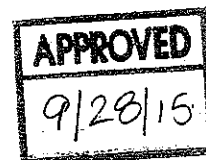


MINUTES
BOROUGH OF NEW MILFORD
7:00 PM WORK SESSION
Wednesday, September 9, 2015



WORK SESSION:

Mayor Subrizi read the Open Public Meeting and Mission Statements.

Councilman Michael Putrino	Present
Councilman Austin Ashley	Present
Councilman Diego Robalino	Present (7:04 PM)
Councilman Ulises Cabrera	Absent
Councilman Al Alonso	Present
Council President Dominic Colucci	Present
Mayor Ann Subrizi	Present

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

Prior to proceeding with the first item on the agenda, Mayor Subrizi noted there would be a fifth item added to the Closed Session agenda.

OPEN SESSION:

1. Does the Governing Body want an absent member to participate by speakerphone

Mr. Madaio said there is currently no policy; it is not addressed in the bylaws. He said it would be lawful but it is up to the governing body as to whether or not they wish to permit it. Mr. Madaio said the governing body can establish a policy or do nothing and decide each instance on a case by case basis.

Council President Colucci said everyone misses an occasional meeting. He said he could see allowing it if it was necessary to obtain a quorum in the case of an emergency. He said he does not think it is necessary to do so if it is not an emergent matter.

Mayor Subrizi said non-emergent matters can be adjourned to another date if there is not a quorum. She also noted that it is possible for absent members to listen to a tape of the meeting. She additionally noted the bylaws state that a member must be present in order to vote.

Mr. Madaio said some towns may allow it, some towns may not but that it is never up to the one individual missing the meeting to decide if it should be allowed, it is up to the governing body.

Councilman Alonso said he believes it is a problem both practically and logistically. He said if the Council amends the bylaws to permit attendance by phone than it is a right to do so and must always be allowed or the absent member could argue that their vote has been disenfranchised. He said logistically we do not know where the member is going to be; they could be by themselves or they can be with other people and there would be no way of knowing if someone else is listening in to a closed session topic.

Councilman Putrino said he thinks it should only be allowed for open session.

Councilman Alonso said another issue is if they are calling on a cell phone; there are issues of background noise, dropped calls, etc. He said it could create a lot of wasted time. He said there is no case law. If there ever is an issue where someone has a vested interest in the outcome, one of the things they are going to challenge is whether or not this member has the right to vote if they are not present. He said whatever action the governing body took would be delayed so the issue can be litigated.

Council President Colucci asked if he thinks it should be allowed on an emergency basis. Councilman Alonso said he thinks we would really need to define what an emergency is.

Mayor Subrizi said we have also tabled topics when someone was unable to attend and wished to weigh in on the matter.

Councilman Alonso questioned what would happen if multiple people were not present but wished to attend by phone.

Mr. Madaio reiterated Councilman Alonso's point; if the governing body changes the bylaws it is no longer elective, it must be allowed. He discussed certain emergent situations that might merit the necessity to allow it.

Council President Colucci made a motion to not allow attendance by phone and further motioned not to change the bylaws. Councilman Alonso seconded the motion.

Councilman Putrino asked if anyone wished to consider allowing a councilmember to participate by phone but not vote. Mr. Madaio said you can't restrict how they can participate; if the person is counted in the quorum they have the full rights of a member.

Councilman Ashley asked if in passing this resolution it would not be allowed under any circumstance. Mr. Madaio said the motion is limited to this instance

The motion carried on a roll call vote as follows:

For the motion:	Robalino, Alonso, Colucci
Against the motion:	Putrino, Ashley
Abstain:	None

Councilman Putrino asked to table item number four in the open session as he is awaiting additional information from Haworth and River Edge.

Councilman Alonso made a motion to go into closed session. Councilman Putrino seconded the motion. The motion carried. All present in favor, none opposed. Time 7:18 PM.

CLOSED SESSION:

1. COAH Litigation
2. Solid Waste Bid
3. Legal Advice – Arbitrator Invoice
4. Review of Closed Session Minutes – 8/24/15

At the conclusion of the closed session, Councilman Putrino made a motion to return to open session. Councilman Alonso seconded the motion. The motion carried. All present in favor, none opposed. Time 8:03 PM.

OPEN SESSION:

2. Proposed Amendments to Business, Light Industrial Park and Industrial Zones

Borough Planner, Paul Grygiel was in attendance to present proposed changes to the business, light industrial park and industrial zones. Mr. Grygiel said this topic has been discussed before by the Planning Board. He said the 2014 Master Plan made some broad recommendations to improve the business climate in the Borough and to modernize the zoning regulations. He said the current business zone is outdated with the way it regulates land use because it allows anything as long it is not in the list of prohibited uses. He said this leaves a lot open to interpretation. He said in addition, there are some areas in town where there are businesses that are not in a business zone and there is a light industrial zone that has no industry left. He said the Planning Board has also considered modifying a residential zone on River Road that has offices into a professional office zone. He said New Milford's tax base is near the bottom of Bergen County as far as percentage of non-residential so any way to add to the existing Main Street and business areas is good for the bottom line.

Mr. Grygiel has proposed some recommendations to the Planning Board which include streamlining zoning, clarifying what is permitted in the business zone, providing specific regulations for certain uses such as gas stations. He said the proposed use standards would be modernized, regulations for outdoor dining would be provided, setbacks would be reviewed and a loophole would be closed whereby a business could be converted to a full residential use in a business zone. This is not preferable because the bulk regulations in a business zone are different than in a residential zone and it would also take a commercial property out of the non-residential tax base, adding more residential and making the problem worse. He said he has also recommended expanding the amount of area in the business zone. He suggested changing the majority of the light industrial zone, in addition to a small area on River Road to a professional office zone. He said this would not allow for typical retail uses but would include doctors, lawyers, service uses that are less intense than retail.

Mr. Grygiel distributed a handout that outlined his presentation and included draft zoning language for the proposed ordinance amendment. He said the ordinance implements the Master Plan reexamination as these are changes the Planning Board asked to be made. The handout included a map of the land use plan as it appeared in the 2014 Master Plan Update.

Councilman Putrino asked what the difference is between single-family and single-family cluster residential. He said that is the Planning Board's recommendation for the United Water property to allow for the same number of units as required by zoning but to reduce the required size of the lot to allow for additional open space.

