

AGENDA
BOROUGH OF NEW MILFORD
7:00 PM WORK SESSION
OPEN SESSION immediately following
8:30 PM PUBLIC MEETING
Monday, November 23, 2009

WORK SESSION:

Councilman Arthur Zeilner
Councilman Keith Bachmann
Councilwoman Randi Duffie
Council President Tina DeLucia
Councilwoman Ann Subrizi
Councilman Michael Putrino
Mayor Frank DeBari

Mayor DeBari reads the Open Public Meeting and Mission Statements.

CLOSED SESSION:

1. Recreation Commission – Personnel

OPEN SESSION:

1. United Water – Mary Campbell, Jim Glozzy, Lynn DeCarlo
2. Police Chief – Desk Radio System
3. Proposed Ordinance – Engineered Lumber/Reflective Symbol
4. NJ Environmental Infrastructure Financing Program
5. Shared Services Agreement – H1N1 Staffing Shortages
6. Citizen Service Act

PUBLIC SESSION:

Councilman Arthur Zeilner
Councilman Keith Bachmann
Councilwoman Randi Duffie
Council President Tina DeLucia
Councilwoman Ann Subrizi
Councilman Michael Putrino
Mayor Frank DeBari

Mayor DeBari calls the meeting to order, asks for a moment of silent prayer, and leads the flag salute. Mayor DeBari reads the Open Public Meeting Law and Mission Statements and points out the fire exits in the Council Chambers.

Approval of minutes from the July 27, 2009 and August 24, 2009 Work/Public Sessions, and the September 14, 2009 and October 14, 2009 Work Session.

7/08
**PROCLAMATIONS: NATIONAL FAMILY WEEK
16 DAYS OF ACTIVISM AGAINST GENDER VIOLENCE**

COUNCIL COMMITTEE REPORTS:

Councilman Arthur Zeilner

Building and Grounds, Environmental, Police/Police Aux., Public Works

Councilman Keith Bachmann

Ambulance Corps, Drug Alliance, Recreation

Councilwoman Randi Duffie

Health & Human Services, Rent Leveling/Tenants Association, Senior Advisory

Council President Tina DeLucia

Chamber of Commerce, Planning Board, Library Board

Councilwoman Ann Subrizi

Board of Education, Historic New Bridge Landing, Public Events

Councilman Michael Putrino

Fire Department, Garbage/Recycling, Historic Preservation, Shade Tree

Mayor Frank DeBari

Community Development

OLD BUSINESS:

ADOPT ORDINANCE # 2009:18

AN ORDINANCE TO AMEND CHAPTER II OF THE ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED "ADMINISTRATION," THEREBY AMENDING SUBSECTION 2-54 ENTITLED "LENGTH OF SERVICE AWARDS PROGRAM (LOSAP)."

ADOPT ORDINANCE # 2009:19

AN ORDINANCE TO AMEND CHAPTER VII OF THE ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED "TRAFFIC," THEREBY AMENDING SUBSECTION 7.10 ENTITLED "TURN PROHIBITIONS"

NEW BUSINESS:

RESOLUTIONS:

2009:228 Closed Session

2009:229 Payment of Bills and Vouchers

2009:230 Adoption of OPRA form as recommended by the GRC

- 2009:231 Approve 2009 Appropriation Budget Transfers
- 2009:232 Approve 2010 Mayor and Council Meeting Dates
- 2009:233 Approve 2010 Holidays
- 2009:234 Approve Building Department escrow refund to Anthony & Debra Bassone, 200 Terrace Place, New Milford in the amount of \$91.00
- 2009:235 Authorize Boswell Engineering to revise plans for NJEIT Sewer Rehabilitation up to a cost of \$8,000

COMMENTS FROM THE PUBLIC

VOTE ON RESOLUTIONS

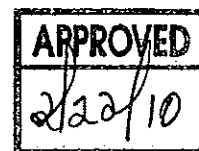
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MINUTES
BOROUGH OF NEW MILFORD
7:00 PM WORK SESSION
OPEN SESSION immediately following
8:30 PM PUBLIC MEETING
Monday, November 23, 2009



WORK SESSION:

Councilman Arthur Zeilner	Present
Councilman Keith Bachmann	Present
Councilwoman Randi Duffie	Present
Council President Tina DeLucia	Present
Councilwoman Ann Subrizi	Present
Councilman Michael Putrino	Present
Mayor Frank DeBari	Absent – Medical

Also present: Councilman Elect Howard Berner, S. G. Moscaritolo, Borough Attorney;
 Christine Demiris, Administrator/Clerk

Council President DeLucia read the Open Public Meeting and Mission Statements. Council President DeLucia suggested the Closed Session be held over until after the Open Session.

OPEN SESSION:

1. United Water

Mary Campbell, Jim Glozzy, Lynn DeCarlo, and Tom Herten appeared on behalf of United Water. Ms. Campbell, Corporate Attorney on behalf of United Water, distributed additional copies of the conceptual subdivision plan of the New Milford lagoons. Ms. DeCarlo stated the sludge cleanup in the orange area has been completed. She noted the green section is the last section that needs to be addressed and that they expect to begin within the next two weeks. Ms. Campbell stated the cleanup is approximately 95% complete and they will be closing out the sludge blending permit as soon as the last area is complete.

Councilman Zeilner asked if they have any results from the DEP or if they will be submitting everything together once the blending is complete. Ms. DeCarlo responded the DEP came through and documented the residuals were out of each area as they were completed so that when the termination request is submitted it will be very easy for them to grant it.

Council President DeLucia asked about the area in yellow. Ms. Campbell responded originally United Water was interested in selling the orange, green and yellow areas. They have since reconsidered moving the operations taking place in the blue area to Haworth, thus providing for the sale of the entire property sometime early next year.

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Councilman Bachmann asked for clarification on the area in yellow. Ms. Campbell responded the area is close to river, suggesting it could be used as open space, such as a kayak launch. She stated the green area would be deed restricted with a conservation easement and the orange area would be for development. Councilman Bachmann asked why there is a conservation easement. Ms. Campbell replied because they are removing residuals from the river berm and the DEP requires a conservation easement. Mr. Glozzy stated the same holds true for the blue area which could only be used as open space. Council President DeLucia asked if there would be a conservation easement in the blue area as well. Ms. Campbell replied there would not be an easement but because the blue area is a low lying area it would not be considered suitable for development.

Councilman Bachmann asked if Ms. Campbell knew where the 100 year flood area is and if it was delineated on the map. She said that she knows where it is but it is not indicated on the map. Councilman Zeilner asked if it goes up to the orange area. She stated it did not.

Ms. Campbell stated there are other interested parties in the blue and yellow areas. Councilman Putrino asked, whether it is New Milford or another party, is United Water looking to sell the property as one piece. Ms. Campbell stated the water company's interest would be to work first with the town and if the town is not interested they would have to reconsider what the options are with respect to the property.

Councilwoman Subrizi asked when the town can expect to hear a final determination on the cleanliness of the property. Ms. Campbell stated there were two clean-ups on the property. She stated they are waiting on a "No Further Action" letter on the property located on the corner of Cecchino and River. There were two requirements on the property; one a small amount of oil and solid waste was found and cleaned up to the satisfaction of the DEP and they are waiting on a "No Further Action" letter – this was on the corner of Cecchino and River. The second is with respect to the residual blending, of which only the area in green remains. Once complete they will receive a close-out of the permit as a "No Further Action" letter is not required for this work.

Councilman Bachmann asked if they would share the DEP records without having a contract with the town. Ms. Campbell said they would share the records. Councilman Bachmann asked if there were any other interested parties. Ms. Campbell stated there have been a few inquiries on the property; the County is looking to develop the old plant site and they have expressed interest in the blue and yellow areas. They have advised the County that they would like to work with the town first if at all possible. She stated they have also had an inquiry from a church on the upland site for approximately five to seven acres.

Councilman Bachmann asked if they have considered a starting point on price. Ms. Campbell stated they had two appraisals done in 2003 but would need to have a new one done. Councilman Zeilner asked if they would be willing to share the new appraisal Ms. Campbell replied that they would.

Council President DeLucia asked if when the residual blending was complete they would receive a "No Further Action" letter. She was advised they would not, the permit is just

closed and the DEP would not close the permit unless they feel the work has been completed correctly. Council President asked if there would be any documentation on the status of the soil. Ms. Campbell stated there is no environmental issue with respect to the residual blending; they were allowed to store the residuals on the property and required to clean them up. They have cleaned the entire site and must remove all of the blendings and show to the satisfaction of the DEP that this is a clean site to close the permit. Ms. Campbell added, in the area where there was oil and solid waste, they had to do soil testing and water testing at that site. She stated for this they will receive a "No Further Action" letter. Ms. DeCarlo stated they are no longer called "No Further Action" letters, but rather they will receive remedial action work plan approval.

Councilwoman Duffie asked when they would expect to complete the new appraisal. Ms. Campbell stated they plan to wait until the blending is complete and the remedial action work plan approval is received. She said she is hopeful they will be able to initiate the appraisal process by the end of the year or by January. Councilwoman Duffie asked how long it will take. Ms. Campbell said approximately four weeks.

Councilman Putrino asked how many trees were ultimately removed. Ms. Campbell stated at most sixty. She noted the initial plan called for the removal of two-hundred thirty four. Councilman Putrino asked if anymore would be removed. Ms. Campbell stated a few small trees along the berm must still be removed.

Councilman Putrino asked if they had been approached by any commercial or business entities. Ms. Campbell stated that they always receive calls but at this point, the goal is to work with the town first, then the County and if neither of those options work out they would work with private parties. Mr. Glozzy added the sale of the property has not been advertised.

Council President DeLucia asked if they could provide the overlay of the one-hundred year flood map. Ms. Campbell said they would provide it.

Councilman Bachmann asked how big the file of DEP records is. Ms. Campbell responded that it documents everything that has been done at the site for the last five years. She suggested the town may wish to come in with a consultant to look through the files to determine what they would like copies of.

