH JERSEY MEDIA	297.59	AD#3568128, 3568142 ACCT.1101720	MUNICIPAL	3645
OFFICE BUSINESS	0.00	MAINT. CONTRACT LAPTOP/SOFTWARE	MUNICIPAL	3646
OFFICE BUSINESS	257.00	MAINT. CONTRACT LAPTOP/SOFTWARE	MUNICIPAL	3646
OFFICE BUSINESS	257.00	MAINT. CONTRACT LAPTOP/SOFTWARE	PLANNING	3646
OFFICE BUSINESS	257.00	MAINT. CONTRACT LAPTOP/SOFTWARE	ZONING	3646
IRON MOUNTAIN	189.82	INV.HTB2755 SEPT. 2013 STORAGE	MUNICIPAL	3647
REVEL HOTEL	318.00	BOOKING# 25789 4 ROOMS @ LEAGUE OF	MUNICIPAL	3648
REVEL HOTEL	0.00	BOOKING# 25789 4 ROOMS @ LEAGUE OF	CODE	3648
REVEL HOTEL	318.00	BOOKING# 25789 4 ROOMS @ LEAGUE OF	CODE	3648
REVEL HOTEL	318.00	BOOKING# 25789 4 ROOMS @ LEAGUE OF	POLICE	3648
DELFORD FLOWERS &	43.00	ACCT. 2958 GET WELL FLOWERS	SENIOR	3649
SCOTT GRAPHICS	820.00	INV. 10863 500 PERMIT FOLDERS,	PLANNING	3650

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
PAYCHEX	1004.92	SEPT. PAYROLL INV.270333, 271851	MUNICIPAL	3651
F.I. SIGN INC.	0.00	INV. 208755 INSTALL PORTION OF	MUNICIPAL	3652
F.I. SIGN INC.	500.00	INV. 208755 INSTALL PORTION OF	MUNICIPAL	3652
I. SIGN INC.	500.00	INV. 208755 INSTALL PORTION OF	RECYCLNG	3652
ANCHOR RUBBER	30.50	INV.65988 SELF INKING NOTARY STAMP	MUNICIPAL	3653
SHOP RITE OF NEW	95.98	ACCT. 3563 SEPT.SAT.WELLNESS	SENIOR	3654
LEXIS NEXIS	220.00	INV.20130930 SEPT.2013 ONLINE	O/E	3655
MORPHOTRAK, INC.	2633.69	INV.116764 MAINT. AGREEMENT	POLICE	3656
NATIONAL SAFETY	285.50	INV.206863 & 207088 WORKPLACE	INSURANCE	3657
LAWMEN SUPPLY	196.72	INV. 428329 5 ARMOR SKIN	POLICE	3658
D. & E. UNIFORMS	317.95	INV.50033, 50074, 50146 CLOTHING	POLICE	3659
G.T.B.M., INC.	1360.32	INV. 2396 780 3rd QTR E-TICKETING	POLICE	3660
G.T.B.M., INC.	3412.50	INV.2322 INFO-COP ANN. RENEWAL	POLICE	3661
GALL'S INC.	284.76	INV.BC20486, 29911,799702,	POLICE	3662
NORTHWEST BERGEN	7000.00	INV. 9949 4TH QTR 2013 DISPATCH	POLICE	3663
NEW JERSEY FIRE	227.90	INV.43359 FIRE EQUIPMENT REPAIRS	FIRE O/E	3664
ELECTRONIC	552.00	INV.54061 MONITORING	PUBLIC	3665
CHIEF FIRE	450.00	INV.122071 SPRINKLER INSPECT FLOW	PUBLIC	3666
SERVPRO OF	1310.39	INV.3929905 EMERGENCY CLEANUP	PUBLIC	3667
AAA EMERGENCY	310.50	INV.240584 NAT'L UNIVERSAL PLUS	FIRE O/E	3668
AAA EMERGENCY	510.00	INV.240577 3 CAIRNS HELMET LINERS	FIRE O/E	3669
AMERICAN HOSE &	119.40	INV.323742 BLACK ELBOW, HOSE	FIRE O/E	3670
OLYMPIC GLOVES &	159.90	INV.646924 2 VISA GAS METERS	FIRE O/E	3671
NORTHWEST BERGEN	400.00	TV INSPECTION BALDWIN AVE SEWER	PUBLIC	3672
NJ SHADE TREE	670.00	REG. FEES ANNUAL CONFERENCE 2	PUBLIC	3673
MILFORD ARMS	1200.00	3RD QTR (JULY-SEPT.) 2013 GARBAGE	GARBAGE &	3674
LY NAME HOSPITAL	180.00	INV. 81389799 201303OH CHEST	PUBLIC	3675
GOODYEAR AUTO	212.80	INV.199884 REPLACEMENT TIRES	PUBLIC	3676
GOODYEAR AUTO	934.32	INV. 200206 TIRES FOR VEHICLE #69	PUBLIC	3677
THE TERRE COMPANY	146.15	INV. 123918 WEED KILLER	PUBLIC	3678
PALMERS ACE	25.00	INV.657985 SUPPLIES/TOOLS CLEAN	CLEAN	3679
PALMERS ACE	215.46	INV.658050, 80020 BOXES OF WASTE	CLEAN	3680
JOHNSON & SONS,	90.40	INV. 668349 16 80LBS BAGS CONCRETE	PUBLIC	3681
ZEE MEDICAL	366.10	INV.113460462 MISC SAFETY FIRST	PUBLIC	3682
DAVE MURPHY &	2200.00	INV.L99104 LIGHT FIXTURE AND LAMPS	PUBLIC	3683
BEYER BROS. CORP.	163.19	INV.GCCB120493, 529147GCW VEHICLE	PUBLIC	3684
P & G AUTO, INC.	157.44	INV.890946, 893469 AUTO PARTS	VEHICLE	3685
P & G AUTO, INC.	0.00	INV.890946, 893469 AUTO PARTS	PUBLIC	3685
P & G AUTO, INC.	45.07	INV.890946, 893469 AUTO PARTS	PUBLIC	3685
P & A AUTO PARTS	1050.67	17 INVOICES, 4 CM PARTS	PUBLIC	3686
TRICO EQUIPMENT	1652.84	INV.PT11555, PT11436	PUBLIC	3687
JET-VAC INC.	3111.46	INV. C49389 PARTS FOR SEWER VAC	PUBLIC	3688
INDUSTRIAL	150.00	INV. 25218 REPAIR GAS REPORT	PUBLIC	3689
DURIE LAWN MOWER &	29.00	INV.759 3LB STRING	PUBLIC	3690
INDUSTRIAL	5290.00	INV. 25335 REPAIR GAS FUEL PUMP	PUBLIC	3691
NORTHEAST GAS	60.00	INV.16538 AUGUST WELDING SUPPLY	PUBLIC	3692
RACHLES/MICHELE'S	4840.31	INV. 174515, 173639, 174239	O/E GAS &	3693
RACHLES/MICHELE'S	2711.24	INV. 174590 913 GALS 8/28-9/6/13	O/E GAS &	3694
RACHLES/MICHELE'S	2347.20	INV.175181 9/7-9/24/13 GAS	O/E GAS &	3695
BERGEN COUNTY	367941.00	INV. 3852 4TH QTR 2013 WASTEWATER	SEWER	3696
UNITED WATER NEW	5313.22	AUGUST 2013 WATER CHARGES	O/E WATER	3697
WASTE MANAGEMENT	30276.85	OCT. 2013 RESIDENTIAL GARBAGE	GARBAGE &	3698
SCOTT GRAPHICS	295.00	INV. 10905 2500 SETS 2-PART	POLICE	3699
SWIFTREACH	1415.00	INV. 182944,182945 911	POLICE	3700
THE ARC OF BERGEN	1147.82	INV. 6-100413529 T-SHIRTS	CLEAN	3701