Mayor Subrizi said the Planning Board will be reviewing the proposed revision in greater depth. Mayor Subrizi said there may be some consideration given to excluding certain permitted uses from the personal service category. Mr. Grygiel said the definition of personal service does exclude tattoo parlors and massage parlors. He said this was revised to exclude these services after initial conversations with the Planning Board.

Councilman Robalino asked for the difference between business and commercial. Mr. Grygiel said they are synonymous, commercial is a land use term but it correlates to the business zone.

Mayor Subrizi suggested anyone interested in hearing more discussion on the proposed amendment should attend the Planning Board meeting in September.

Councilman Alonso asked if the section on Affordable Housing would be subject to change depending upon the outcome at the State. Mr. Grygiel said the language is consistent with the language from the RC Zone amendment adopted last year. This supports the town's actions with regard to COAH.

3. Rent Leveling Appeal

Mr. Madaio said the Rent Leveling Board made a decision that is being appealed and the Mayor and Council are required to hear the appeal as per the borough ordinance. He said a transcript needs to be produced and provided to the governing body. He said there is a question of the standard of review. One standard is a determination that the decision of the board was arbitrary, capricious and unreasonable – in other words was that decision based upon the record below. The other standard is whether or not the governing body gets to review everything anew and not just decide if the Rent Leveling Board was right or wrong but rather to make its own decision. Mr. Madaio said the Mayor and Council have the right to review everything anew.

The Administrator said they have asked for the appeal to be heard at the meeting on 9/28. Mr. Madaio asked if the transcripts have been provided. The Administrator said the attorney for the appellant has asked if the Council would accept the minutes as there is a recording for only one of the two meetings. Mr. Madaio said if the appellant is satisfied to proceed based upon minutes it would be acceptable. He suggested we should request the transcript for the meeting that was recorded.

Mr. Madaio briefly reviewed the issue being appealed. The Administrator asked if the Rent Leveling attorney would be in attendance. Councilman Alonso said he should be present and asked that the governing body be provided with all of the documents entered into evidence. Mr. Madaio said the governing body would still be making its decision based upon the record below; there would be no new testimony. Mr. Madaio said it should be done in one hearing before the governing body and noted that the governing body's decision can be appealed as well.

The Council agreed to start at 6:30 on October 14th to accommodate the hearing. Mr. Madaio said he will not be able to attend the meeting on 10/14.

4. Shared Services Committee

Tabled.

5. Approval of August 24, 2015 Closed and Work/Public Session Minutes

Councilman Robalino asked to add a notation to the public session minutes regarding the shared services discussion. He said that Council President Colucci asked Councilman Cabrera if the councilperson from Dumont that wrote the letter to the Twin Boro News was running for election and Councilman Cabrera said that he did not believe so. Councilman Robalino said the Dumont Councilman is in fact running for Mayor. He was advised that it could not be added to the minutes but could be put on record at this meeting.

Councilman Robalino made a motion to approve the minutes from the August 24, 2015 Work/Public Session. Council President Colucci seconded the motion. The motion carried. All present in favor, none opposed.

6. Administrator's Report

The Administrator reported on the status of the American Legion parking lot. She said the DPW is in the process of getting quotes to install the guiderail and then we will have to find the money in the budget to have it installed. Once the guiderail is installed the lot will be striped and signs will be placed.

The Administrator said she was informed by the Recreation Director that the Recreation Commission has voted not to allow the Eagle Scout lashing station to be placed on recreation property. She said there was no specific reason given other than safety concerns. She said the project has already been reviewed by the Risk Manager and approved after modification. She said she advised the Recreation Director that she did not believe that the Recreation Commission had autonomous control over borough owned property and she asked the Borough Attorney to review the matter. Mr. Madaio said that the Recreation Commission is formed under N.J.S.A. 40:12-1 which states, in part, the Board of Recreation Commissioners shall have full control over all lands, playgrounds, and recreation places acquired or leased under the provisions of this statute. He asked, in order to avoid an impasse, if there is no other location the Council and the Commission could agree upon. Councilman Robalino said the Recreation Director suggested either next to the gazebo or at the church which sponsors this troop of scouts. The Council discussed the options. Mayor Subrizi said she would speak with the Recreation Commission to see if they could come to an alternate location.

The Administrator reported on a meeting she attended with Adam Strobel of Bergen County Open Space, Barbara Heskins Davis of the Land Conservancy of NJ, Jeremiah Bergstrom of Rutgers Water Resources Program, the Borough Engineer and the Borough Planner. She said it was the kick-off meeting on the development of the Borough's Floodplain Acquisition Plan which is being developed as part of the shared services agreement the Borough has with the County. Ms. Heskins will draft the plan working within the framework of what has already been done by the Borough. Mr. Bergstrom will perform a site assessment and a conceptual design for a restoration of the properties we have already and those we plan to acquire. She said they will have a presentation for the Council sometime later this year.

The Administrator referenced a recent email regarding the upcoming closure of River Edge Avenue for railroad repair. She said the closure is scheduled for 10/29 through 11/5 and noted there would be a meeting the following day at Bergen County Planning to discuss the proposed detour. She said the Borough would be represented by the Police Department and the Borough Engineer. Councilman Robalino asked if the Elm Street Bridge would still be closed. The Mayor expressed concern for work by PSE&G and the possibility of New

Bridge Road being closed. The Administrator said she would pass on these concerns to the Police Department so they can be addressed at the meeting.

Mayor Subrizi asked also to give notice to PSE&G regarding the upcoming holidays on 9/14, 9/15 and 9/23 and ask them to restrict work in the affected neighborhoods.

COUNCIL:

Councilman Putrino said we need to schedule the third quarter meeting with the CFO for the Finance Committee to meet the requirements of the Best Practices Checklist. He asked who is the third member of the Finance Committee. Councilman Ashley said he believes it is Councilman Cabrera.

Council President Colucci said he received a letter from the Fire Department. They have located a donation of a vehicle they would like to acquire for the swift water rescue team. The vehicle has been inspected by the Borough mechanic. They are looking to the Council for permission to accept the donation of the vehicle. Resolution 2015:257 was added to the agenda to accept the donation.