Councilman Zeilner confirmed that the property received DEP approval after everything was removed and prior to it being filled. He was advised that it was. Ms. Campbell stated this is probably one of the cleanest sites in Bergen County.

Council President DeLucia asked if there are still operations, other than cleanup, in the blue area. Ms. Campbell responded they still have the landscaping operation working out of that area but everything else has been moved to Haworth.

2. Proposed Ordinance – Engineered Lumber/Reflective Symbol

Councilman Putrino said there was a miscommunication about where the sticker would be placed. He said it will not be placed on the meter, but rather the meter box, which is

not owned by PSE&G. He showed a picture of where the sticker would be placed. The Administrator referenced an email response from PSE&G, which read in part "the inspection department installs stickers on this part of the meter pan when we pass or fail jobs and we also place stickers on our meter pans to notify our personnel of solar jobs and possible back feed. This could be an issue for us if we need to put our stickers on the meter pans. This is the location that we use."

Council President DeLucia asked how big the stickers are. Councilman Putrino responded the stickers are four by four.

Councilman Bachmann asked if it is the norm for the fire department to first check the meter. Councilman Putrino responded that they will first check the meter box to determine if engineered lumber has been used. Councilman Bachmann expressed concern that stickers could fade or peel and suggested something more permanent might be better. Councilwoman Duffie suggested the sticker can be inspected and updated as part of the Certificate of Occupancy inspection at the time of a sale.

Mr. Moscaritolo stated it does not say anything in the proposed ordinance about the sticker being posted on the exterior of the home and asked what would happen if the meter were in the garage. Councilman Putrino stated the protocol will be to go to wherever the meter is located. Mr. Moscaritolo stated that to make the ordinance as safe as possible you would want to have the sticker visible somewhere on the exterior of the house, suggesting the firemen could be walking on the engineered floor to get to the meter in order to find out it is an engineered floor.

Council President DeLucia suggested that both the Police Department and the Fire Department should have a list of the homes containing engineered lumber in addition to any sticker placed on the meter. Councilman Putrino stated that River Edge is going to enter the information into the CAD system so that it will be available to central dispatch. Mr. Moscaritolo asked if New Milford had a CAD system. The Council agreed it should be confirmed with the Police Department and added to the ordinance.

Councilman Putrino will discuss the issues raised with the fire department including: faded stickers, inside meter boxes, permanent monuments, PSE&G concerns, and the availability of a CAD system. The matter will be relisted for discussion in December.

Councilwoman Subrizi commented on the importance of keeping the process uniform between River Edge and Oradell. Council President DeLucia stated it should be added to the C.O. inspection checklist by ordinance.

3. NJ Environmental Infrastructure Financing Program

The Administrator reported on the status of the NJEIT Financing Program. She reported that in February the Council authorized, by way of resolution 2009:57, Boswell Engineering to prepare an application for the New Jersey Environmental Infrastructure Trust for a Sanitary Sewer Rehabilitation project in the amount of \$1,232,500. She stated that at the time it was not known if the awards would be in the form of grants or loans.

The resolution authorized \$25,000 to proceed with the proposal outlined in Boswell's letter dated 2/3/09. Approximately \$21,000 has been spent to date.

She stated that the Borough was notified in May that the project was ranked number 245 and that the first 94 were given priority for grants and numbers 95-232 were deemed contingent and would become eligible for ARRA Federal funding in ranked order only if one or more projects in the fundable range were bypassed. She stated that at the time, given the ranking of 245, the Council decided not to proceed until further notice. She stated that she had recently been informed that the project has been moved up to the point where it may get funded and NJEIT has asked for plan revisions.

If the Council decides to proceed 75% of the project would be eligible for funding as an interest free loan and the balance would be as a market rate loan payable over the next 20 years. She stated that if the Council decides not to proceed with the revision the project will be dead and we will no longer be eligible. The Council discussed the age and state of many miles of sewer in town and amount spent annually on sewer emergencies.

Councilman Bachmann asked the cost to continue. The Administrator stated that Boswell has informed her that it would require no more than a total of \$8,000 to complete the proposed revision and noted that \$4,000 remains from the initial allocation. Councilman Bachmann stated that if we do not proceed it would be like throwing the first \$21,000 away.

Councilman Zeilner stated the Borough has been trying to put together a relining program for the five years that he has been on the Council.

Councilwoman Subrizi stated she did not think the Borough could afford to pass up the opportunity.

Councilman Zeilner made a motion to continue the application process, spending up to \$8,000 to revise the application. Councilwoman Subrizi seconded the motion. All present in favor, none opposed.

Council President DeLucia asked to confirm if the loan is awarded would it be the Council's prerogative to take the full amount or less. The Administrator will confirm.

4. Police Chief – Desk Radio System

The Chief referenced the previously provided estimate to replace the radio base system, noting the current system is now twelve years old. He stated that he has been told that Motorola no longer supports the parts for the current system. He stated that all of the new communications through the County will now be digital and the Borough's is not digital. This means the portables and car radios are all outdated. B & C Communications provided a price for two models of the base console. The Chief said he was aware of Council discussions on the County communication system and he wanted to provide additional information. He spoke with the County Police Officer who is running the program and has been advised that the program is six to eight months out. The Chief stated that regardless of whether the Borough decides to go with the County system or not we will still need to purchase a base station to be compatible with the County

trunking system. The Chief has confirmed that the proposed system will be compatible with the County. The Chief also reported that if the Borough were to go with County communications it will not be free. In addition to purchasing a base station, portables and car radios the Borough can expect to pay approximately \$150,000 annually to the County for the service. The Chief stated the Borough is currently paying Northwest Bergen for 911 and Fire and EMS \$45,000 annually. The fee to the County would be in addition to this amount.

Councilwoman Subrizi asked how long the Chief would expect the equipment to last, suggesting a five to ten year life span would make it a capital expense. It was confirmed that it would be a capital expense. The Chief stated that he had a couple of capital projects he could eliminate that would fund approximately half of the new base station.

Councilman Bachmann asked if the \$150,000 would cover the services of the desk officer answering the phone. The Chief responded it would not. Councilman Bachmann stated that going to County dispatch would not save a salary. The Chief responded it would not but it would take liability off the town because if the police desk drops a call while tending to other duties the town would be liable.

Councilwoman Subrizi asked what would happen with Northwest Bergen when the County comes on line. The Chief replied that the Northwest Bergen fee does not include police dispatching.

Councilman Zeilner asked if we would still have a police officer covering the desk. The Chief responded he would, noting the significant amount of walk-in complaints.

Councilwoman Subrizi asked if the Chief was confident that if the money was spent for the new base station it would not be something that was used only for eight or nine months until the County system was available. The Chief responded that the new system would be required whether the Borough went with the County or not. Councilwoman Subrizi asked what would happen now if the current system went down and it could not be fixed. The Chief responded he would be forced to have the County provide a communication van to be parked in the parking lot and they would have to work from there.

The Chief referenced a list of departments that are currently using the Ztron system. Council President DeLucia asked if it was the Ztron the Chief is asking for. He responded he would be happy with either the Ztron or the Motorola.

Councilwoman Subrizi asked if it would have to go out to bid. She was advised that both brands are available through state contract.

Councilman Zeilner asked if the \$91,000 included the handheld radios. He was advised that it did not; it covers only the two base stations.

Council President DeLucia asked why there were two base stations and where each was located. The Chief responded they are both at the desk and they are sometimes used simultaneously and sometimes one is used if the other station goes down.

Councilman Zeilner asked if we change the base station will we need to upgrade the hand held and car radios as well. The Chief confirmed that everything would have to be replaced because of the digital technology. Councilman Zeilner asked if it would have to be done all at once or if it could be done in phases. The Chief said that he thought it could be done in phases and he will confirm.

Councilman Bachmann asked for an estimate to replace the hand held and car radios. The Chief said there are twelve car radios and thirty-one portables at an approximate cost of \$700 apiece for a total of about \$30,000.

The Chief stated that one of the things that became clear at the recently completed drill was the current portables could not be picked up. The digital equipment came through loud and clear.

Councilman Putrino asked how much capital the Chief expected to have left over in 2009. He said he could come up with about \$40,000.

Councilwoman Subrizi asked if the price would include training. She was advised that it would.

Councilwoman Duffie stated her certainty that the Mayor would have a number of questions for the Chief and suggested continuing the discussion at such time that he was present to ask them.

Councilman Bachmann asked if the Chief could have a representative come in to confirm the compatibility of the proposed with the County system.

The Chief will have both Lt. Lepinski from the County and a representative from B & C Communications attend a future meeting to address any additional questions. The matter will be relisted on the December 13th agenda.

The Chief commented he has a number of additional topics he would like to address with the Council such as personnel, manpower, cars, and the building conditions.

Councilwoman Duffie said the Council would like to discuss the firing range with the Chief. The Council suggested he attend the January work session to discuss these other matters.

Councilman Putrino asked the Chief about the cars being stored as evidence at the fire training site. The Chief will look into having the cars moved.

5. Shared Services Agreement – H1N1 Staffing Shortages

The Administrator recapped her report from the October meeting, noting her discussions with the Oradell Administrator regarding a contingency plan for staff shortages. She noted the reported possibility of 60% staff outages. He, as part of the Pascack Valley Administrators group discussed passing a resolution authorizing the towns to work together to cover these possible shortages. Since he had spoken with me first, and given

the proximity of our towns he asked if New Milford would like to be included. The Council agreed it was a good idea and a resolution will be prepared for the next meeting.

6. Citizen Service Act

The Administrator reviewed the recently enacted Citizen Service Act and subsequent requirements including: oaths of office for members of local authorities, creation and maintenance of a directory of municipal entities, creation of a form to permit citizens to apply for service on municipal entities, and changes in the law regarding when absences turn into vacancies.

She asked the Borough Attorney if the act would include all volunteer organizations or if it would be limited to local authorities, boards, and commissions. He said that it would include all committees as well.

She advised that it would also require all current volunteers to complete a Citizen Leadership Form.