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
RACHLES/MICHELE'S	1594.41	INV. 173045 8/5/13 DIESEL FUEL	O/E GAS &	3702
RACHLES/MICHELE'S	2796.51	INV.175591 9/26/13 DIESEL FUEL	O/E GAS &	3703
MEDICAL INSURANCE	20000.00	REPLENISH MEDICAL REIMB. ACCOUNT	INSURANCE	3704
ALTA DENTAL OF	9120.79	NOVERMBER 2013 PREMIUM	INSURANCE	3705
ERRI L. SMITH,	500.00	10/22/13 4 HRS CHILD HEALTH CLINIC	BOARD OF	3706
WELLS, JAWORSKI &	250.46	INV.112582 SEPT. 2013 PROFESSIONAL	RENT	3707
RICHARD J.	400.00	8/27, 9/17, 9/24, & 10/22/13	PLANNING	3708
VERIZON	73.38	201-Z02-9455 10/16-11/15/13	O/E	3709
VERIZON WIRELESS	886.98	8/24-9/23/13 CELL CHARGES	O/E	3710
STAPLES ADVANTAGE	620.16	INV.3211066279, 3212314816 OFFICE	COLLECTION	3711
STEWART BUSINESS	42.41	7/20-10/20/13 COPIER	SENIOR	3712
STEWART BUSINESS	194.00	INV. 194110 9/23-10/23/13 COPIER	MUNICIPAL	3713
HOLY NAME HOSPITAL	70.00	8/5/13 INV.813947922013070H RANDOM	PUBLIC	3714
FORD MOTOR CREDIT	3705.67	INV.1077534 5 LEASE PAYMENT	POLICE	3715
PALMERS ACE	41.63	INV.657632, 658396	POLICE	3716
PALMERS ACE	10.73	INV.657290,657308	POLICE	3717
PALMERS ACE	95.90	INV.657755,657987,658164	PUBLIC	3718
PALMERS ACE	31.21	7 INVOICES HARDWARE SUPPLIES	PUBLIC	3719
AMERICANWEAR	86.80	ACCT. 2176 JULY-SEPT. UNIFORMS	PUBLIC	3720
AMERICANWEAR	762.50	ACCT. 2174, 2175 SEPTEMBER 2013	PUBLIC	3721
STATE LINE	158.65	INV.91658 FIRE EXTINGUISHERS	POLICE	3722
GRAINGERS INC.	141.97	INV.9257589516 10/1/13	PUBLIC	3723
NORTHEAST GAS	86.67	INV.232486 OCTOBER WELDING SUPPLY	PUBLIC	3724
ONE CALL CONCEPTS,	75.24	INV.3085104 AUGUST MARK OUT	O/E	3725
P & A AUTO PARTS	1012.18	11 INVOICES SEPT.	PUBLIC	3726
FOSTER & COMPANY	595.88	INV.2060434,840602,841006,839866,8	PUBLIC	3727
STE MANAGEMENT	453.96	OCT. 2013 PRO-RATE ADJUSTMENT RES.	GARBAGE &	3728
WASTE MANAGEMENT	715.71	INV.2436587-1374-4 DPW COMPACTOR	GARBAGE &	3729
FEMA FLOOD PAYMENT	665.00	POLICY RL00055164 JR. FOOTBALL	INSURANCE	3730
PHILLIPS PREISS	1812.50	INV.17779 SEPT. 2013BROOKCHESTER	LEGAL	3731
ORIENTAL TRADING	1126.75	INV.657861528-01SUPPLIES FOR	RECREATION	3732
PUBLIC SERVICE	11124.87	SEPTEMBER 2013	O/E STREET	3733
PUBLIC SERVICE	0.00	SEPTEMBER 2013	O/E	3733
PUBLIC SERVICE	10787.35	SEPTEMBER 2013	O/E	3733

