

**MINUTES
BOROUGH OF NEW MILFORD
7:00 PM WORK SESSION
OPEN SESSION immediately following
8:00 PM PUBLIC MEETING
Monday, February 27, 2017**



WORK SESSION:

Mayor Subrizi read the Open Public Meeting and Mission Statements.

Councilwoman Thea Sirocchi-Hurley	Present
Councilwoman Randi Duffie	Absent
Council President Hedy Grant	Present
Councilman Ira Grotsky	Present
Councilwoman Kelly Langschultz	Present
Councilman Al Alonso	Present
Mayor Ann Subrizi	Present

Also Present: K. Kelly – Borough Attorney; C. Demiris – Administrator/Borough Clerk

Councilman Alonso made a motion to go into closed session. Councilwoman Sirocchi-Hurley seconded the motion. The motion carried. All present in favor, none opposed. Time 7:05 PM.

CLOSED SESSION:

1. Legal Advice – NMRA
2. Legal Advice – Recreation
3. Review of Closed Session Minutes

At the conclusion of the closed session Councilman Alonso made a motion to return to open session. Councilwoman Sirocchi-Hurley seconded the motion. The motion carried all present in favor, none opposed. Time 7:55 PM. Mr. Kelly asked to return to closed session.

4. Potential Litigation

Councilman Grotsky made a motion to return to open session and reconvene in the Council Chambers. Councilwoman Sirocchi-Hurley seconded the motion. The motion carried. All present in favor, none opposed. Time 8:04 PM.

PUBLIC SESSION:

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

ROLL CALL:

Councilwoman Thea Sirocchi-Hurley	Present
Councilwoman Randi Duffie	Absent
Council President Hedy Grant	Present
Councilman Ira Grotsky	Present
Councilwoman Kelly Langschultz	Present
Councilman Al Alonso	Present
Mayor Ann Subrizi	Present

OPEN SESSION:

1. Correspondence – Specialty Seasonal Wholesale

Mr. Kelly said the owner of Specialty Seasonal has sent a letter indicating their interest in purchasing the Borough property adjacent to Perrone Farms. Mr. Kelly said he will reach out to their attorney to get some additional information and will report back to the Council at the next work session.

2. Zoning Ordinance – Planning Board Referral

Mr. Kelly said a settlement was reached by the Borough with NMRA in December. He said the settlement requires certain actions by the Borough including an amendment to the land use ordinance. The ordinance amendment was introduced by the Mayor and Council in January and was referred to the Planning Board as required by law. He said the Planning Board has reviewed the ordinance and has made some recommendations in the form of a resolution forwarded to the Mayor and Council. Mr. Kelly said it is up to the Council to decide whether or not they wish to act on the recommendations from the Planning Board. He said the Board noted minor typographical errors, requested certain clarifications and made specific recommendations. Mr. Kelly said the typographical corrections and clarifications can be incorporated however the recommendations are specific to items that were agreed to as part of the settlement. He said the Board made the determination that while the ordinance overall is consistent with the Master Plan there are some areas where it is inconsistent with the current Master Plan. He said those inconsistencies will be reconciled through the adoption of revisions to the Borough's Fair Share Plan and land use ordinances which are envisioned as part of the settlement agreement. He said the Mayor and Council will need to adopt a resolution outlining the reasons why they are deviating from the Planning Board recommendation. He said the resolution requires four affirmative votes.

2017:78 Acknowledge and Address Planning Board Review of Ordinance 2017:01

Councilman Alonso made a motion to adopt resolution 2017:78 as amended with the inclusion of the corrected typos and clarifications. Councilwoman Langschultz seconded the motion. The motion carried on a roll call vote. All present in favor, none opposed.

Mr. Kelly said the minutes must reflect the Council's reasoning for the deviation. Mayor Subrizi said the reason the Council voted to deviate from the Planning Board's recommendation is to be in accord with the settlement agreement which has already been approved by the Council.

ADOPT ORDINANCE 2017:01

AN ORDINANCE TO AMEND CHAPTER XXX ENTITLED "LAND USE REGULATIONS" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEW MILFORD

Councilman Alonso made a motion to open to the public for comment on this ordinance. Councilwoman Langschultz seconded the motion. The motion carried. All present in favor, none opposed.

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

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

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

3. DOT Grants – Proposed Sidewalk Locations/Bridge Rehab

Councilwoman Grant reviewed a list of streets she feels would benefit from the installation of sidewalks which included:

- Demarest from Boulevard to River Road
- Summit from Demarest to Main
- Prospect from Demarest to Main
- Madison from Boulevard to Salem
- Grove from Milford to Demarest
- Eagle from Main to Cleveland
- Summit from Main to Cleveland
- Cooper from River to Salem
- Charles from Madison to Cooper
- Southwest corner of James Street

Councilwoman Sirocchi-Hurley also suggested the Boulevard from house #50 for three houses south.

Councilwoman Langschultz suggested Bergen, William and Golden Gate.

Mayor Subrizi suggested efforts should be concentrated on Madison Avenue, stating there is probably enough footage there to utilize the entire grant. The Council agreed to send the entire list to Ms. Casey for her review and for her to offer an opinion to the Council.

Regarding the grant for bridge replacement or rehabilitation the Administrator said she is currently working with the DPW Superintendent and the Engineer to determine whether or not the work contemplated for the Main Street culvert or the Steuben Avenue culvert will qualify for the grant. She said the Borough has received a repair notice from the County for the Steuben Avenue culvert but noted that the bridge provides access to just one home in New Milford. For this reason she has requested estimates to both repair and replace the bridge over this culvert. She said once she has that information she will find out from Ms. Casey if both the repair and the replacement would be eligible for grant funding. She said the work contemplated for the Main Street culvert is primarily maintenance and would likely not qualify for grant funding.