Council President Colucci said he recently met with Mayor Subrizi and Mayor Kelly from Dumont to have a preliminary discussion regarding a shared services study for the DPW. He said if Dumont is interested he would like to get the names of a few companies that could do the study. Mr. Madaio said he may be able to provide a few names.

COMMENTS FROM THE PUBLIC

Councilman Putrino made a motion to open to the public. Councilman Alonso seconded the motion. The motion carried. All present in favor, none opposed.

Hedy Grant – 175 Boulevard. Ms. Grant said she would caution against deciding whether or not to allow electronic participation in a meeting on an ad hoc basis. She said that if the Council is going to allow it there should be a policy. She said she thinks the bylaws should be amended as there are many things that are outdated.

Thea Sirocchi – 455 Ryeside. Ms. Sirocchi asked for a description of a lashing station. She was advised that it is display board with samples of different knots.

Being no further comment from the public, Councilman Putrino made a motion to close to the public. Council President Colucci seconded the motion. The motion carried. All present in favor, none opposed.

APPOINTMENTS: THOMAS NATIVO – JR. FIRE DEPARTMENT

Council President Colucci made a motion to approve the appointment of Thomas Nativo to the Jr. Fire Department. Councilman Putrino seconded the motion. The motion carried. All present in favor, none opposed.

RESOLUTIONS:

- 2015:251 Closed Session
- 2015:252 Payment of Bills and Vouchers
- 2015:253 Authorize 2015 Annual Renewal of Liquor License – Wine and Roses/Casual Habana
- 2015:254 Exercise Second One-Year Option for Loading, Transporting and Disposal/Recycling of Leaves/Vegetative Waste – Rotundi & Sons, Inc.
- 2015:255 Authorize Agreement with Gary DeMauro
- 2015:256 Authorize Agreement with County of Bergen – County Road Resurfacing
- 2015:257 Authorize Acceptance of Vehicle from Fort Lee Ambulance Corps.

VOTE ON RESOLUTIONS

Councilman Robalino made a motion to approve the consent agenda consisting of resolutions 2015:251 through 2015:257. Councilman Putrino seconded the motion. The motion carried. All present in favor, none opposed.

ADJOURNMENT

Councilman Robalino made a motion to adjourn. Council President Colucci seconded the motion. The motion carried. All present in favor, none opposed. Time 8:50 PM.

Respectfully submitted,



Christine Demiris, RMC, CMC
Borough Clerk

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2015:251

Offered by: N. de S. P. A.

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
PUTRINO	✓			
ASHLEY	✓			
ROBALINO	✓			
CABRERA				✓
ALONSO	✓			
COLUCCI	✓			
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. COAH Litigation (Madaio)
2. Solid Waste Bid (Administrator)
3. Legal Advice – Arbitrator Invoice (Madaio/Administrator)
4. Review of Closed Session Minutes – 8/24/15

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 September 9, 2015.

SEAL

Christine Demusis

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2015:252

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
PUTRINO	✓			
ASHLEY	✓			
ROBALINO	✓			
CABRERA				✓
ALONSO	✓			
COLUCCI	✓			
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 \$3,095,002.65.

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 September 9, 2015.