**Total fund: 01 Current**

**563447.24**

**Total Bill List: 563447.24**

**BOROUGH OF NEW MILFORD****Bill list****OCTOBER 28, 2013**

<b><u>Vendor</u></b>	<b><u>Amount</u></b>	<b><u>Description</u></b>	<b><u>Account</u></b>	<b><u>Check #</u></b>
MUNICIPAL	989.32	INV.449118, 452507AXES, TOOLS,CLAW	2013	1167
THREE SIXTY	1650.00	INV. 4621 SURVEYS-FIRE CO.1 &	2013	1168
THREE SIXTY	0.00	INV. 4621 SURVEYS-FIRE CO.1 &	2013	1168
THREE SIXTY	1650.00	INV. 4621 SURVEYS-FIRE CO.1 &	2013	1168
CAP SERVICES	14000.00	SEPT. FLOOD BUYOUT DEMOLITION	2013	1169
BOSWELL MCCLAVE	156.00	INV. 79237 9/30/13 NM593 REICHEL	2012	1170
BOSWELL MCCLAVE	1224.00	INV.79242 9/30/13 NM-607 2013 ROAD	2013	1171
AAA EMERGENCY	639.00	INV. 240580 6 TURTLE PLASTIC STEP	2013	1172
AAA EMERGENCY	1525.00	INV. 240583 TEU 2000D HONDA	2013	1173
AAA EMERGENCY	7477.75	INV. 240581 HELMETS, BOOTS,	2013	1174
PALISADES SALES	880.00	INV. 952206 PRINTER-XEROX COLOR	2013	1175
EVS EMERGENCY	650.00	INV.13-005 ZETRON RADIO	2012	1176
MUNICIPAL	7353.85	INV.445447, 455051TURNOUT	2013	1177
MARK MADAIO	76250.00	1033 STEUBEN AVE ACQUISTION	2013	1178

**Total fund: 04 CAPITAL 114444.92**

**otal Bill List: 114444.92**

**BOROUGH OF NEW MILFORD**

**Bill list**

**OCTOBER 28, 2013**

Combined TRUST FUND 12

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
R. ROTHMAN	62883.85	REDEMPTION TAX SALE CERT.09-02	TTL &	1026
Total fund: 2700 SPECIAL DEPOSITS				62883.85
Total Bill List:		62883.85		