ADMINISTRATOR

The Administrator reported on a significant amount of neighborhood disenchantment regarding the installation of the t-ball field at Warren Street Park. She stated the primary complaints were the loss of open space, the height of the fence and the parking on the dead-end streets.

The Administrator reported that Gaelic Communications has received the DEP permit for the installation of the cell tower and they expect to begin work within two weeks.

The Administrator received the report from Richard Grubb on the Historic Bridge Alternatives Analysis for the Elm Street Bridge. She stated she had two copies on file which would be available to the Council and the public for review. She noted the report identified the preferred alternative for rehabilitating the bridge by reusing the non-load bearing trusses as aesthetic elements in a completely new bridge, widening it from 23 feet center to center to 26.5 feet.

Councilwoman Subrizi stated that she and Council President DeLucia were in attendance at a recent Rutger's sponsored charette regarding the water works building and she commented the bridge was quite the topic. Council President DeLucia stated that most who attended were in favor of closing the bridge. She noted that most of them were from Oradell.

The Administrator advised the Council that another former member of the Ambulance Corps has submitted a request to withdraw money from the LOSAP annuity. She stated the member did not qualify for five years but was a member for more than five years. She noted the Council would be voting on the adoption of the ordinance revision but it would not be effective until it is published in the newspaper. Councilman Putrino asked the attorney if anyone would be considered "grandfathered" after the adoption of the revised ordinance – having served for more than five years prior to the ordinance revision. It was agreed once a member applies to withdraw money after the adoption of the new rules the withdrawal would be subject to the new rules.

The Administrator referenced information she had forwarded on a company called Intronis, with regard to the borough server. She said she would be listing it for discussion at the December work session and asked if there were any other questions that needed to be addressed prior to that discussion. She asked if the Council would like to have the representative from Dart attend the meeting. The Council agreed he should attend.

On the topic of minutes the Administrator noted the law requires minutes reflect who spoke, the topic, and any action taken. She stated that although the Borough's minutes have traditionally been a more detailed summary of what has taken place, they are not intended to be an exact recitation of the meeting. She stated if ever a Council member feels there has been an omission it can easily be remedied and she asked that specific reference be provided on the omission. Given the uncertainty in whether or not the minutes listed on the current agenda for approval had been revised sufficiently, the Council decided to table the approval of the minutes until they could be reviewed further.

Council President DeLucia asked if there were any problems with the resolutions and if any of them needed to be pulled from the consent agenda for a separate vote. None were noted. Councilwoman Subrizi stated she was going to abstain from the vote on the LOSAP ordinance.

The Council agreed to hold the Closed Session until after the Public Session.

PUBLIC SESSION: (Actual Start 8:52 PM)

Councilman Arthur Zeilner	Present
Councilman Keith Bachmann	Present
Councilwoman Randi Duffie	Present
Council President Tina DeLucia	Present
Councilwoman Ann Subrizi	Present
Councilman Michael Putrino	Present
Mayor Frank DeBari	Absent – Medical

Also present: Councilman Elect Howard Berner, S. G. Moscaritolo, Borough Attorney;
Christine Demiris, Administrator/Clerk

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

Council President DeLucia announced the approval of the minutes would be held until the next meeting.

PROCLAMATIONS: NATIONAL FAMILY WEEK
16 DAYS OF ACTIVISM AGAINST GENDER VIOLENCE

COUNCIL COMMITTEE REPORTS:

Councilman Arthur Zeilner

Building and Grounds, Environmental, Police/Police Aux., Public Works

Councilman Zeilner reported there are no new capital projects for Buildings and Grounds, just routine maintenance.

Councilman Zeilner reported the Environmental Commission had started a recycling program in the High School but a new law has been passed that it is no longer necessary to recycle batteries. He reported the High School Environmental Club has started a program to recycle bottles and cans and is planning to do air and water testing with the River keeper.

Councilman Zeilner reported that along with regular maintenance the DPW is focusing on the collection of leaves. He reported that a key piece of equipment was lost at the beginning of the season which has made it a longer process.

Councilman Zeilner summarized the activity for the Police Department and the Police Auxiliary for the previous month. He reported on the November 5th drill conducted by the New Milford Police Department to test the Bergen County Mutual Aid Plan and communication issues in the event of an active shooter. He thanked Chief Papapietro and commended him on a job well done in organizing the drill.

Councilman Keith Bachmann

Ambulance Corps, Drug Alliance, Recreation

Councilman Bachmann reported the Drug Alliance met on November 19th. He referenced the recent fundraising mailing and asked people to consider donating.

Councilman Bachmann reported the Recreation Commission met on November 4th and 18th and he attended the meeting on the 18th. He stated the U10 and U12 girls' soccer teams made the final soccer tournament. He reported basketball and wrestling are about to get underway. He additionally commented on the 2nd grade soccer tournament which was held on November 11th and was a great event.

Councilman Bachmann reported the Ambulance Corps met on November 16th but he was unable to attend the meeting.

Councilwoman Randi Duffie

Health & Human Services, Rent Leveling/Tenants Association, Senior Advisory

Councilwoman Duffie reported that the Rent Leveling Board met during the first week of November and they are continuing their revision of the current rent leveling ordinance. She noted the need for a Tenant member and asked interested parties to apply.

Councilwoman Duffie reported on the Health Department's participation in the November 15th H1N1 clinic which was open to New Milford and River Edge children up to the age of 18. She stated that over 1,000 children were vaccinated.

Councilwoman Duffie commented on her attendance at the interfaith service held on November 22nd at Gloria Dei Church, noting the big sense of community.

Council President Tina DeLucia

Chamber of Commerce, Planning Board, Library Board

Council President DeLucia reported on the recent Chamber of Commerce meeting at which the Mayor appeared to give a report on the state of New Milford. In addition, a student and teacher from New Milford High School came in to discuss the creation of a virtual business through a program at Bergen Community College to allow them the opportunity to have real world business experience.

Council President DeLucia reported the Planning Board would be meeting on the following night. She noted in the absence of any pending applications they would be discussing procedures and future planning.

Council President DeLucia reported on the Library Board meeting which took place the week before. She reported on the November 1st concert by the All Chambers Players. She additionally reported the Director of the New Milford Public Library was elected the President of the BCCLS and was recently profiled in the Twin Boro News. Council President DeLucia reported that Mrs. Santa would be visiting the Library on December 6th and that a giving tree, for gifts for those in need, has been placed at the Library by the New Milford Social Services Department. She stated the Library is planning to submit an application for a renovation through an organization similar to those of the home makeovers. A \$5,000 contribution is required if chosen, which will be donated by the Friends of Library. She reported, if chosen they would like to reconfigure the Children's Room.

Council President DeLucia reported on her and Councilwoman Subrizi's attendance at a program sponsored by Rutgers regarding the waterworks property owned by the County.

Councilwoman Ann Subrizi

Board of Education, Historic New Bridge Landing, Public Events

Councilwoman Subrizi elaborated on the program referenced by Council President DeLucia. She noted that all of the ideas to come out of the full day program of discussions will be reported back to the groups early next year. She stated that all options will be explored and that Rutgers will be using this as part of their urban development program.

Councilwoman Subrizi stated she had nothing of significance to report from the Board of Education minutes but that she met with the new Superintendent to discuss possible future shared services. She noted the electronics recycling area added to the DPW which is open not only to the Board of Ed but to all New Milford residents.

Councilwoman Subrizi reported she was unable to attend the most recent meeting of the New Bridge Landing Parks Commission and has yet to receive the minutes.

Councilwoman Subrizi, on behalf of the Public Events Committee, invited everyone to the tree lighting ceremony scheduled for December 6th at 6:00 PM.

Councilman Michael Putrino

Fire Department, Garbage/Recycling, Historic Preservation, Shade Tree

Councilman Putrino reported the Historic Preservation Commission cancelled the November 10th meeting because they did not have a quorum. The meeting was rescheduled for November 17th but he was unable to attend as he was attending the League of Municipalities. Next meeting – December 8th.

Councilman Putrino reported that in addition to his attendance at the November 16th meeting of the Fire Department, he met with the Fire Department and the Board of Ed Superintendent earlier this evening. He stated the purpose of the meeting was to open up the lines of communication between the Fire Dept. and the Board of Ed, identifying the Explorer and Jr. Program and the possibility of a Career Day presence for the Fire Department. He additionally reported on the Fire Department activity for the month. He mentioned the annual Marine Toys for Tots collection of new unwrapped gifts which will take place on December 13th. Next meeting – December 21st.

Councilman Putrino reported on the Shade Tree Commission meeting of November 19th. He reported the Commission is working on an application for the 2010 Business Stimulus grant. He stated the Commission is also working on its Tree City USA application. The Commission will not meet in December. The next meeting will be the reorganization meeting in January.

Councilman Putrino summarized the Garbage and Recycling activity for the previous month.

Councilman Putrino also acknowledged the Interfaith Ceremony and Gloria Dei as a great host. He noted as an usher for the event he counted more than 175 people in attendance.

Mayor Frank DeBari

Community Development

Absent – No Report

OLD BUSINESS:

ADOPT ORDINANCE # 2009:18

AN ORDINANCE TO AMEND CHAPTER II OF THE ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED "ADMINISTRATION," THEREBY AMENDING SUBSECTION 2-54 ENTITLED "LENGTH OF SERVICE AWARDS PROGRAM (LOSAP)."

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

Ms. Joann Prisendorf, 317 River Road, came forward to address the Council. Ms. Prisendorf stated she did not understand the ordinance. Mr. Moscaritolo explained the LOSAP program is an acronym for the Length of Service Award Program for the volunteer fireman and ambulance corps members. He explained that for every year of active service a small amount of money is deposited in an annuity for the member. He noted the member must be active for five years to be vested in the program. He explained the purpose of this ordinance is to clarify how a member becomes vested.