SEAL

Cristine Demusis

Total Bill List: 380065.12

BOROUGH OF NEW MILFORD**Bill list****SEPTEMBER 9, 2015**

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
NEW MILFORD BOARD OF	2546453.00	SEPTEMBER 2015 SCHOOL	SCHOOL	7782
EDIE RYERSON	70.00	7/7/15 ENVIRONMENTAL COMM. MTG	ENVIRONMENT	7783
CHRISTINE DEMIRIS	35.00	REIMBURSEMENT INTERNET ACCESS	MUNICIPAL	7784
MEDICAL INSURANCE EMPLOYEE	765.00	JULY, AUGUST, SEPTEMBER, 2015	INSURANCE	7785
FORD MOTOR CREDIT COMPANY	1022.47	LEASE (1) 2016 POLICE INTERCEPTOR	POLICE	7786
FORD MOTOR CREDIT COMPANY	3705.67	INV.1179691 PAYMENT 27 2013 LEASE	POLICE	7787
FORD MOTOR CREDIT COMPANY	2943.60	INV. 1179870 PAYMENT 15 2014 LEASE	POLICE	7788
WB MASON CO., INC.	91.68	INV.127666142 OFFICE SUPPLIES	ASSESSMENT	7789
STATE OF NEW JERSEY	330.00	STATE OF NJ YEAR ENDED 2014	SOCIAL	7790
MUNIDEX INC.	1158.82	INV.989099 8/26/15 2015 TAX	COLLECTION	7791
STAPLES ADVANTAGE	336.11	INV.3236722183,3236722176 OFFICE	CODE	7792
WIDMER TIME RECORDER	111.04	INV.215137 TIME CARDS FOR MJR-7000	MUNICIPAL	7793
MONROE SYSTEMS FOR BUSINESS	200.00	INV.7DR80A MONROE ULTIMATE	COLLECTION	7794
STEWART BUSINESS SYSTEMS	210.00	INV. 1C8712 7/23-8/23/15 2015	MUNICIPAL	7795
FINAL WEB	360.00	INV.506144133 2015 HOSTING FEE	MUNICIPAL	7796
CAESARS ATLANTIC CITY	314.00	BOOKING 37229 2015 NJSLOM CONF.	MUNICIPAL	7797
CAESARS ATLANTIC CITY	314.00	BOOKING 37229 2015 NJSLOM CONF.	COLLECTION	7797
CAESARS ATLANTIC CITY	0.00	BOOKING 37229 2015 NJSLOM CONF.	CODE	7797
CAESARS ATLANTIC CITY	314.00	BOOKING 37229 2015 NJSLOM CONF.	CODE	7797
DELGADO INTERPRETING SERVICE	395.00	INV.35292, 35293 4/29/15	MUNICIPAL	7798
INSTITUTE FOR FORENSIC	1500.00	INV.8417 PHYSICAL EXAM FOR NM	POLICE	7799
FAIRLEIGH DICKINSON	5400.00	FDU EXEC. LEADERSHIP & SUPERVISION	POLICE	7800
10-75 EMERGENCY LIGHTING,	690.28	INV. 3700 8/20/15 6 SOUND OFF	FIRE O/E	7801
EMERGENCY EQUIPMENT SALES	15054.00	INV. 15-0799 FIRE TOWER 31 -	EMERGENCY	7802
TECHNICAL FIRE SERVICES INC.	600.00	INV.4097 3 ENGINE PUMP TESTS	FIRE O/E	7803
POWER HAWK TECHNOLOGIES,	160.01	INV.7577 1 POWER HAWK BATTERY ANSD	FIRE O/E	7804
NEW JERSEY FIRE EQUIPMENT	988.00	INV. 48351 8/19/15 PARTNER ROTARY	FIRE O/E	7805
RUTGERS CENTER FOR GOV'T	1909.00	INV. 22938 7/24/15 REG.FEES	PUBLIC	7806
GOOSETOWN COMMUNICATIONS	5505.00	INV. 78432 8/1/15 RADIOS FOR DPW	PUBLIC	7807
CLEANING WORLD INC.	1110.00	INV.69330 7/22/15 CLEANING	PUBLIC	7808
CLEANING WORLD INC.	70.00	INV.69330 7/22/15 CLEANING	RECREATION	7808
CLEANING WORLD INC.	0.00	INV.69330 7/22/15 CLEANING	SENIOR	7808
CLEANING WORLD INC.	550.00	INV.69330 7/22/15 CLEANING	SENIOR	7808
EMMOLO LAWN SPRINKLER LLC	2610.00	INV.62715, 81815, 81915 IRRIGATION	PUBLIC	7809
R & J CONTROL INC.	800.00	INV. 215001213 2/23/15 GENERATOR	PUBLIC	7810
GOODYEAR AUTO SERVICE CENTER	941.94	INV. 217102 POLICE CAR TIRES	VEHICLE	7811
GOODYEAR AUTO SERVICE CENTER	1016.80	INV.217094, 217544 & CM 217566	PUBLIC	7812
ZEE MEDICAL SERVICE CO.	118.80	INV. 113014685 MEDICAL SUPPLIES	PUBLIC	7813
SOLAR TRAFFIC SYSTEM INC.	895.00	INV.15-2656 8/13/1530" RED AC	PUBLIC	7814
AUTO COOL RADIATOR SERVICE	1242.00	INV. 85867 8/9/15 HEAVY DUTY	PUBLIC	7815
FOSTER & COMPANY	515.03	INV.864161, 110584, 864785	PUBLIC	7816
FOSTER & COMPANY	285.24	INV. 854729 9/16/14	PUBLIC	7817
AMERICAN HOSE & HYDRAULICS	568.50	INV. 405891 8/18/15	2011	7818
SANITATION EQUIPMENT CORP.	248.56	INV. 45664 8/12/15 CIRCUIT LEVER	PUBLIC	7819
GRAINGER	223.88	INV.9817735799 SPRAYER PUMP, CAST	PUBLIC	7820
DE MAURO TOWING	125.00	INV.11051 5/26/15 TOW GMC DUMP	PUBLIC	7821
RACHLES/MICHELE'S OIL	2482.16	INV. 212274 6/23-7/10/15 UNLEADED	O/E GAS &	7822