**BOROUGH OF NEW MILFORD**

**Bill list**

**OCTOBER 28, 2013**

Combined UNEMPLOYMENT TRUST 15

**Vendor**

N J STATE

**Amount Description**

21398.37 3RD QTR 2013

**Account**

RES'V FOR

**Check #**

1006

Total fund: 2930 RES'V FOR UNEMPLOYMNT EXPENSES

21398.37

**Total Bill List:**

21398.37

**BOROUGH OF NEW MILFORD**

**Bill list**

**OCTOBER 28, 2013**

Combined OPEN SPACE TRUST FUND 16

**Vendor**

BOSWELL MCCLAVE

**Amount Description**

271.50 INV.79235 9/30/13 NM583A 1033

**Account**

RES'V FOR

**Check #**

165

Total fund: 2930 RES'V FOR OPEN SPACE EXPENSES

271.50

**Total Bill List:**

271.50



**BOROUGH OF NEW MILFORD****Bill list****OCTOBER 28, 2013****Combined DEVELOPERS TRUST 14**

<b><u>Vendor</u></b>	<b><u>Amount</u></b>	<b><u>Description</u></b>	<b><u>Account</u></b>	<b><u>Check #</u></b>
BOSWELL MCCLAVE	452.50	ALEX & SONS INV.78706 9/19/13	DEVELOPERS	1355
BOSWELL MCCLAVE	601.50	ARIK INV.78705 9/19/13 NMES-620	DEVELOPERS	1356
BOSWELL MCCLAVE	181.00	GORIN INV.78704 9/19/13 NMES616	DEVELOPERS	1357
BOSWELL MCCLAVE	1884.50	SANZARI'S INV.78700 9/19/13	DEVELOPERS	1358
BOSWELL MCCLAVE	271.50	ZELIG-INV.78703 9/19/13 NMES614	DEVELOPERS	1359
KAUFMAN, SEMERARO,	842.47	INV.208983 BRUNETTI REHABILITATION	DEVELOPERS	1360
KAUFMAN, SEMERARO,	362.50	INV.208984 AUGUST SANZARI'S	DEVELOPERS	1361
SCOTT G.	156.25	ALEX & SONS 10/7/13 1.25 HRS	DEVELOPERS	1362
PHILLIPS PREISS	1140.00	ALEX & SONS INV.17501 JULY J13033G	DEVELOPERS	1363
PHILLIPS PREISS	285.00	ALEX & SONS INV.17597 AUGUST	DEVELOPERS	1364
BOSWELL MCCLAVE	543.00	ALEX & SONS INV.78701 9/19/13	DEVELOPERS	1365
BOROUGH OF NEW	243.55	S. HEKEMIAN 9/19/13 SPECIAL	DEVELOPERS	1366
SCOTT G.	200.00	S. HEKEMIAN 8/1 & 9/18/13 SPECIAL	DEVELOPERS	1367
SCOTT G.	1781.25	S.HEKEMIAN 9/30-10/10/13	DEVELOPERS	1368
PHILLIPS PREISS	270.00	S.HEKEMIAN INV.17530 JULY 2013	DEVELOPERS	1369
BOSWELL MCCLAVE	1713.50	S.HEKEMIAN INV.78699 9/19/13	DEVELOPERS	1370
BOSWELL MCCLAVE	1345.50	S.HEKEMIAN INV.79243 9/30/13	DEVELOPERS	1371
BOSWELL MCCLAVE	156.00	GORIN INV.79246 9/30/13 NMES-616	DEVELOPERS	1372
BOSWELL MCCLAVE	660.00	GOSPEL FELLOWSHIP INV.99245	DEVELOPERS	1373
BOSWELL MCCLAVE	1335.50	SANZARI'S INV.79244 9/30/13	DEVELOPERS	1374
KAUFMAN, SEMERARO,	775.00	BRUNETTI-INV. 209144 SEPT. 2013	DEVELOPERS	1375
<b>Total fund: 2940 DEVELOPERS ESCROW</b>				<b>15200.52</b>
<b>Total Bill List:</b>	<b>15200.52</b>			

## Check Register

Page 1

Checking  
10/21/2013

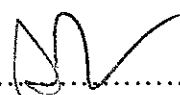
Date	Num	Transaction	Payment	C	Deposit	Balance
1/31/2013		Interest		c	0.44	5,168.98
2/4/2013		Deposit/donation Miller		c	260.00	5,428.98
2/28/2013		Interestr		c	0.41	5,429.39
3/11/2013		Deposit/Trans-america		c	25.00	5,454.39
3/29/2013		Interest		c	0.46	5,454.85
4/1/2013		deposit /Trans-Americas		c	147.91	5,602.76
4/1/2013	245	PSE& G memo: Donna Wolthoff	174.39	c		5,428.37
4/30/2013		Interest		c	0.45	5,428.82
5/31/2013		Interest		c	0.46	5,429.28
6/24/2013	246	PSE&G(Gloria Anderson)	139.78	c		5,289.50
6/28/2013		Interest		c	0.33	5,289.83
7/8/2013		deposit /Trans-Americas		c	200.69	5,490.52
7/31/2013		Interest		c	0.23	5,490.75
8/1/2013	247	Sprint memo: Dawne Esposito	123.00	c		5,367.75
8/30/2013		Interest		c	0.23	5,367.98
10/7/2013	248	Crowne Plaza (Kujtim Bresa) cat: Vacation:Lodging	119.00			5,248.98

on previous  
bill  
lists

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION**

No. 2013: 281

Offered by: 