As there were no further comments on the ordinance from the public, Councilman Bachmann made a motion to close to the public. Councilman Zeilner seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

Councilman Putrino made a motion to adopt this ordinance on its second and final reading. Councilman Zeilner seconded the motion. The motion passed on a roll call vote as follows:
 For the motion: Zeilner, Bachmann, Duffie, DeLucia, Putrino
 Against the motion: None
 Abstain: Subrizi

ADOPT ORDINANCE # 2009:19

AN ORDINANCE TO AMEND CHAPTER VII OF THE ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED "TRAFFIC," THEREBY AMENDING SUBSECTION 7.10 ENTITLED "TURN PROHIBITIONS"

Councilman Bachmann made a motion to open to the public for comment on the adoption of this ordinance. Councilwoman Subrizi seconded the motion. All present in favor, none opposed.

Ms. Prisendorf stated she did not hear the second turn that is prohibited. Council President DeLucia repeated the prohibition.

Mr. Gus Bachmann, 258 Stevens Court, came forward to address the Council. Mr. Bachmann asked if the rule prohibiting egress onto River Road was currently in effect, noting the temporary barrier had been removed. He stated that he was under the impression the exit was to remain closed until everything else was brought into compliance. Council President DeLucia stated it will be corrected.

As there were no further comments on the ordinance from the public, Councilman Bachmann made a motion to close to the public. Councilwoman Subrizi seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

Councilwoman Subrizi questioned the creation of the ordinance when the Planning Board intends to revisit the installation of this exit at a later date. Council President DeLucia stated that you pass the ordinance to regulate what will happen once they get a CO and if it is later changed then you modify the ordinance. Councilman Bachmann added you pass the ordinance so if a police officer writes a ticket based upon the sign the ticket will be enforceable in court. He added that just because he votes in favor of this ordinance it does not mean he is in favor of the driveway opening. Council President DeLucia concurred with Councilman Bachmann.

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

NEW BUSINESS:

RESOLUTIONS:

- 2009:228 Closed Session
- 2009:229 Payment of Bills and Vouchers
- 2009:230 Adoption of OPRA form as recommended by the GRC
- 2009:231 Approve 2009 Appropriation Budget Transfers
- 2009:232 Approve 2010 Mayor and Council Meeting Dates
- 2009:233 Approve 2010 Holidays
- 2009:234 Approve Building Department escrow refund to Anthony & Debra Bassone, 200 Terrace Place, New Milford in the amount of \$91.00
- 2009:235 Authorize Boswell Engineering to revise plans for NJEIT Sewer Rehabilitation up to a cost of \$8,000

COMMENTS FROM THE PUBLIC

Councilman Bachmann made a motion to open the meeting to the public. The motion was seconded by Councilman Putrino. All present in favor, none opposed.

Ms. Joann Morgesy, 1115 Sheridan Street, came forward to address the Council. Ms. Morgesy stated her main concern with the installation of the t-ball field was for the traffic, noting it would be unsafe with cars parked on both sides of the street. Council President DeLucia explained that the Borough received a County grant to install a T-Ball field. She noted it is played by small children and does not involve league play and would be open only to New Milford residents. Councilman Bachmann asked which side of the street would be better for parking – the house side or the park side. Ms. Morgesy did not state an opinion.

Mr. Terrence McMackin, 400 Madison Avenue, came forward to address the Council. Mr. McMackin referenced the June meeting of the Mayor and Council and asked about the United Water property. Councilwoman Subrizi stated that the Borough is still waiting for clean bill of health and that there would be no investment of professional costs until a clean bill of health is received. Council President DeLucia stated that United Water is waiting for two things; a blending soil permit close-out and a "No Further Action" letter on a contaminated piece of land. Mr. McMackin referenced the Master Plan, noting a number of areas of the plan in conflict with the proposed development of the property. Councilwoman Duffie stated nothing has been decided for the property in the North end of town. Council President DeLucia noted the Master Plan is revised every five years and is due for revision in 2010. Mr. McMackin commented he wished the Council could put control on the tax rate.

Ms. Joann Prisendorf, 317 River Road, came forward to address the Council. Ms. Prisendorf asked if the Council had heard anything from the State on the COAH resolution recently passed.

She was advised that there is generally not a response from the state, but at times we do receive responses back from individual assembly people. Ms. Prisendorf stated she is against placing any housing on the water company property but is in favor of the town purchasing the property. She noted a recent article in the local section of the newspaper about a builder suing for a builder's remedy. She suggested the town should purchase the property so we don't have a similar problem. Council President DeLucia stated that if the town purchased the property and did not develop it, taxes would increase.

Ms. Sandy Kahak, 1117 Warren Street, came forward to address the Council. Ms. Kahak commented that she wished the T-Ball field had been pushed back because it has cut the park in half. She questioned the installation of the four-foot fence with black vinyl striping; why is the striping black or better yet why is the striping being installed at all. She said this would contribute to the safety issues as it would be impossible to see what is going on beyond the fence. She also expressed her concerns with regard to the parking. Councilwoman Subrizi suggested the possibility of conducting a traffic study after the field is opened. The Administrator will check with the Engineer with regard to the striping.

Ms. Pat Ernest, 1116 Sheridan Street, came forward to address the Council. Ms. Ernest commented that she is most impacted by the swing set. She stated that Recreation told her she had no rights with regard to the installation of the swing set, as it is not on the property line, she would just have to live with it. She stated she has had to deal with graffiti on her fence and catcalling directed at her grandchildren in her back yard. Councilman Putrino suggested it may be possible to plant trees along her fence to shield her yard from the park. The Administrator will discuss the possible relocation of the swings with the Department of Public Works and Recreation.

As there were no further comments from the public, the meeting was closed on a motion from Councilwoman Subrizi. The motion was seconded by Councilwoman Duffie. All present in favor, none opposed.

VOTE ON RESOLUTIONS

Council President DeLucia explained that resolution 2009:235 was added to the agenda to authorize Boswell Engineering to revise the plans for the New Jersey Environmental Infrastructure Trust Sewer Rehabilitation at a cost not to exceed \$8,000. It was suggested that the meeting should be reopened to the public to allow them to ask questions about this resolution.

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

Ms. Prisendorf asked why it was for a loan and not a grant. Council President DeLucia stated that this was the best that was available to the Borough at this time. Councilwoman Subrizi stated that 75% of the loan would be interest free.

As there were no further questions from the public, the meeting was closed on a motion from Councilman Bachmann. The motion was seconded by Councilman Putrino. All present in favor, none opposed.

Councilwoman Subrizi made a motion to approve the consent agenda, resolutions #2009:228 through 2009:235. Council President DeLucia seconded the motion. All present in favor, none opposed.

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

CLOSED SESSION:

1. Recreation Commission – Personnel

Councilwoman Duffie made a motion to return to open session. Councilman Bachmann seconded the motion. All present in favor, none opposed.

OPEN SESSION:

Councilman Putrino asked about the letter from the resident regarding the field use at Solomon Schechter and asked what is being done about it. He was advised that it was scheduled to be discussed by the Planning Board at their meeting on November 24th. The minutes and resolution are being pulled by the Planning Board Secretary for review.

Councilman Putrino reminded the Council of the Fire Department Reorganization scheduled for January 1, 2010 and asked for them to R.S.V.P.

Councilman Bachmann asked if the Warren Street infield would be dirt or grass. The Administrator will check with the Engineer. Councilman Bachmann noted an extra parking space at Madison Plaza by the dry cleaner. He stated there are 74 spaces where only 73 are required. He asked to have it checked by the Building Department and to have the extra space removed. Councilman Putrino additionally noted the fire lane is missing.

Councilman Putrino mentioned that he had contacted Senator Lezniak to request a copy of his proposed COAH legislation.

ADJOURNMENT

Councilman Zeilner made a motion to adjourn. Councilman Putrino seconded the motion. All present in favor, none opposed. Time 10:45 PM.

Respectfully submitted,



Christine Demiris, RMC
Borough Clerk

Councilwoman Subrizi made a motion to approve the consent agenda, resolutions #2009:228 through 2009:235. Council President DeLucia seconded the motion. All present in favor, none opposed.

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

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Councilman Putrino mentioned that he had contacted Senator Lezniak to request a copy of his proposed COAH legislation.

ADJOURNMENT

Councilman Zeilner made a motion to adjourn. Councilman Putrino seconded the motion. All present in favor, none opposed. Time 10:45 PM.

Respectfully submitted,



Christine Demiris, RMC
Borough Clerk

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2009:228

Offered by: Ann Subrizi

Seconded by: Jim S R

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:

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.

Member	Aye	No	Abstain	Absent
DE LUCIA	<input checked="" type="checkbox"/>			
SUBRIZI	<input checked="" type="checkbox"/>			
PUTRINO	<input checked="" type="checkbox"/>			
ZEILNER	<input checked="" type="checkbox"/>			
BACHMANN	<input checked="" type="checkbox"/>			
DUFFIE	<input checked="" type="checkbox"/>			
MAYOR (Tie)				
TOTAL				

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 23 20 09

SEAL

Christopher DeMuro

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2009: 229Offered by: [Signature]Seconded by: [Signature]

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

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 \$ 982,386.08.