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
RACHLES/MICHELE'S OIL	4233.71	INV.212717 7/11-7/24/15 UNLEADED	O/E GAS &	7823
AMERICAN PAPER & SUPPLY CO.	384.78	INV.J1081148,1081347,1082320,10813	PUBLIC	7824
DAVID WEBER OIL COMPANY	485.75	INV.425816 8/20/15 55 GAL OIL DRUM	PUBLIC	7825
WASTE MANAGEMENT NJ, INC.	802.80	INV.2493420-1374-8 8/1/15 SOLID	GARBAGE &	7826
WILSON TIRE EXCHANGE	246.00	INV.217615 8/4/15	PUBLIC	7827
AMERICANWEAR INDUSTRIAL	24.80	ACCT. 2176 JULY UNIFORMS	PUBLIC	7828
S. ROTONDI & SONS, INC.	2479.50	INV.277280, 281753, 30560	RECYCLING	7829
BRAEN STONE INDUSTRIES, INC.	1656.64	8 INVOICES-MATERIAL FOR ROAD	PUBLIC	7830
BERGEN COUNTY UTILITIES	19215.51	INV.4216 RESIDENTIAL SOLID WAST	GARBAGE &	7831
BERGEN COUNTY UTILITIES	19423.98	INV.4192 8/19/15 RESIDENTAL WASTE	GARBAGE &	7832
PAYCHEX	652.80	INV.8912410, 9024951 JULY & AUG.	MUNICIPAL	7833
CUMMINS	133.50	INV.1247602 SHREDDER MAINTENANCE	MUNICIPAL	7834
CUMMINS	0.00	INV.1247602 SHREDDER MAINTENANCE	POLICE	7834
CUMMINS	133.50	INV.1247602 SHREDDER MAINTENANCE	POLICE	7834
MCI EASTERN SECURITY	252.00	INV. 48858 PISTOL RANGE DIGITAL	POLICE	7835
LERCH, VINCI & HIGGINS, LLP	387.50	INVOICE #26997 PBA COLLECTIVE	LEGAL	7836
OPTIMUM	102.88	AUGUST,2015 CURRENT CABLE CHARGES	MUNICIPAL	7837
OPTIMUM	21.35	AUGUST,2015 CURRENT CABLE CHARGES	POLICE	7837
OPTIMUM	74.90	AUGUST,2015 CURRENT CABLE CHARGES	PUBLIC	7837
OPTIMUM	84.90	AUGUST,2015 CURRENT CABLE CHARGES	RECREATION	7837
OPTIMUM	0.00	AUGUST,2015 CURRENT CABLE CHARGES	O/E	7837
OPTIMUM	104.85	AUGUST,2015 CURRENT CABLE CHARGES	O/E	7837
ZEE MEDICAL SERVICE CO.	96.15	INV.113014703 BORO HALL FIRST AID	PUBLIC	7838
DUECO	907.38	INV. 410880 8/5/15 TREE TRUCK	PUBLIC	7839
BOSWELL MCCLAVE ENGINEERING	1999.00	INV. #94739 7/31//15 NM641 GENERAL	ENGINEERING	7840
BERGEN COUNTY HUMANE	1541.66	SEPTEMBER INV.106 ANIMAL CONTROL	ANIMAL	7841
BYROLL	429.51	AUGUST 2015 BORO SHARE DCRP	DCRP	7842
FLAGSHIP HEALTH INC.	83.19	SEPTEMBER 2015 DENTAL PREMIUM	INSURANCE	7843
PHILLIPS PREISS GRYGIEL LLC	1196.25	INV. 20890 JULY 2015 MASTER PLAN	LEGAL	7844
N.J. PLANNING OFFICIALS	80.00	INV.46703 8/20/15 GEORGE ADELUNG	ZONING	7845
SHOP RITE OF NEW MILFORD	172.86	CUST.3563 AUGUST SATURDAY WELLNESS	SENIOR	7846
PRIMO PEST CONTROL CO., INC.	50.00	INV. 8216 AUGUST EXTERMINATING	SENIOR	7847
PRESTIGE LINCOLN	1553.16	INV.10224, 10229,10265,10247,10248	VEHICLE	7848
V.E. RALPH & SON, INC.	292.62	INV.305300 MEDICAL SUPPLIES	POLICE	7849
I.D.M. MEDICAL SUPPLY CO.	117.35	INV.C7009 OXYGEN EQUIPMENT	POLICE	7850
ONE CALL CONCEPTS, INC.	750.29	INV.5065106 6/30/15 , 5075106	O/E	7851
QUENCH	366.00	INV.200223116 5/1/15 , 200265266	PUBLIC	7852
QUENCH	366.00	INV.200223116 5/1/15 , 200265266	PUBLIC	7852
QUENCH	0.00	INV.200223116 5/1/15 , 200265266	SENIOR	7852
QUENCH	366.00	INV.200223116 5/1/15 , 200265266	SENIOR	7852
PALMERS ACE HARDWARE	206.74	8 INVOICES-HARDWARE SUPPLIES	PUBLIC	7853
S. ROTONDI & SONS, INC.	807.00	INV. 30559 4/30/15 LOG DISPOSAL	RECYCLING	7854
S. ROTONDI & SONS, INC.	217.50	INV. 30558 4/30/15 BRUSH	RECYCLING	7855
S. ROTONDI & SONS, INC.	6635.85	INV.283375, 30515, 30538	RECYCLING	7856
QUALITY COOLING CORP.	395.00	INV. 2015-157 6/25/15 SERVICE CALL	PUBLIC	7857
FERRETTI CARTING, INC.	4375.00	INV.1617 AUGUST APT & SCHOOLS	RECYCLING	7858
FERRETTI CARTING, INC.	12308.33	INV. 1618 AUGUST RESIDENTIAL	RECYCLING	7859
ABSOLUTE FENCE SERVICES INC.	675.00	INV.556 250 YELLOW FENCE GUARD	RECREATION	7860
THE TERRE COMPANY	1289.20	INV.138812 3.44 TONS CUSTOM FIELD	RECREATION	7861
THE TERRE COMPANY	2550.00	INV. 138799 120 BAGS SUPERSPUR	RECREATION	7862
FRANK RAMACI	0.00	REPLENISH PETTY CASH - NMPD	POLICE	7863
FRANK RAMACI	25.99	REPLENISH PETTY CASH - NMPD	POLICE	7863
FRANK RAMACI	100.76	REPLENISH PETTY CASH - NMPD	POLICE	7863
FRANK RAMACI	71.37	REPLENISH PETTY CASH - NMPD	POLICE	7863
NJ DIVISION OF ALCHOLIC	33.00	2015-2016 LICENSE RENEWAL (11)	MUNICIPAL	7864

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
N.J. STATE LEAGUE OF	330.00	NOVEMBER, 2015 LEAGUE OF	MUNICIPAL	7865
N.J. STATE LEAGUE OF	55.00	NOVEMBER, 2015 LEAGUE OF	COLLECTION	7865
N.J. STATE LEAGUE OF	55.00	NOVEMBER, 2015 LEAGUE OF	CODE	7865
N.J. STATE LEAGUE OF	0.00	NOVEMBER, 2015 LEAGUE OF	PUBLIC	7865
J. STATE LEAGUE OF	55.00	NOVEMBER, 2015 LEAGUE OF	PUBLIC	7865
WB MASON CO., INC.	874.65	INV. I27049751 COPY PAPER 8 1/2	MUNICIPAL	7866
RICCIARDI BROTHERS	1742.30	INV.225763 FIELD MARKING PAINT	RECREATION	7867
FOWLER EQUIPMENT CO. INC.	270.34	INV. SI-146091 REPAIR GEAR WASHER	FIRE O/E	7868
MOORE MEDICAL, LLC	563.98	INV.828183661 MEDICAL SUPPLIES	BOARD OF	7869
VERIZON WIRELESS	1379.27	JULY 24-AUGUST 23, 2015 CELLULAR	O/E WATER	7870

Total Bill List: 2701023.94

BOROUGH OF NEW MILFORD

Bill list

SEPTEMBER 9, 2015

Combined ANIMAL CONTROL 13

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
NJ STATE DEPT. OF HEALTH	25.80	AUGUST 2015 MONTHLY DOG LICENSE	RES'V FOR	1062
Total fund: 2930 RES'V FOR ANIMAL CTRL EXPENSE				25.80
Total Bill List:		25.80		

BOROUGH OF NEW MILFORD

Bill list

SEPTEMBER 9, 2015

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
BOSWELL MCCLAVE ENGINEERING	4475.00	INV. 95306 8/27/15 NM648	2014	1433
BOSWELL MCCLAVE ENGINEERING	364.00	INV.95305 8/27/15 NM647 SENIOR	2014	1434
GLENDAL PARADE STORE, LLC	2389.80	INV.81787 8/20/15 COLOR GUARD	2015	1435
Total fund:	04	CAPITAL	7228.80	