Seconded by: 

Member	Aye	No	Abstain	Absent
ROBALINO	/			
ASHLEY	/			
DUFFIE	/			
COLUCCI	/			
GRANT	/			
PUTRINO	/			
MAYOR (tie)				

**RAFFLE/BINGO LICENSE**

**WHEREAS**, the following applicants have filed an application for a raffle/bingo license,  
and

**WHEREAS**, a routine police investigation fails to reveal any reason for not granting  
these licenses,

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

<u>APPLICANT</u>	<u>TYPE OF LICENSE</u>	<u>DATE/TIME/PLACE</u>	<u>LICENSE #</u>
------------------	------------------------	------------------------	------------------


PTO David E. Owens  
Middle School  
470 Marion Avenue  
New Milford, N.J. 07646

On Premise  
Merchandise

5/13/14

2013-19

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



SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:282

Offered by: *Rudolph*

Seconded by: *W*

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

BE IT RESOLVED that the ordinance entitled:

"CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$46,000 FOR THE UNDERTAKING OF VARIOUS INTERIOR IMPROVEMENTS TO THE SENIOR CENTER IN, BY AND FOR THE BOROUGH OF NEW MILFORD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM A FEDERAL GRANT."

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 25th day of November, 2013, at 7:00 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

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 October 28, 2013.

*Christine Demaris*

SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:283

Offered by: 

Seconded by: 

Member	Aye	No	Abstain	Absent
ROBALINO	<input checked="" type="checkbox"/>			
ASHLEY	<input checked="" type="checkbox"/>			
DUFFIE	<input checked="" type="checkbox"/>			
COLUCCI	<input checked="" type="checkbox"/>			
GRANT	<input checked="" type="checkbox"/>			
PUTRINO	<input checked="" type="checkbox"/>			
MAYOR (tie)				

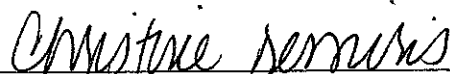
BE IT RESOLVED that the ordinance entitled:

"CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$76,250 FOR THE ACQUISITION OF REAL PROPERTY FOR OPEN SPACE PURPOSES IN, BY AND FOR THE BOROUGH OF NEW MILFORD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM A COUNTY GRANT AND FROM THE OPEN SPACE TRUST FUND OF THE BOROUGH."

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 13th day of November, 2013, at 7:00 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

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 October 28, 2013.

SEAL



BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:284

Offered by: [Signature]

Seconded by: [Signature]

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

WHEREAS, Tax Sale Certificate 09-02 on Block 404 Lot 20 whose address is 341 Luhmann Drive, was sold to R. Rothman on December 3, 2009; and

WHEREAS, redemption was made on Tax Sale Certificate 09-02 and held in the Borough of New Milford Trust Account; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of New Milford, that a check in the amount of \$62,883.85 be made payable to R. Rothman, 411 Grand Avenue, Englewood, NJ 07631

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 October 28, 2013.

Christine Demaris

SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:285

Offered by: W. M. Spina

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
ROBALINO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ASHLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DUFFIE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COLUCCI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GRANT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PUTRINO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MAYOR (lie)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, 154 Washington Avenue, also known as Block 1524 Lot 9 was owned by Raymond F. and Helena Sullivan and sold to the Borough of New Milford on October 15, 2013; and

WHEREAS, fourth quarter 2013 property taxes has already been levied against said property in the amount of \$1,661.18; and

WHEREAS, fourth quarter 2013 property taxes in the amount of \$332.28 was paid by said owner to the Borough for taxes due from October 1-October 15, 2013 leaving a balance due for fourth quarter 2013 in the amount of \$1,328.90; and

WHEREAS, the first half of 2014 property taxes has already been levied against said property in the amount of \$3,766.47; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of New Milford that the balance of the fourth quarter 2013 taxes levied against Block 1524 Lot 9 in the amount of \$1,328.90 and the first half 2014 taxes in the amount of \$3,766.47 is cancelled.

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 October 28, 2013.