Member	Aye	No	Abstain	Absent
DELUCIA	✓			
SUBRIZI	✓			
PUTRINO	✓			
ZEILNER	✓			
BACHMANN	✓			
DUFFIE	✓			
MAYOR (Tie)				
TOTAL				

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 23 20 09

SEAL

[Signature]

BOROUGH OF NEW MILFORD**Bill list****PAYROLL 11/1-11/15/09**

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
PAYROLL	899.17	11/1 - 11/15/09 PAYROLL	GENERAL	50036
PAYROLL	8631.55	11/1 - 11/15/09 PAYROLL	MUNICIPAL	50036
PAYROLL	8286.34	11/1 - 11/15/09 PAYROLL	COLLECTION	50036
PAYROLL	1061.78	11/1 - 11/15/09 PAYROLL	ASSESSMENT	50036
PAYROLL	605.21	11/1 - 11/15/09 PAYROLL	ASSESSMENT	50036
PAYROLL	5615.88	11/1 - 11/15/09 PAYROLL	CODE	50036
PAYROLL	234.94	11/1 - 11/15/09 PAYROLL	RENT	50036
PAYROLL	3118.93	11/1 - 11/15/09 PAYROLL	POLICE	50036
PAYROLL	5090.12	11/1 - 11/15/09 PAYROLL	POLICE	50036
PAYROLL	4421.12	11/1 - 11/15/09 PAYROLL	POLICE	50036
PAYROLL	21675.08	11/1 - 11/15/09 PAYROLL	POLICE	50036
PAYROLL	126546.25	11/1 - 11/15/09 PAYROLL	POLICE	50036
PAYROLL	170.00	11/1 - 11/15/09 PAYROLL	UNIFORM	50036
PAYROLL	455.13	11/1 - 11/15/09 PAYROLL	UNIFORM	50036
PAYROLL	1280.54	11/1 - 11/15/09 PAYROLL	PUBLIC	50036
PAYROLL	54011.49	11/1 - 11/15/09 PAYROLL	PUBLIC	50036
PAYROLL	550.00	11/1 - 11/15/09 PAYROLL	PUBLIC	50036
PAYROLL	1874.67	11/1 - 11/15/09 PAYROLL	RECYCLING	50036
PAYROLL	3074.73	11/1 - 11/15/09 PAYROLL	PUBLIC	50036
PAYROLL	4348.48	11/1 - 11/15/09 PAYROLL	BOARD OF	50036
PAYROLL	0.00	11/1 - 11/15/09 PAYROLL	SENIOR	50036
PAYROLL	4087.49	11/1 - 11/15/09 PAYROLL	SENIOR	50036
PAYROLL	24580.70	11/1 - 11/15/09 PAYROLL	LIBRARY	50036
PAYROLL	92.77	11/1 - 11/15/09 PAYROLL	MUNICIPAL	50036
PAYROLL	3968.59	11/1 - 11/15/09 PAYROLL	MUNICIPAL	50036
PAYROLL	8314.80	11/1 - 11/15/09 FICA BORO SHARE	SOCIAL	50037
PAYROLL	3812.15	11/1 - 11/15/09 MEDICARE BORO	SOCIAL	50038

Total **296808**

Total Bill List: 296807.91

BOROUGH OF NEW MILFORD**Bill list****NOVEMBER 23, 2009**

Vendor	Amount	Description	Account	Check #
JP MORGAN CHASE	57650.00	WIRE TRANSFER 11/5/09 BOND	INTEREST ON	50039
PAYROLL	382.50	KEVIN KELLY APRIL-DEC.2009 NJ	MUNICIPAL	50040
MEDICAL INSURANCE	42000.00	SEPT.-DEC. 2009 REPLENISH MEDICAL	INSURANCE	50041
FRANK PAPAPIETRO	153.80	REIMB. FOR FOOD 11/5/09 ACTIVE	POLICE	50042
NICHOLAS DI GENIO	133.11	REIMB. CLOTHING FOR BIKE PATROL	POLICE	50043
HENRY B. CHERNIN	65.00	PRONOUNCEMENT R. ZAWONSKI 11/1/09	POLICE	50044
VERIZON	30.52	967-5190 10/1-10/27/09 TAX MODEM	O/E	50045
VERIZON	2541.13	967-5044 10/28-11/27/09	O/E	50046
VERIZON	128.38	265-1712, 265-1631 10/19-11/18	O/E	50047
VERIZON	30.53	986-1705 10/22-11/21/09 DOMESTIC	O/E	50048
FRANKIE'S DELI	206.74	INV.1301 FOOD FOR CABBAGE NIGHT &	POLICE	50049
BROOKCHESTER	23667.86	JULY,AUG. & SEPT. GARBAGE REIMB.	GARBAGE &	50050
IRON MOUNTAIN	164.51	INV.AYX4634 NOV. STORAGE	MUNICIPAL	50051
SHAMROCK PRINTING	629.00	6800 FIRE DISPATCH NEWS LETTERS	FIRE O/E	50052
SHAMROCK PRINTING	181.25	INV.13327 2,500 WINDOW ENVELOPES	COLLECTION	50053
RACHLES/MICHELE'S	4666.60	INV.99272 9/17-10/15/09 2402 GALS.	O/E GAS &	50054
GATES FLAG &	54.00	INV.149889 100 4 X 6 FLAGS FOR	CELEBRATION	50055
PERRONE'S FARM &	110.70	INV. 718 FLOWERS/PLANTS FOR CLEAN	RECYCLING	50056
MOTOR VEHICLE BRAKE	123.58	INV.75827 EXHAUST PIPE FOR #78	GARBAGE &	50057
WATER CLEANING	550.00	NOVEMBER SR CTR CLEANING	SENIOR	50058
TOWER CLEANING	1105.00	NOV. BORO HALL & DPW CLEANING	PUBLIC	50059
KAUKER & KAUKER,	2125.00	SEPT. 2009 PLANNING SERVICES	PLANNING	50060
MAIN AUTO SUPPLY	224.76	INV.628332 OIL,FILTERS,COILS	FIRE O/E	50061
MAIN AUTO SUPPLY	1369.23	21 OCTOBER INVOICES	PUBLIC	50062
AMERICANWEAR	32.00	ACCT. 2175 OCTOBER UNIFORMS	RECYCLING	50063
AMERICANWEAR	632.00	ACCT. 2174 OCTOBER UNIFORMS	PUBLIC	50064
SCOTT G.	1875.00	SEPT-NOV. OMNIPOINT LITIGATION	ZONING	50065
SCOTT G.	400.00	7/16,8/11,9/8 & 10/13/09 MEETING	ZONING	50066
J.E. RODGERS	685.75	2 DOZEN BROOMS INV. 3432	RECYCLING	50067
ESS INC.	258.00	INV.348631 REPL.BROKEN TX BUTTON	POLICE	50068
ZEE MEDICAL	36.75	REFILL FIRST AID BOXES-BORO	PUBLIC	50069
NEW JERSEY LABOR	162.00	4 2010 STATE & FEDERAL POSTER	MUNICIPAL	50070
THE TROPHY KING	650.00	10 APPRECIATION PLAQUES FOR	FIRE O/E	50071
KEN SMITH	495.50	FUEL PUMP FOR 302 & RELAY	FIRE O/E	50072
FIRE & SAFETY	337.45	REPAIR WATER LEAK ENGINE	FIRE O/E	50073
ALUMINIUM LADDER	1177.99	263 FT GROUD LADDER	FIRE O/E	50074
NEW JERSEY FIRE	428.00	INV.34024 AKRON #1581 GATE WYE	FIRE O/E	50075
KEN SMITH	356.39	INV.94194 CAR 311 REPAIRS	VEHICLE	50076
KEN SMITH	577.82	INV.94057,94193,94227CAR 311,CAR	VEHICLE	50077
PAYCHEX	847.68	INV.122783,124553 J-865 OCTOBER	MUNICIPAL	50078
NEW JERSEY MEDIA	48.63	AD#2683857 DECISION-420 VOMEL	ZONING	50079
PLES INC.	69.99	CULLEY BLACK LUXURA MANAGER'S	POLICE	50080
PALMERS HOME	109.81	INV.616526,617475,617883,618234,61	PUBLIC	50081
PALMERS HOME	357.89	11 INVOICES & 1 CREDIT	FIRE O/E	50082
PALMERS HOME	0.00	11 INVOICES & 1 CREDIT	UNIFORM	50082
PALMERS HOME	62.66	11 INVOICES & 1 CREDIT	UNIFORM	50082
B & C	404.00	TRUNK MOUNT MOBILE RADIO	POLICE	50083