Total Bill List: 7228.80

BOROUGH OF NEW MILFORD

Bill list

SEPTEMBER 9, 2015

Combined DEVELOPERS TRUST 14

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
BOSWELL MCCLAVE	380.00	INV#94738 7/31/15 NMES653	DEVELOPERS	1505
BOSWELL MCCLAVE	285.00	INV #94734 7/31/15 POOL TOWN	DEVELOPERS	1506
BOSWELL MCCLAVE	285.00	INV#94735 7/31/15 NMES650 RYAN	DEVELOPERS	1507
BOSWELL MCCLAVE	285.00	INV# 94737 7/31/15 NMES652 YOUNGS	DEVELOPERS	1508
SCOTT G. SPROVIERO, ESQ.	250.00	HARRIS ESCROW -7/13-8/10/15 ZB	DEVELOPERS	1509
SCOTT G. SPROVIERO, ESQ.	343.75	YI -ESCROW FOR TOP STONE CHURCH	DEVELOPERS	1510
Total fund: 2940 DEVELOPERS ESCROW				1828.75
Total Bill List:	1828.75			

Check Register

Checking
8/31/2015

Page 1

Date	Num	Transaction	Payment	C	Deposit	Balance
1/30/2015		Interest		c	0.23	5,412.55
2/27/2015		Interest		c	0.21	5,412.76
3/30/2015		Deposit/ donation New Milford Elks cat: Charity		c	900.00	6,312.76
3/31/2015		Interest		c	0.23	6,312.99
4/23/2015	261	Crowne Plaza (Justin Valdes) cat: emergency lodging	382.95	c		5,930.04
4/30/2015		Interest		c	0.26	5,930.30
4/30/2015	262	PSE&G Co.(Charles Baraniecki)	500.00	c		5,430.30
5/31/2015		Interaset		c	0.25	5,430.55
6/8/2015		deposit/Trans-Americas cat: donation interfaith		c	143.22	5,573.77
6/29/2015		Deposit/ donation Gospel Fellowship Church cat: Charity		c	500.00	6,073.77
6/30/2015		Interest		c	0.23	6,074.00
7/6/2015	263	ShopRite of New Milford	950.00	c		5,124.00
7/31/2015		Interest		c	0.24	5,124.24
8/31/2015	264	Optimum	294.00			4,830.24

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2015:253

Offered by: James P. [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
PUTRINO	✓			
ASHLEY	✓			
ROBALINO	✓			
CABRERA				✓
ALONSO	✓			
COLUCCI	✓			
MAYOR (tie)				

WHEREAS, the following named applicant has made application to the Mayor and Council of the Borough of New Milford for renewal of Liquor License, trading as indicated, for premises listed; and

WHEREAS, a \$2,400 fee has been deposited for each Plenary Retail Consumption License by each of the applicants for said license, a \$2,100 fee has been deposited for each Plenary Distribution License by each of the applicants for said license, and a \$170 fee has been deposited for each Club License by each of the applicants for said license; and

WHEREAS, the Director of the Division of Alcoholic Beverage Control has advertised in newspapers distributed in the Borough of New Milford as required by State Statutes and no complaints have been received objecting to their renewals;

NOW THEREFORE, BE IT RESOLVED that the Borough Clerk be instructed to issue the Liquor License to the applicant listed below, trading as indicated for the premises listed for the liquor license year July 1, 2015 - June 30, 2016 effective upon approval of resolution.

PLENARY RETAIL DISTRIBUTION

<u>NUMBER</u>	<u>APPLICANT</u>	<u>TRADE NAME</u>	<u>LICENSED</u>
<u>PREM.</u>			
0238-44-009-005	Dillon Enterprises	Wine and Roses	710 River Road

.....

RESOLUTION

No. 2015:253

Offered by:..... Seconded by:.....

PLENARY RETAIL CONSUMPTION

NUMBER

APPLICANT

TRADE NAME

LICENSED

PREM.

0238-33-005-007 Main Street Hospitality LLC Casual Habana LLC

200 Main Street

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 September 9, 2015.

SEAL

Christine Demeris

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No.

2015:254

Offered by: N. Rotondi

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
PUTRINO	✓			
ASHLEY	✓			
ROBALINO	✓			
CABRERA				✓
ALONSO	✓			
COLUCCI	✓			
MAYOR (tie)				

WHEREAS, the Borough of New Milford advertised and received bids for Loading, Transporting and Disposal/Recycling of Leaves/Vegetative Waste on December 10, 2013;

WHEREAS, the lowest qualified bid was submitted by S. Rotondi & Sons, Inc. having offices at 3 Watchung Avenue, Chatham, New Jersey 07928.

WHEREAS, the Mayor and Council of the Borough of New Milford awarded a Contract for the term of October 16, 2013 through October 15, 2014 with three one year renewal options for for the Loading, Transporting and Disposal/Recycling of Leaves/Vegetative to S. Rotondi & Sons, Inc.; and

BE IT RESOLVED the Mayor and Council of the Borough of New Milford wish to exercise the second one-year option for the term of October 16, 2015 through October 15, 2016 based upon the following price schedule:

October 16, 2015 – October 15, 2016

Leaves	\$7.99/per cubic yard
Grass	\$12.95/per cubic yard
Brush	\$7.25/per cubic yard
Logs	\$17.50/per cubic yard
Stumps	\$17.50/per cubic yard
Sweepings	\$50.00/per cubic yard

BE IT RESOLVED that the Borough of New Milford retains the option to award one additional one year renewal at the price schedules set forth in the Contractor's Proposal incorporated herein by reference; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the New Milford Department of Public Works, and S. Rotondi & Sons, Inc.

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 September 9, 2015.

SEAL

Cristine Demaris

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2015:255

Offered by:.....

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
PUTRINO	✓			
ASHLEY	✓			
ROBALINO	✓			
CABRERA				✓
ALONSO	✓			
COLUCCI	✓			
MAYOR (tie)				

**RESOLUTION TO ENTER INTO AN
AGREEMENT WITH GARY DEMAURO**

WHEREAS, Gary DeMauro (hereinafter, "DeMauro") purchased a certain piece of real estate in the Borough of New Milford, which is commonly known as 243 Main Street, New Milford, New Jersey (the "Property"),

WHEREAS, the Borough and DeMauro would like to define the permitted commercial uses on the Property and have entered an Agreement to do so.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of New Milford, County of Bergen, State of New Jersey, that the Mayor of the Borough is hereby authorized to execute the aforesaid Agreement upon same being in satisfactory form.

I hereby certify that the above is a true copy of a resolution adopted by the Council of the Borough of New Milford at the meeting held on September 9, 2015.