SEAL

Christine Dennis

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:286

Offered by: [Signature]

Seconded by: [Signature]

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

WHEREAS, on August 30, 2013, the federal government took title to the property shown on the municipal tax map on Block 202 Lot 39 commonly known as 347 Vomel Drive through forfeiture, pursuant to an Order issued by United States District Court for the Southern District of New York signed by Judge Richard J. Sullivan; and

WHEREAS, the United States Department of Justice invokes the doctrine of sovereign immunity which precludes the payment of state and local taxes on property which has been forfeited; and

WHEREAS, the fourth quarter 2013 taxes remain open in the amount of \$2,504.37; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of New Milford, New Jersey that the Tax Collector cancel 4<sup>th</sup> quarter 2013 taxes in the amount of \$2,504.37 on Block 202 Lot 39 due to the forfeiture of property to the federal government.

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 October 28, 2013.

SEAL

Christine Demaris





U.S. Department of Justice  
United States Marshals Service  
*District of New Jersey*

50 Walnut Street, Room 2009 Newark, NJ 07102

Date: October 22, 2013

Borough of New Milford, NJ  
Attn: Maureen E. Kaman  
930 River Road  
New Milford, NJ 07646

Re: 347 Vomel Drive, New Milford, NJ 07646  
Block 202 Lot 39

Dear Ms. Kaman,

On August 30, 2013, the federal government took title to the above described property through forfeiture, pursuant to an Order issued by United States District Court for the Southern District of New York signed by Judge Richard J. Sullivan.

Because the property is located within your jurisdiction, we hereby notify you of the forfeiture and request this property be removed from the tax roll as of August 30, 2013. Copies of the appropriate forfeiture documents are attached for your records.

The United States Department of Justice invokes the doctrine of sovereign immunity which precludes the payment of state and local taxes on property which has been forfeited. The United States is obligated to pay state and/or local taxes only where there has been a "clear, express and affirmative" waiver of sovereign immunity, United States v. City of Adair, 539 F. 2d 1185, 1189 (8<sup>th</sup> Cir. 1976). With regard to forfeited properties, there has been no such waiver of sovereign immunity.

In light of the Supreme Court's decision in United States v. Buena Vista Ave., 113 S. Ct. 1126(1993), the Executive Officer for Asset Forfeiture has issued a policy whereby the federal government will pay standard ad valorem property taxes up to the date of the FINAL ORDER of Forfeiture. The federal government can not pay state and/or local taxes incurred after that date. Tax liens, including interest levied against the property prior to the date of forfeiture will be honored. However, the United States is prohibited from paying any penalties. Since the property was forfeited on August 30, 2013, the federal government can only honor those taxes outstanding prior to this date.

The Asset Forfeiture Program of the United States Department of Justice is designed to, and does, make substantial contributions to state and local law enforcement. Under the Equitable Sharing Program, the proceeds of many forfeited properties are shared with state and local police for their use in law enforcement activities. While we cannot pay state and local taxes incurred

NEW MILFORD BOROUGH CLERK  
RECEIVED  
2013 OCT 22 PM 1:20

after forfeiture, we can assure you that your jurisdiction benefits in other ways from the asset forfeiture effort of the United States.

If you have any questions regarding this matter, please feel free to contact me at (973)645-2404 ext 260.

Very truly yours,

A handwritten signature in black ink, appearing to read 'SI/A Reid', with a large, stylized flourish at the end.

Anthony Reid

SIDUSM

District of New Jersey

Attachments:

Final Order of Forfeiture

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:287

Offered by: Gene S.P.K.

Seconded by: [Signature]

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

WHEREAS, the New Jersey Supreme Court ruled unanimously that nonprofit housing do not have to pay property taxes in the case of Advance Housing Inc.v. Township of Teaneck (A-72 to 79-11) (069436) on September 25, 2013; and

WHEREAS, Advance Housing DNM, Inc. is the owner of property shown on the municipal tax map on Block 1407 Lot 56 commonly known as 241 Boulevard; and

WHEREAS, in waiting for a decision from the New Jersey Supreme Court, property taxes remained open for the fourth quarter 2011 in the amount of \$2,154.61; and

WHEREAS, property taxes were exempt by County Board Judgment for 2012; and

WHEREAS, the assessor kept Advance Housing on the tax rolls for the year 2013 in anticipation of New Jersey Supreme Court decision in the amount of \$7,918.68; and

WHEREAS, property taxes in the amount of \$3,959.34 are on the tax rolls for first half 2014; and

NOW, THEREFORE. BE IT RESOLVED, by the Mayor and Council of the Borough of New Milford, New Jersey that the Tax Collector cancels all open taxes on Block 1407 Lot 56 due to New Jersey Supreme Court decision.

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 October 28, 2013.

SEAL

Christine Bernasis

## SYLLABUS

(This syllabus is not part of the opinion of the Court. It has been prepared by the Office of the Clerk for the convenience of the reader. It has been neither reviewed nor approved by the Supreme Court. Please note that, in the interest of brevity, portions of any opinion may not have been summarized.)