<u>Vendor</u>	<u>Amc</u>	<u>it</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
730 GALL'S INC.	195.00		INV.510201904 3 OFFICER'S CLOTHING	POLICE	50084
LEXIS NEXIS	182.00		OCT. ONLINE CHARGES ACCT.124GRX	O/E	50085
CABLEVISION	0.00		NOV.-REC,DPW,FIRE #1 & #2	MUNICIPAL	50086
CABLEVISION	179.49		NOV.-REC,DPW,FIRE #1 & #2	MUNICIPAL	50086
CABLEVISION	49.95		NOV.-REC,DPW,FIRE #1 & #2	PUBLIC	50086
CABLEVISION	66.71		NOV.-REC,DPW,FIRE #1 & #2	RECREATION	50086
XTEL	240.13		OCTOBER LONG DISTANCE ACCT.9910	O/E	50087
SPRINT NEXTEL	1022.74		9/13-10/12/09 CHARGES	O/E	50088
TILCON NEW YORK,	473.19		7.68 TONS ASPHALT 10/13,21-23	PUBLIC	50089
NATURES CHOICE	840.00		70 YDS BRANCH DISPOSAL 10/1 &	RECYCLING	50090
NATURES CHOICE	2004.00		167 TONS 9/30,10/14 GRASS DISPOSAL	RECYCLING	50091
SCUFFY CARTING,	2441.42		OCTOBER APT. RECYCLING	RECYCLING	50092
SCUFFY CARTING,	14321.42		OCTOBER RESIDENTIAL RECYCLING	RECYCLING	50093
TRILEX	477.00		INV.12724 4 BUNKER PANTS RESCUE	FIRE O/E	50094
QUENCH	183.00		NOV.BORO HALL & SR CTR WATER	PUBLIC	50095
QUENCH	0.00		NOV.BORO HALL & SR CTR WATER	SENIOR	50095
QUENCH	183.00		NOV.BORO HALL & SR CTR WATER	SENIOR	50095
DELGADO	640.00		SPANISH INTERPRETERS JULY-OCT 4	MUNICIPAL	50096
ACTION OFFICE	208.84		INV.I90040 & I90798 OFFICE	ASSESSMENT	50097
MARY TAYLOR	200.00		PERFORMANCE 11/3/09	SENIOR	50098
OXFORD HEALTH	121097.40		DECEMBER 2009 PREMIUM	INSURANCE	50099
MANLEY DATA	0.00		INV.5001199 11/9/09 2009 ADDED	COLLECTION	50100
MANLEY DATA	268.00		INV.5001199 11/9/09 2009 ADDED	COLLECTION	50100
MANLEY DATA	726.12		INV.5001199 11/9/09 2009 ADDED	COLLECTION	50100
LO GATTO	190.00		INV.5943 2009 ADDED/OMITTED	ASSESSMENT	50101
R & J CONTROL INC.	915.85		BORO HALL & FIRE CO.1&2 GENERATOR	PUBLIC	50102
FLUXE	233.00		EMMISSIONS TESTING VEHICLES #78 &	GARBAGE &	50103
RTH JERSEY MEDIA	691.38		8 OCT. ADS ACCT.1101720	MUNICIPAL	50104
ROBERTS &	5575.00		44.60 HRS MAY-JUNE 2009	LEGAL	50105
ACTION OFFICE	341.68		INV.I90483&90483-1 OFFICE SUPPLIES	MUNICIPAL	50106
MUNICIPAL RECORD	307.00		INV.91220 11/3/09 2 MAILERS, 1	MUNICIPAL	50107
FELDMAN BROTHERS	72.88		REPLACE BURNT OUT LIGHT	PUBLIC	50108
SOME'S UNIFORMS,	106.00		INV.114766-RUSSINO,INV.114890-WILD	POLICE	50109
HARRIS UNIFORMS	449.35		INV.17395-J.KIENE,INV.17417-MARSHA	POLICE	50110
NEW JERSEY FIRE	3225.00		CHEMGUARD FOAM,HELMETS,FACEPIECE	FIRE O/E	50111
NATIONAL FIRE	150.00		DUES FOR 2010 FIRE DEPT	FIRE O/E	50112
B & C	378.00		INV. 09-99531 REPAIR 18 AMP	FIRE O/E	50113
STATE LINE	306.50		INV.70214,70149,70022,70084	FIRE O/E	50114
GALL'S INC.	145.00		GORE-TEX ZIPPER BOOT-LITTLEFIELD	POLICE	50115
GALL'S INC.	254.00		INV.510233578 CLOTHING FOR BICYCLE	POLICE	50116
GALL'S INC.	239.00		INV.510233154 PEREZ CLOTHING	POLICE	50117
GALL'S INC.	1718.00		RAINWEAR FOR AUXILIARY POLICE	EMERGENCY	50118
AAA EMERGENCY	999.40		INV.202228-2 BULLARD TRUCK MOUNT	FIRE O/E	50119
AAA EMERGENCY	111.00		INV.201790 NICAD BATTERY-THERMAL	FIRE O/E	50120
SCREEN STYLES	394.00		13 UGALS T-SHIRTS, 18 COACHES POLO	RECREATION	50121
SCREEN STYLES	2752.25		541 SOCCER T-SHIRTS & 40 COACH	RECREATION	50122
CROWN TROPHY	1820.05		INV.25112,24278 SOCCER PARTICIPANT	RECREATION	50123
BERGEN COUNTY	32080.86		SEPT. RESIDENTIAL 391.23TONS	GARBAGE &	50124
UNITED WATER NEW	1022.65		CURRANT WATER CHARGES 10/6-	O/E WATER	50125
BLIC SERVICE	0.00		CURRENT ELECTRIC CHARGES OCTOBER	O/E STREET	50126
BLIC SERVICE	10318.59		CURRENT ELECTRIC CHARGES OCTOBER	O/E STREET	50126
PUBLIC SERVICE	9770.19		CURRENT ELECTRIC CHARGES OCTOBER	O/E	50126
PAYROLL	899.17		11/16 - 11/30/09 PAYROLL	GENERAL	50127
PAYROLL	8317.01		11/16 - 11/30/09 PAYROLL	MUNICIPAL	50127
PAYROLL	8286.34		11/16 - 11/30/09 PAYROLL	COLLECTION	50127

<u>Vendor</u>	<u>Amc</u>	<u>nt</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
PAYROLL	1061.78	11/16	- 11/30/09 PAYROLL	ASSESSMENT	50127
PAYROLL	605.21	11/16	- 11/30/09 PAYROLL	ASSESSMENT	50127
PAYROLL	5635.88	11/16	- 11/30/09 PAYROLL	CODE	50127
PAYROLL	244.94	11/16	- 11/30/09 PAYROLL	RENT	50127
PAYROLL	6630.19	11/16	- 11/30/09 PAYROLL	POLICE	50127
PAYROLL	4421.12	11/16	- 11/30/09 PAYROLL	POLICE	50127
PAYROLL	10664.87	11/16	- 11/30/09 PAYROLL	POLICE	50127
PAYROLL	126546.25	11/16	- 11/30/09 PAYROLL	POLICE	50127
PAYROLL	1361.30	11/16	- 11/30/09 PAYROLL	POLICE	50127
PAYROLL	190.00	11/16	- 11/30/09 PAYROLL	UNIFORM	50127
PAYROLL	455.13	11/16	- 11/30/09 PAYROLL	UNIFORM	50127
PAYROLL	7280.08	11/16	- 11/30/09 PAYROLL	PUBLIC	50127
PAYROLL	55297.97	11/16	- 11/30/09 PAYROLL	PUBLIC	50127
PAYROLL	550.00	11/16	- 11/30/09 PAYROLL	PUBLIC	50127
PAYROLL	1874.67	11/16	- 11/30/09 PAYROLL	RECYCLING	50127
PAYROLL	424.08	11/16	- 11/30/09 PAYROLL	PUBLIC	50127
PAYROLL	3074.73	11/16	- 11/30/09 PAYROLL	PUBLIC	50127
PAYROLL	4298.48	11/16	- 11/30/09 PAYROLL	BOARD OF	50127
PAYROLL	2310.86	11/16	- 11/30/09 PAYROLL	RECREATION	50127
PAYROLL	1410.00	11/16	- 11/30/09 PAYROLL	RECREATION	50127
PAYROLL	0.00	11/16	- 11/30/09 PAYROLL	SENIOR	50127
PAYROLL	4278.17	11/16	- 11/30/09 PAYROLL	SENIOR	50127
PAYROLL	18427.75	11/16	- 11/30/09 PAYROLL	LIBRARY	50127
PAYROLL	6187.86	11/16	- 11/30/09 PAYROLL	MUNICIPAL	50127

Total

649598

otal Bill List:

649598.39

BOROUGH OF NEW MILFORD
Bill list
NOVEMBER 23, 2009 CAPITAL

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
B & C	864.00	IN.99557 3 KENWOOD 272 VHF	2009	4446
PALISADES SALES	1585.50	INV.950274 HP LASERJET PRINTER	2005	4447
AAA EMERGENCY	7000.00	BULLARD T3YT THERMAL IMAGE CAMERA	2009	4448
MRNA INTERNATIONAL	670.00	INV. 1925 HP COLOR LASERJET	2009	4449
STORR TRACTOR	17932.78	TORO GROUNDMASTER 328-D MODEL	2005	4450
Total	28052.3			

Total Bill List: 28052.28

BILL LIST FOR MEETING OF:

**NOVEMBER 23, 2009
DRUG & ALCOHOL ALLIANCE
TRUST FUND**

VENDOR**CHECK NO. AMOUNT**

NICK FARANDA

1469

\$250.00

TOTAL

\$250.00

BILL LIST FOR MEETING OF:

NOVEMBER 23, 2009

ESCROW ACCOUNT

VENDOR	ACCOUNT	CHECK NO.	AMOUNT
ANTHONY & DEBRA BOSSONE	BOSSONE	1423	\$91.00
BOSWELL MC CLAVE ENGINEERING	LAWLER	1424	\$374.50
BOSWELL MC CLAVE ENGINEERING	MC ELROY	1425	\$374.50
SCOTT G. SPROVIERO, ESQ.	AKAY	1426	\$1,156.25
SCOTT G. SPROVIERO, ESQ.	JERSEY BOYS	1427	\$843.75
SCOTT G. SPROVIERO, ESQ.	PASCALI	1428	\$1,250.00
SCOTT G. SPROVIERO, ESQ.	WEISS	1429	\$250.00
SCOTT G. SPROVIERO, ESQ.	ZELIG	1430	\$187.50
TOTAL			\$4,527.50

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2009:230Offered by: L. AnzaloneSeconded by: Ann Subrizi

WHEREAS, the Government Records Council has recommended a more informative model for the Open Public Records Act form; and

WHEREAS the Government Records Council has provided the attached form to the Borough of New Milford; and

NOW THEREFORE BE IT RESOLVED that the Mayor and Council hereby approve the attached Open Public Records Act form and authorizes the Borough Clerk to use said form as the Official Government Records Request Form for the Borough of New Milford.

Member	Aye	No	Abstain	Absent
DELUCA	<input checked="" type="checkbox"/>			
SUBRIZI	<input checked="" type="checkbox"/>			
PUTRINO	<input checked="" type="checkbox"/>			
ZEILNER	<input checked="" type="checkbox"/>			
BACHMANN	<input checked="" type="checkbox"/>			
DUFFIE	<input checked="" type="checkbox"/>			
MAYOR (Tie)				
TOTAL				

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 23, 2009.

SEAL

Christine Dennis



Borough of New Milford

GOVERNMENT RECORDS REQUEST FORM

930 River Road, New Milford, NJ 07646

(201) 967-5044

Fax (201) 262-7967

Christine Demiris, RMC
cdemiris@newmilfordboro.com

Important Notice

The reverse side of this form contains important information related to your rights concerning government records. Please read it carefully.

Requestor Information – Please Print

First Name _____ MI _____ Last Name _____

E-mail Address _____

Mailing Address _____

City _____ State _____ Zip _____

Telephone _____ FAX _____

Preferred Delivery: Pick Up ☐ US Mail ☐ On-Site Inspect ☐ Fax ☐ Email ☐

If you are requesting records containing personal information, please select one: Under penalty of N.J.S.A. 2C:28-3, I certify that I ☐ HAVE / ☐ HAVE NOT been convicted of any indictable offense under the laws of New Jersey, any other state, or the United States.