SEAL

Christine Demusis

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2015-256

Offered by: James P. K.

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
PUTRINO	✓			
ASHLEY	✓			
ROBALINO	✓			
CABRERA				✓
ALONSO	✓			
COLUCCI	✓			
MAYOR (tie)				

WHEREAS, the County of Bergen Maintains and controls approximately 450 miles of County roads; and

WHEREAS, maintenance of the County roads requires periodic resurfacing for the benefit of the drivers and residents of Bergen County; and

WHEREAS, the County's Department of Public Works performs this resurfacing through periodic Road Resurfacing Projects; and

WHEREAS, the County's Road Resurfacing Projects require cooperation and coordination between the County and the seventy municipalities in which the County roads are located; and

WHEREAS, a formal agreement between the County of Bergen and the seventy municipalities in which the County will undertake road resurfacing activities will serve to memorialize the respective responsibilities of the County and the municipality in connection with a Road Resurfacing Project; and

WHEREAS, N.J.S.A. 40A:65-4(a)(1) states, in part, that "any local unit may enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction;" and

WHEREAS, the County and the seventy municipalities within Bergen County are "local Units" under N.J.S.A. 40:65-4(a)(1), authorized to enter into shared services agreements pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40:65-1 et seq.; and

WHEREAS, County Counsel has, with the input of the Department of Public Works (Supervisor of Roads) and the Department of Planning and Engineering (County Engineer), prepare a form of shared services agreement for execution between the County of Bergen and each municipality in which the County will carry out its Road Resurfacing Project, a copy of which is annexed hereto as Exhibit A;

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2015:286

Offered by:.....

Seconded by:.....

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of New Milford as follows:

1. The recitals set forth above are hereby incorporated into the body of this resolution as if set forth at length herein.
2. The Mayor and Council hereby approve and authorize the execution of a shared services agreement between the Borough of New Milford and the County for a Road Resurfacing Project, in substantially the form annexed hereto as Exhibit A.
3. The Mayor is hereby authorized to execute a shared services agreement with each of the municipalities in a form determined by County Counsel to be in substantially the form annexed as Exhibit A.

I hereby certify that the above is a true copy of a resolution adopted by the Council of the Borough of New Milford at the meeting held on September 9, 2015.

SEAL

Christine Demaris

SHARED SERVICES AGREEMENT
County Road Resurfacing

The County of Bergen ("County") and the _____ ("Municipality") agree to the following procedures and conditions in connection with the County's Road Resurfacing Program:

1. **Prerequisites.** As a prerequisite to and in consideration of the County's scheduling of road resurfacing within the Municipality, the Municipality agrees to:
 - a. inspect the conditions of all curb ramps and crosswalk locations, make any repairs/replacements before the road is scheduled for resurfacing, and identify any locations at which the Municipality requests the County to install asphalt berms.
 - b. inspect all sanitary sewer manholes and frames and either:
 - i. verify that the manholes and frames are in good condition; or
 - ii. for any manhole frames that requires replacement, notify the County's representative. The County will provide the labor, at no cost to the Municipality, to replace the manhole frame(s) provided that the Municipality supplies the frames a minimum of seven calendar days in advance of the County's schedule for the commencement of road milling.
2. **ADA Compliance.** NJDOT and Federal ADA regulations require compliance with the Americans with Disabilities Act (ADA) at all altered crosswalk locations along the resurfaced county roads which have public sidewalks. Once constructed, the Municipality is responsible for the maintenance of all curb ramps and detectable warning surfaces as N.J.S.A. 27:16-8 limits the County's maintenance responsibility to improved road areas between the curb lines.
3. **Funding of ADA Compliance.** The County of Bergen has established engineering design and capital improvement cooperatives for the funding of ADA design and construction. As a prerequisite to the County's scheduling of road resurfacing within the Municipality, the municipality must first comply with the following:
 - a. ADA Engineering Design Grant Program – Freeholder Resolution No. 676-12. The Municipality must execute a Design Grant Program agreement and the Municipal Engineer must:
 - i. work with County personnel to identify and quantify the curb ramp locations that require replacement prior to resurfacing; and
 - ii. design the proposed improvements and certify the ADA improvements are in full compliance with ADA regulations, including ensuring that ramps are set at the proper grade to prevent pooling of water; and

- iii. inspect the completed ADA improvements and certify full compliance with ADA regulations upon completion of curb ramp construction and prior to reimbursement by the County.
 - b. ADA Cooperative Concrete Construction – Freeholder Resolution 677-12. The Municipality must first:
 - i. Either enter into a Concrete Construction Contract with the successful bidder of the County's ADA Cooperative Concrete Construction bid or, if the Municipality can obtain lower pricing, hire its own contractor.
 - ii. be responsible for all costs outside the scope of the countywide curb ramp construction contract, including work beyond the ramp limits directed by the Municipality and any local police protection.
4. **Crosswalks, Striping, and Parking Stalls.** After resurfacing, the County will restripe the roadways, installs traffic markings and symbols, and replace crosswalks and parking stalls, subject to the following:
- a. The County will mark, where appropriate, the center line, edge lines, and other longitudinal markings on County roads. The County will be responsible for maintaining these markings. However, the Municipality shall be responsible for repairing or replacing any such markings subsequently damaged or removed by the Municipality or the Municipality's contractors.
 - b. The County will install thermoplastic traffic markings and symbols across the County road and across the intersecting municipal road at municipal intersections with traffic signals, and will replace crosswalk markings only if the crosswalks terminate at curb ramps that comply with ADA regulations. Once installed, the Municipality is responsible for the maintenance, repair, and replacement of these markings and symbols across both the County Road and across the intersecting municipal road unless it is a signalized intersection under County jurisdiction.
 - c. The County will replace parking stall markings along the resurfaced County roads as directed by the Municipality. The Municipality shall be responsible for ensuring compliance with the Manual on Uniform Traffic Control Devices, and shall defend, indemnify, and hold the County harmless for any violation thereof. Once installed, the Municipality shall be responsible for maintenance, repair, and replacement of these markings.
 - d. If the Municipality plans a streetscape project, the County recommends using stamped or imprinted crosswalks and that these crosswalks be completed *after* the roadway is resurfaced. Crosswalks made from raised materials such as pavers or other types of concrete blocks and headers, or very thick layers of extruded thermoplastic materials, are not recommended. Should the Municipality install

crosswalks of this type, then it is the Municipality's responsibility to maintain them at all times.