### Advance Housing, Inc. v. Township of Teaneck (A-72 to -79-11) (069436)

Argued January 15, 2013 -- Decided September 25, 2013

ALBIN, J., writing for a unanimous Court.

The issue in this appeal is whether plaintiff's residences for individuals with psychiatric disabilities, in which they live and receive supportive counseling, are actually used for charitable purposes consonant with N.J.S.A. 54:4-3.6, entitling the property to tax-exempt status.

Plaintiff Advance Housing is a 501(c)(3) corporation and therefore exempt from federal income tax. It receives approximately seventy-five percent of its funding from the New Jersey Department of Health and Senior Services (DMHS), fifteen percent from the United States Department of Housing and Urban Development (HUD), and the balance from clients' rents, Medicaid reimbursements, and private donations. Advance Housing offers "a supportive housing program to help people with psychiatric disabilities transition to independent living in the community." To that end, it provides not only housing, but also mental-health, occupational-placement, and life-management support services to low- and moderate-income individuals suffering from mental illness. Advance Housing's residents come from places such as homeless shelters, transitional housing facilities, and hospitals that provide services to mentally ill individuals. Without this assistance, these individuals would be unable to live independently. The "supportive housing model" combines "affordable, lease-based housing" with "comprehensive [and] flexible services." Advance Housing receives fair market value for its rental units as determined by HUD. However, residents living in Advance Housing's units pay only thirty percent of their adjusted income as rent. The balance comes from various rental-assistance programs run by HUD.

Defendants, nine Bergen County municipalities, denied Advance Housing property tax exemptions for charitable purposes under N.J.S.A. 54:4-3.6. Thirty-three of Advance Housing's clients live and receive services in fourteen residences it owns in the defendant municipalities. The remaining "sixty-three or sixty-four" clients receive services from Advance Housing in other residences not under its control. The Tax Court denied Advance Housing's appeal. The court concluded that the "housing component" in Advance Housing's program was "not integrated with the counseling and support services." According to the court, Advance Housing was running "essentially a subsidized housing program for clients who happen to be eligible for [its] supportive and counseling services." In denying relief, the court expressed that "some institutional aspect to the housing program" is necessary for a tax exemption under N.J.S.A. 54:4-3.6.

The Appellate Division reversed and remanded for a judgment granting Advance Housing the charitable property tax exemption. Advance Housing, Inc. v. Twp. of Teaneck, 422 N.J. Super. 317 (App. Div. 2011). The Appellate Division determined that Advance Housing had fully integrated its housing and support services and satisfied the test set forth in Presbyterian Homes of the Synod of N.J. v. Division of Tax Appeals, 55 N.J. 275 (1970). More specifically, it found that Advance Housing is organized for a charitable purpose, operates on a non-profit basis, and uses its property "actually and exclusively" for its charitable activities.

Eight municipalities filed petitions for certification, which the Court granted. 209 N.J. 100 (2012).

**HELD:** Advance Housing has established that it is a not-for-profit corporation, organized exclusively for a charitable purpose, and that the properties for which it seeks tax exemptions are actually used for the charitable purpose of providing supportive housing for the mentally disabled, entitling them to tax-exempt status under N.J.S.A. 54:4-3.6.

1. Real property owned by a non-profit, charitable organization, which is used exclusively for charitable purposes -- "as defined by law" -- is specifically exempted from taxation under the New Jersey Constitution. N.J. Const. art.

VIII, § 1, ¶ 2. The “law” governing property tax exemptions is contained in N.J.S.A. 54:4-3.6. In this case, the primary issue is whether the residences in which Advance Housing’s clients live and receive supportive counseling are used for charitable purposes and are therefore entitled to an exemption under N.J.S.A. 54:4-3.6. To establish its right to a property tax exemption, Advance Housing must show that: (1) it is organized exclusively for a charitable purpose; (2) its property is actually used for such a charitable purpose; and (3) its use and operation of the property is not for profit. The Court applied this test in Presbyterian Homes, supra, and Paper Mill Playhouse v. Millburn Twp., 95 N.J. 503 (1984). These two cases set reasonable standards, not an insurmountable hurdle, for a non-profit company obtaining a property tax exemption when property is actually used for a charitable purpose. (pp. 22-29)