Signature _____ Date _____

Payment Information

Maximum Authorization Cost \$ _____

Select Payment Method

Cash ☐ Check ☐ Money Order ☐

Fees: Pages 1-10 @\$0.75

Pages 11-20 @\$0.50

Pages 21 - @\$0.25

Delivery: Delivery / postage fees additional depending upon delivery type.

Extras: Special service charge dependent upon request.

Record Request Information: Please be as specific as possible in describing the records being requested. Also, please note that your preferred method of delivery will only be accommodated if the custodian has the technological means and the integrity of the records will not be jeopardized by such method of delivery.

AGENCY USE ONLY

Est. Document Cost _____
Est. Delivery Cost _____
Est. Extras Cost _____
Total Est. Cost _____
Deposit Amount _____
Unpaid Balance _____
Deposit Date _____

AGENCY USE ONLY

Disposition Notes
Custodian: If any part of request cannot be delivered in seven business days, detail reasons here.

Dates

In Progress	-	Open	_____
Denied	-	Closed	_____
Filled	-	Closed	_____
Partial	-	Closed	_____

AGENCY USE ONLY

Tracking Information	Final Cost
Tracking # _____	Total _____
Rec'd Date _____	Deposit _____
Ready Date _____	Balance Due _____
Total Pages _____	Balance Paid _____
Records Provided _____	

Custodian Signature _____

Date _____

REQUEST FOR RECORDS UNDER THE COMMON LAW

If, in addition to requesting records under OPRA, you are also requesting the government records under the common law, please check the box below.

A public record under the common law is one required by law to be kept, or necessary to be kept in the discharge of a duty imposed by law, or directed by law to serve as a memorial and evidence of something written, said, or done, or a written memorial made by a public officer authorized to perform that function, or a writing filed in a public office. The elements essential to constitute a public record are that it be a written memorial, that it be made by a public officer, and that the officer be authorized by law to make it.

☐ Yes, I am also requesting the documents under common law.

If the information requested is a "public record" under common law and the requestor has a legally recognized interest in the subject matter contained in the material, then the material must be disclosed if the individual's right of access outweighs the State's interest in preventing disclosure.

Please set forth your interest in the subject matter contained in the requested material:

Note that any challenge to a denial of a request for records under the common law cannot be made to the Government Records Council, as the Government Records Council only has jurisdiction to adjudicate challenges to denials of OPRA requests. A challenge to the denial of access under the common law can be made by filing an action in Superior Court.

DEPOSITS

The custodian may require a deposit against costs for reproducing documents sought through an anonymous request whenever the custodian anticipates that the information thus requested will cost in excess of \$5 to reproduce.

If a special service charge is warranted under OPRA, that amount will be communicated to you as required under the statute. You have the opportunity to review and object to the charge prior to it being incurred. If, however, you approve of the fact and amount of the special service charge, you may be required to pay a deposit or pay in full prior to reproduction of the documents.

YOUR REQUEST FOR RECORDS IS DENIED FOR THE FOLLOWING REASON(S):

(To be completed by the Custodian of Records – check the box of the numbered exemption(s) as they apply to the records requested. If multiple records are requested, be specific as to which exemption(s) apply to each record. **Response is due to requestor as soon as possible, but no later than seven business days.**)

N.J.S.A. 47:1A-1.1

- ☐ Inter-agency or intra-agency advisory, consultative or deliberative material
- ☐ Legislative records
- ☐ Law enforcement records:
 - ☐ Medical examiner photos
 - ☐ Criminal investigatory records (however, N.J.S.A. 47:1A-3.b. lists specific criminal investigatory information which must be disclosed)
 - ☐ Victims' records
- ☐ Trade secrets and proprietary commercial or financial information
- ☐ Any record within the attorney-client privilege
- ☐ Administrative or technical information regarding computer hardware, software and networks which, if disclosed would jeopardize computer security
- ☐ Emergency or security information or procedures for any buildings or facility which, if disclosed, would jeopardize security of the building or facility or persons therein
- ☐ Security measures and surveillance techniques which, if disclosed, would create a risk to the safety of persons, property, electronic data or software
- ☐ Information which, if disclosed, would give an advantage to competitors or bidders
- ☐ Information generated by or on behalf of public employers or public employees in connection with:
 - ☐ Any sexual harassment complaint filed with a public employer
 - ☐ Any grievance filed by or against an employee
 - ☐ Collective negotiations documents and statements of strategy or negotiating
- ☐ Information that is a communication between a public agency and its insurance carrier, administrative service organization or risk management office
- ☐ Information that is to be kept confidential pursuant to court order
- ☐ Certificate of honorable discharge issued by the United States government (Form DD-214) filed with a public agency
- ☐ Social security numbers
- ☐ Credit card numbers

Requesting Access to Government Records Under the New Jersey Open Public Records Act (N.J.S.A. 47:1A-1 et seq.)

- ☐ Unlisted telephone numbers
- ☐ Drivers' license numbers
- ☐ Certain records of higher education institutions:
 - ☐ Research records
 - ☐ Questions or scores for exam for employment or academics
 - ☐ Charitable contribution information
 - ☐ Rare book collections gifted for limited access
 - ☐ Admission applications
 - ☐ Student records, grievances or disciplinary proceedings revealing a students' identification
- ☐ Biotechnology trade secrets N.J.S.A. 47:1A-1.2
- ☐ Convicts requesting their victims' records N.J.S.A. 47:1A-2.2
- ☐ Ongoing investigations of non-law enforcement agencies (must prove disclosure is inimical to the public interest) N.J.S.A. 47:1A-3.a.
- ☐ Public defender records N.J.S.A. 47:1A-5.k.
- ☐ Upholds exemptions contained in other State or federal statutes and regulations, Executive Orders, Rules of Court, and privileges created by State Constitution, statute, court rule or judicial case law N.J.S.A. 47:1A-9
- ☐ Personnel and pension records, except specific information identified as follows:
 - ☐ An individual's name, title, position, salary, payroll record, length of service, date of separation and the reason for such separation, and the amount and type of any pension received
 - ☐ When required to be disclosed by another law, when disclosure is essential to the performance of official duties of a person duly authorized by this State or the US, or when authorized by an individual in interest
 - ☐ Data contained in information which disclose conformity with specific experiential, educational or medical qualifications required for government employment or for receipt of a public pension, but not including any detailed medical or psychological information N.J.S.A. 47:1A-10

N.J.S.A. 47:1A-1

"a public agency has a responsibility and an obligation to safeguard from public access a citizen's personal information with which it has been entrusted when disclosure thereof would violate the citizen's reasonable expectation of privacy."

Burnett v. County of Bergen, 198 N.J. 408 (2009). Without ambiguity, the court held that the privacy provision "is neither a preface nor a preamble." Rather, "the very language expressed in the privacy clause reveals its substantive nature; it does not offer reasons why OPRA was adopted, as preambles typically do; instead, it focuses on the law's implementation." "Specifically, it imposes an obligation on public agencies to protect against disclosure of personal information which would run contrary to reasonable privacy interests."

Executive Order No. 21 (McGreevey 2002)

- ☐ Records where inspection, examination or copying would substantially interfere with the State's ability to protect and defend the State and its citizens against acts of sabotage or terrorism, or which, if disclosed, would materially increase the risk or consequences of potential acts of sabotage or terrorism.
- ☐ Records exempted from disclosure by State agencies' proposed rules are exempt from disclosure by this Order.

Executive Order No. 26 (McGreevey 2002)

- ☐ Certain records maintained by the Office of the Governor
- ☐ Resumes, applications for employment or other information concerning job applicants while a recruitment search is ongoing
- ☐ Records of complaints and investigations undertaken pursuant to the Model Procedures for Internal Complaints Alleging Discrimination, Harassment or Hostile Environments
- ☐ Information relating to medical, psychiatric or psychological history, diagnosis, treatment or evaluation
- ☐ Information in a personal income or other tax return
- ☐ Information describing a natural person's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness, except as otherwise required by law to be disclosed
- ☐ Test questions, scoring keys and other examination data pertaining to the administration of an examination for public employment or licensing
- ☐ Records in the possession of another department (including NJ Office of Information Technology or State Archives) when those records are made confidential by regulation or EO 9.

Other Exemption(s) contained in a State statute, resolution of either or both House of the Legislature, regulation, Executive Order, Rules of Court, any federal law, federal regulation or federal order pursuant to N.J.S.A. 47:1A-9.a.

(Please provide detailed information regarding the exemption from disclosure for which you are relying to deny access to government records. If multiple records are requested, be specific as to which exemption(s) apply to each record.)

1. In order to request access to government records under OPRA, you must complete all the required portions of and date this request form and deliver it in person during regular business hours or by mail, fax or electronically to the agency custodian of records. Your request is not considered filed until the agency custodian of records receives the request form. If you submit the request form to any other officer or employee of the **Borough of New Milford**, that officer or employee may not have the authority to accept your request form on behalf of the **Borough of New Milford** and your request will be directed to the agency custodian of records. The seven (7) business day response time will not commence until the agency custodian of records receives the request form.
2. The fees for duplication of a government record in printed form are listed on the front of this form. We will notify you of any special service charges or other additional charges authorized by State law or regulation before processing your request. Payment shall be made by cash, check or money order payable to the **Borough of New Milford**.
3. If it is necessary for the records custodian to contact you concerning your request, providing identifying information, such as your name, address, telephone number, fax number or e-mail address is required. Where contact is not necessary, anonymous requests are permitted; except that anonymous requests for personal information are not honored.
4. **You may be charged a 50% or other deposit when a request for copies exceeds \$25.** The **Borough of New Milford** custodian will contact you and advise you of any deposit requirements. Anonymous requests, when permitted, require a deposit of 100% of estimated fees. You agree to pay the balance due upon delivery of the records.
5. Under OPRA, a custodian must deny access to a person who has been convicted of an indictable offense in New Jersey, any other state, or the United States, and who is seeking government records containing personal information pertaining to the person's victim or the victim's family.
6. By law, the **Borough of New Milford** must notify you that it grants or denies a request for access to government records within seven (7) business days after the agency custodian of records receives the request. If the record requested is not currently available or is in storage, the custodian will advise you within seven (7) business days after receipt of the request when the record can be made available and the estimated cost for reproduction. You may agree with the custodian to extend the time for making records available, or granting or denying your request.
7. You may be denied access to a government record if your request would substantially disrupt agency operations and the custodian is unable to reach a reasonable solution with you.
8. If the **Borough of New Milford** is unable to comply with your request for access to a government record, the custodian will indicate the reasons for denial on the request form and send you a signed and dated copy.
9. Except as otherwise provided by law or by agreement with the requester, if the agency custodian of records fails to respond to you within seven (7) business days of receiving a request, the failure to respond is a deemed denial of your request.
10. If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the **Borough of New Milford** to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint in writing with the Government Records Council ("GRC"). You may contact the GRC by toll-free telephone at 866-850-0511, by mail at PO Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The Council can also answer other questions about the law.
11. Information provided on this form may be subject to disclosure under the Open Public Records Act.