5. **Intersections with Municipal Roads.** Pursuant to N.J.S.A. 27:16-8, the County is only responsible for maintaining County roads between the curb lines. Where no curb exists on a County road, the term curb line refers to the edge of pavement. At intersections, the curb line refers to the imaginary line created by extending the curb or edge of pavement of the County road across the intersection with the municipal road. By executing this agreement, the Municipality agrees and acknowledges that the County does not own, control, maintain, or have any duty to maintain, any portion of the right of way beyond the curb line of the County road, including any right of way that may extend onto a municipal road, except as may otherwise be provided in a formal agreement or resolution of the County Planning Board. The County will, at the Municipality's request, and solely as a courtesy to the Municipality, pave into an intersecting municipal road to meet the prior paving joint or to ensure a smooth pavement transition as directed by the municipality's authorized representative, and, subject to Paragraph 4, "Crosswalks, Striping, and Parking Stalls" above, install traffic markings and symbols and replace crosswalk markings on a municipal road at the intersection with a County road. The Municipality agrees that, notwithstanding this courtesy extended by the County, it is solely the Municipality's responsibility to improve, maintain, and control the intersecting municipal road beyond the curb line of the County road, and that the County is not exercising ownership, control, or accepting any maintenance obligation over any portion of the municipal road by virtue of such paving or other improvements on the municipal road beyond the curb line of the County Road. In consideration for the County agreeing to pave into or make other improvements on the intersecting municipal road, the Municipality hereby agrees to indemnify, defend, save harmless, and release the County, its officers, employees, agents, and contractors, from and against any and all claims, demands, actions, suits, judgments, costs, charges, fees, damages and expenses, including reasonable attorney's fees, which may arise or result from a condition of the intersecting municipal road beyond the curb line of the County Road, including attorney's fees and costs incurred in any appeal.
6. **Asphalt Berms.** As a courtesy to the Municipality for the sole purpose of directing surface water away from adjacent properties, when repaving a County road with no existing curbs or sidewalks, the County may, at the request of the Municipality and where directed by the municipality's authorized representative, construct asphalt berms at the edge of the County road pavement, within the public right of way, during the primary lay-down of road surface. The Municipality agrees, in consideration for the County's efforts and costs in construction of such berms, that the Municipality shall thereafter assume all responsibility for maintenance, repair, and replacement for the berms and that the County shall not be required to maintain, repair, or replace any such berm the County has constructed. The Municipality hereby agrees to indemnify, defend, save harmless, and release the County, its officers, employees, agents, and contractors, from and against any and all claims, demands, actions, suits, judgments, costs, charges, fees, damages and expenses, including reasonable attorney's fees, which may arise or the County may incur

as a result of the County's construction of asphalt berms as directed by the Municipality. This provision shall extend to the County regardless of the structure or workmanship of the County constructed asphalt berms, and shall expressly include any claim that the berm, howsoever it is maintained, is a dangerous condition under the New Jersey Tort Claims Act.

7. **Traffic Control.** The County uses NJDOT monies to fund the resurfacing program. NJDOT rules require that the contractor set up and maintain a proper and safe work zone with properly trained flagmen at each work location. NJDOT does not permit the use of funds to pay for uniformed police protection. However there are circumstances where the use of uniformed police officers may be required for safe traffic control.
 - a. The Municipality shall provide uniformed police officers, and be solely responsible for the cost thereof, in the following circumstances:
 - i. When intersecting roadways cannot be fully closed to traffic during installation of underground traffic signal conduit; installation of underground storm-water drainage systems; installation of new overhead traffic signal hardware or removal of existing traffic signal hardware; work is being performed within 100' of a signalized intersection; pavement milling operations; final paving operations; and signal "turn-on."
 - ii. When requested by the County Division of Engineering or Department of Public Works.
 - b. Nothing herein shall prohibit the Municipality from assigning Municipal uniformed police officers for additional protection on its own initiative, over and above the contractor's responsibilities, at the Municipality's sole cost and expense.
 - c. The Municipality agrees that the aforementioned traffic control procedure shall apply to all future work by the County of Bergen, and its contractors, performing work that is a County responsibility within public right-of-ways of County roads.
8. **Road Opening Permits.** The Municipality agrees that once a County road is resurfaced, the Municipality will procure a road opening permit for any Municipality controlled project or Municipal utility company project. The Municipality agrees to meet all requirements and specifications the restoration of the County's roads.
9. **Terms Defined:** Unless otherwise apparent from the context, the terms used herein shall have the meanings set forth in the 2009 edition of the Manual on Uniform Traffic Control Devices for Streets and Highways ("MUTCD"), including its 2012 revisions.
10. **Approval.** This Agreement has been approved by the governing bodies of the County and the Municipality, pursuant to N.J.S.A. 40A:65-5.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective as of the dates signed below.

WITNESSED

COUNTY OF BERGEN

By:

James J. Tedesco, III
County Executive

Date:

WITNESSED

Municipality:

By:

Date:

Exhibit (5)

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2015-257

Offered by:.....

Seconded by:.....

Member	Aye	No	Abstain	Absent
PUTRINO	✓			
ASHLEY	✓			
ROBALINO	✓			
CABRERA				✓
ALONSO	✓			
COLUCCI	✓			
MAYOR (tie)				

WHEREAS, the New Milford Volunteer Fire Department wishes to acquire a vehicle to assist the swift water rescue team; and

WHEREAS, the Fort Lee Ambulance Corps has offered to donate, at no cost, a 2000 Freightliner Ambulance to the New Milford Volunteer Fire Department; and

WHEREAS, the Borough Mechanic has inspected the vehicle and has indicated the vehicle is sound and would be of benefit to the New Milford Volunteer Fire Department.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize acceptance of the 2000 Freightliner Ambulance from the Fort Lee Ambulance Corps.

BE IT FURTHER RESOLVED that a copy of this resolution be provided to the New Milford Volunteer Fire Department.

I hereby certify that the above is a true copy of a resolution adopted by the Council of the Borough of New Milford at the meeting held on September 9, 2015.

SEAL

Christine Demaris