2. While the issue before the Court is one of first impression, several Tax Court decisions provide guidance. The case most similar to this case is Community Access Unlimited, Inc. v. City of Elizabeth, 21 N.J. Tax 604 (Tax 2003). There, pursuant to N.J.S.A. 54:4-3.6, the Tax Court granted a charitable property tax exemption to a non-profit, 501(c)(3) corporation, Community Access, that provided housing and services to individuals with mental disabilities. Community Access’s stated goal -- similar to Advance Housing’s -- is to provide people with mental disabilities “the opportunity to live independently and to lead normal and productive lives as citizens integrated into the general community.” Similarly, in Salt & Light Co. v. Mount Holly Twp., 15 N.J. Tax 274 (Tax 1995), the Tax Court granted a tax exemption for properties “used for the charitable purpose of providing temporary housing and counseling services to the homeless.” In both cases, the Tax Court determined that properties were used for charitable purposes, justifying tax exemptions under N.J.S.A. 54:4-3.6, when housing and services were provided to individuals who had mental disabilities or who were homeless. (pp. 29-32)

3. From these and other cases certain principles can be distilled in guiding courts in making the fact-specific determination whether a non-profit corporation, organized for a charitable purpose, is “actually” using property for a charitable purpose: (1) the charitable work done by the private entity will spare the government an expense that ultimately it must bear; (2) the private entity must not be engaged in a seeming commercial enterprise; (3) the property must be used in a manner to further the charitable purpose; (4) the receipt of government subsidies or funds is not contraindicative of a charitable purpose; (5) financial support and recognition by the State of a private entity’s charitable work may be indicative that its property is used for a charitable purpose; and (6) the private entity in carrying out its charitable mission through the use of its property is addressing “an important and legitimate governmental concern.” The Tax Court has recognized that the provision of both housing and substantial supportive services that foster the prospect of independent and productive living in the community for the mentally disabled and the homeless meets the standard for a property tax exemption under N.J.S.A. 54:4-3.6. (pp. 32-33)

4. Advance Housing “actually” uses its residences for the charitable purpose set forth in its certificate of incorporation: “to promote and provide permanent normalized community living arrangements for psychiatrically disabled individuals.” In doing so, Advance Housing has satisfied the requirements of N.J.S.A. 54:4-3.6 and the requirements for a charitable property tax exemption. Without Advance Housing, many of its clients would be at greater risk of homelessness, placing greater strain on social services, such as emergency medical care, shelters, and police intervention. That Advance Housing receives substantial sums of money from federal and state agencies to purchase housing and deliver supportive services to the psychiatrically disabled does not negate but rather is supportive of its charitable purpose. Advance Housing provides services to its clients in their residences -- services that help facilitate the transition from institutionalization to independent living. These services are integrally related to independent residential living. It is clear that the properties are actually used in support of the charitable mission. Advance Housing has established that it is a not-for-profit corporation, organized exclusively for a charitable purpose, and that the properties for which it seeks tax exemptions are actually used for the charitable purpose of providing supportive housing for the mentally disabled, entitling them to tax-exempt status. (pp. 34-40)

The judgment of the Appellate Division is **AFFIRMED**, and the matter is **REMANDED** to the Tax Court for entry of judgment consistent with the Court’s opinion.

**CHIEF JUSTICE RABNER; JUSTICES LaVECCHIA, HOENS, and PATTERSON; and JUDGES RODRÍGUEZ and CUFF (both temporarily assigned) join in JUSTICE ALBIN’s opinion.**

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013: 288

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
ROBALINO	✓			
ASHLEY	✓			
DUFFIE	✓			
COLUCCI	✓			
GRANT	✓			
PUTRINO	✓			
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 December 5, 2013.

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 October 28, 2013.

SEAL

Christine Bernini

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:289

Offered by: [Signature]

Seconded by: [Signature]

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

**WHEREAS**, the New Milford –Teaneck Lodge #2290, B.P.O.E Elks, One Patrolman Ray Woods Lane, New Milford, NJ 07646 Club License # 0238-31-012-001 has applied for a Special Permit for Social Affair; and

**WHEREAS**, the Mayor & Council of the Borough of New Milford have agreed for certain non-profit organizations to dispense and serve alcohol set forth under the guidelines of the Division of Alcoholic Beverage Control (ABC) pursuant to N.J.S.A. 33:74-1 and N.J.A.C. 13:2-5.1; and

**WHEREAS**, the required documentation along with a fee of \$150.00 to the Division of Alcohol and Beverage Control has been submitted, reviewed and signed by the Chief of Police and Borough Clerk of the Borough of New Milford, NJ; and

**NOW, THEREFORE, BE IT RESOLVED**, the Mayor & Council hereby approve the New Milford –Teaneck Lodge #2290, B.P.O.E. Elks, a Special Social Affair Permit for a fundraiser to benefit the New Milford-Teaneck Elks at which alcohol will be served on the premises from 12:00 PM on November 15, 2013 to 11:30 PM in accordance to New Milford Municipal Ordinance #6-4, et seq.; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the New Milford-Teaneck Elks, PO Box 2, New Milford, NJ 07646.

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 October 28, 2013.

SEAL

Christine Dennis