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2009: 231

Offered by: [Signature]

Seconded by: [Signature]

BE IT RESOLVED, by the Governing Body of the Borough of New Milford, that the following appropriation transfers, affecting the 2009 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 - 2009

ACCOUNT	ACCOUNT#	FROM	TO
COLLECTION OF TAXES O/E			
Office Expense	20-1452-077		\$500.00
LEGAL			
O/E Miscellaneous	20-1552-075		\$7,000.00
ENGINEERING			
O/E Miscellaneous	20-1652-075	\$1,000.00	
PLANNING BOARD			
O/E COAH	21-1802-099	\$8,000.00	
CODE ENFORCEMENT			
S&W Regular	22-1951-136		\$5,500.00
INSURANCE			
O/E Firemen's Insurance	23-2102-055	\$1,500.00	
O/E Recreation	23-2102-091	\$3,000.00	
O/E Sewer Back Ups	23-2102-097	\$10,000.00	
INSURANCE			
O/E Employee Group Plan	23-2202-049	\$8,000.00	
AID TO VOLUNTEER FIRE COMPANY			
O/E Maintenance	25-2562-070		\$3,000.00
PUBLIC WORKS O&E			
O/E Tools-Equipment-Repairs	26-2902-104		\$4,000.00
GARBAGE & TRASH			
O/E Dumping	26-3052-044	\$3,000.00	
O/E Contract	26-3052-073	\$3,000.00	
RECYCLING OPERATION			
O/E Recycling Contract	26-3062-120	\$4,000.00	
VEHICLE MTCE.			
O/E Vehicle Mtce.	26-3152-015		\$1,000.00
ANIMAL CONTROL			
O/E Dog Regulation	27-3402-038	\$1,500.00	
RECREATION			
S&W Seasonal Staff	28-3701-137		\$2,800.00

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 23, 2009.

[Signature]

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2009:231

Offered by:.....

Seconded by:.....

SENIOR CITIZENS S&W S & W Regular	28-3711-121	\$6,000.00
STREET LIGHTING O/E Street Lighting	31-4352-100	\$5,000.00
TELEPHONE O/E Telephone	31-4402-299	\$5,000.00
O/E WATER Hydrants	31-4452-300	\$11,000.00
GAS & OIL O/E Gas & Oil	31-4472-299	\$7,800.00
		<hr/>
		\$50,800.00
		\$50,800.00

Member	Aye	No	Abstain	Absent
DELUCIA	✓			
SUBRIZI	✓			
PUTRINO	✓			
ZEILNER	✓			
BACHMANN	✓			
DUFFIE	✓			
MAYOR (Tie)				
TOTAL				

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 23, 2009.

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2009:232

Offered by: Ann SubriziSeconded by: John E. Zilmer

**THE FOLLOWING IS A LIST OF MEETING DATES OF THE MAYOR AND
COUNCIL MEETINGS FOR THE YEAR 2010**

EXECUTIVE WORK SESSION

January 11, 2010
February 8, 2010
March 8, 2010
April 12, 2010
May 10, 2010
June 14, 2010

September 13, 2010
October 13, 2010 (Wednesday)
November 8, 2010

PUBLIC MEETING

January 4, 2010 – Reorganization
January 25, 2010
February 22, 2010
March 22, 2010
April 26, 2010
May 24, 2010
June 28, 2010
July 26, 2010
August 23, 2010
September 27, 2010
October 25, 2010
November 22, 2010
December 13, 2010

**EXECUTIVE WORK SESSIONS BEGIN AT 7:00P.M. THE WORK SESSION
IS OPEN TO THE PUBLIC WITH THE EXCEPTION OF A CLOSED PORTION
TO DISCUSS LEGAL AND PERSONNEL MATTERS. THE PUBLIC MEETING WILL
BEGIN IMMEDIATELY FOLLOWING THE EXECUTIVE WORK SESSION AT
APPROXIMATELY 8:30 P.M. IN THE COUNCIL CHAMBERS.**

**FORMAL ACTION MAY BE TAKEN BY THE MAYOR AND COUNCIL
AT ANY PUBLIC OR EXECUTIVE WORK SESSION.**

Member	Aye	No	Abstain	Absent
DELUCIA	<input checked="" type="checkbox"/>			
SURRIZI	<input checked="" type="checkbox"/>			
PUTRINO	<input checked="" type="checkbox"/>			
ZEILNER	<input checked="" type="checkbox"/>			
BACHMANN	<input checked="" type="checkbox"/>			
DUFFIE	<input checked="" type="checkbox"/>			
MAYOR (Tie)				
TOTAL				

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 23 2009

Christopher Nemecis

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2009: 233

Offered by: Ann Subrizi

Seconded by: David Duffie

Holidays 2010

New Year's Day	Friday, January 1, 2010
Martin Luther King Jr's. Birthday	Monday, January 18, 2010
President's Day	Monday, February 15, 2010
Good Friday	Friday, April 2, 2010
Memorial Day	Monday, May 31, 2010
Independence Day	Monday, July 5, 2010
Labor Day	Monday, September 6, 2010
Columbus Day	Monday, October 11, 2010
Veteran's Day	Thursday, November 11, 2010
Thanksgiving	Thursday, November 25, 2010
*Thanksgiving	Friday, November 26, 2010
Christmas	Friday, December 24, 2010
**New Year's Day (Observed)	Friday, December 31, 2010

*In lieu of Election Day, the office will be closed the day after Thanksgiving, Friday November 26, 2010.

**In lieu of Lincoln's Birthday, the office will be closed Friday December 31, 2010.

Member	Aye	No	Abstain	Absent
DELUCIA	<input checked="" type="checkbox"/>			
SUBRIZI	<input checked="" type="checkbox"/>			
PUTRINO	<input checked="" type="checkbox"/>			
ZEILNER	<input checked="" type="checkbox"/>			
BACHMANN	<input checked="" type="checkbox"/>			
DUFFIE	<input checked="" type="checkbox"/>			
MAYOR (Tie)				
TOTAL				

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 23, 2009.

SEAL

Christine Bernieris

**BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY**

RESOLUTION

No. 2009: 234

Offered by: Arthur E. Zuber

Seconded by: Randy Duffie

WHEREAS, Anthony & Debra Bossone, 200 Terrace Place, New Milford, NJ 07646, has an escrow account for an addition that needed drainage calculations for the engineer to review and site visits; and

WHEREAS, there is a balance of **\$91.00** remaining in the account; and

WHEREAS, Anthony & Debra Bossone, 200 Terrace Place, New Milford, NJ, has completed the construction, as per the enclosed certificate of occupancy.

NOW THEREFORE BE IT RESOLVED that the Building Department return Anthony & Debra Bossone, 200 Terrace Place, New Milford, NJ 07646, the sum of **\$91.00** as a refund of the escrow money held for this application.

ESCROW AMOUNT - \$91.00

Bossone - Main Acct

Member	Aye	No	Abstain	Absent
BELLUSIA	✓			
SUBRIZI	✓			
PUTRINO	✓			
ZEILNER	✓			
BACHMANN	✓			
DUFFIE	✓			
MAYOR (Tie)				
TOTAL				

I certify that the above is a true copy of the resolution passed by the Council of the Borough of New Milford at the meeting held on 11/23, 2009.

Charmaine Remusis
Borough Clerk

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2009:235

Offered by: Councilman Zeilner

Seconded by: Councilwoman Subrizi

WHEREAS, the Mayor and Council of the Borough of New Milford responded to the New Jersey Environmental Infrastructure Trust (NJEIT) "Call for Projects" for the anticipated Economic Recovery Program for 2009; and

WHEREAS, Boswell McClave Engineering was authorized by way of resolution #2009:57 to prepare and application for the repair and rehabilitation of the various size and type of sanitary sewer piping throughout the Borough; and

WHEREAS, Tetra Tech, acting on behalf of the New Jersey Department of Environmental Protection, notified both the Borough Administrator and Boswell McClave Engineering of deficiencies in the application that must be addressed to qualify for funding of the project, 75% of which would be at 0% interest, 25% at market rate and payable over twenty years; and

WHEREAS, the Mayor and Council wish to correct the deficiencies so the project can move forward;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of New Milford hereby authorize Boswell McClave Engineering to proceed with revisions to the New Jersey Environmental Infrastructure Trust 2009 Sanitary Sewer Program Application as outlined in the letter dated November 16, 2009 from Tetra Tech on behalf of NJDEP, at a fee not to exceed \$8,000.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Boswell McClave Engineering, 330 Phillips Avenue, PO Box 3152, South Hackensack, NJ 07606-1722.

Member	Aye	No	Abstain	Absent
DELUCIA	<input checked="" type="checkbox"/>			
SUBRIZI	<input checked="" type="checkbox"/>			
PUTRINO	<input checked="" type="checkbox"/>			
ZEILNER	<input checked="" type="checkbox"/>			
BACHMANN	<input checked="" type="checkbox"/>			
DUFFIE	<input checked="" type="checkbox"/>			
MAYOR (tie)				
TOTAL				

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 23 20 09

Christine Kernius

SEAL

1/24/09 - FAX to Pete Tex-Kate, Boswell
" - Marvita