4. Stigma Free Ambassador

Mayor Subrizi said she had received a resume from Kait O'Donnell and she is highly qualified to serve as the Borough's Stigma Free Ambassador.

Council President Grant made a motion to appoint Kait O'Donnell as the Borough's Stigma Free Ambassador. Councilwoman Sirocchi-Hurley seconded the motion. The motion carried. All present in favor, none opposed.

5. Raffle License – Issuing Authority

Referencing information sent to the Council previously, the Clerk explained that recent legislation provides for the governing body to designate an issuing authority for raffle licenses. She said currently licenses are issued by resolution of the governing body. She said an issuing authority can be designated by ordinance and some municipalities have decided to designate the municipal clerk as the issuing authority.

Mayor Subrizi said doing so would save time for the organization; the license could be issued regardless of when the Mayor and Council next meet. Council President Grant agreed, stating it would be a more efficient process. The ordinance will be prepared for introduction.

6. Shade Tree/Environmental Commission

Councilman Grotsky said the Shade Tree Commission, the Environmental Commission and the DPW would like the Council's permission to use the Borough property at Carlton Place as a tree farm. He said the property would need to be fenced in order to deter the deer. Council President Grant confirmed that the fencing proposed is black chicken wire and therefore will not be overly visible. Councilman Grotsky confirmed this and said the tree farm behind the Borough Hall needs to be fenced as well.

Councilman Alonso noted the acquisition of the property was partially financed through a grant and asked if there would be limitations as to the use as a result of the grant. Mr. Kelly said he would review the deed and respond at the next meeting.

7. Kennedy Field

Councilman Grotsky said he suggested, at the last meeting, to reserve \$130,000 of the capital improvement funds for engineering expenses for the Kennedy Field Improvements. He said the auditor has no objection. The Administrator read from an email from the Auditor in which he said the Council could earmark funds in the capital improvement fund by resolution.

Councilman Alonso said he believes setting aside the money in the budget is premature as the application with Green Acres is still pending and the Bergen County Open Space application has not been announced. He said we could be appropriating money for a specific project that may not get funded until next year. The Administrator said the funds could be re-appropriated by resolution if necessary.

Mayor Subrizi said she did not see the point of appropriating the money and then having to un-appropriate it if it is needed for an emergency.

Councilman Grotsky said he thinks it should be appropriated so it is clear that the money is dedicated. Councilman Grotsky made a motion to appropriate \$130,000 in the capital improvement fund for engineering associated with the Kennedy Field Improvements. Council President Grant seconded the motion.

Councilwoman Langschultz said we would be appropriating money without information from the field committee on field capacity, sports, current issues with the field, etc.

Councilman Alonso said we are appropriating funds in 2017 for a project that will not proceed until 2018. He asked what would happen if the Fire Department or Ambulance Corps were in need of money stating this could be used as an excuse not to fund other things that may be needed.

Mayor Subrizi said any number of departments could ask to reserve funds. She said as long as there is money in the capital improvement fund, earmarking it for certain projects is premature. She said it is also intended to cover emergencies.

Councilman Alonso said the councilmembers voting to earmark the money for the field may not vote to re-appropriate the funds if it becomes necessary for something else.

Councilman Grotsky said there is still a good amount of money left in the capital improvement fund.

The Administrator said the money in the capital improvement fund is also intended to provide the Borough's matching funds for certain grants, which may come due sooner than the field project.

Councilman Alonso said the Field Committee, as part of their due diligence, asked Boswell to give a proposal as to what the engineering costs would be. He said ultimately the committee is an advisory committee; it is up to the Council to decide whether to accept, adopt, modify or reject their recommendations. He said we are a long way from spending the money and to appropriate the money when it could potentially be used for things is irresponsible.

Councilwoman Langschultz asked for an update of what the committee has accomplished so far. Council President Grant said they have elected a chairperson, a vice-chairperson and a secretary. She said they are going to speak with various community members to determine what needs exist.

Being no further discussion a roll call vote was taken on Councilman Grotsky's motion. The motion carried as follows:

For the motion: Sirocchi-Hurley, Grant, Grotsky, Langschultz
Against the motion: Alonso

Regarding the Field Committee appointments listed on the agenda Mayor Subrizi said Mr. Minko withdrew his name from consideration. She went on to read from an email from Mr. Minko in which he stated he received a visit from a member of the Field Committee who told him that all of the decisions had already been made. Mayor Subrizi said she does not believe that person should continue to serve on the committee. She said she has asked Josephine McEwan to serve in Mr. Minko's place. Ms. McEwan, in attendance at the meeting, said she wanted some time to consider whether or not she would like to serve on the committee. Mayor Subrizi went on to appoint Andrew Lombardi to the Field Committee. Regarding the person the Mayor would like removed she asked that the Field Committee invite her to their next meeting.

Councilman Alonso said a liaison also needs to be appointed. Council President Grant recommended Councilwoman Duffie. Mayor Subrizi appointed Councilwoman Duffie as the liaison to the Field Committee.

8. Capital Budget

Council President Grant referenced a request from the OEM Coordinator for portable radios and asked if they could not be included in the capital budget. The Administrator said radios for other departments had been part of previous capital budgets however the CFO has suggested that smaller items, such as radios, should be part of the operating budget or from the capital improvement fund, rather than to be financed through a bond ordinance. The Administrator asked why the request had come up noting that the budget committee had met with the OEM Coordinator and the budget was reviewed and agreed upon. Council President Grant said the OEM Coordinator had come to her asking for the radios to be reconsidered. She said she would speak to the OEM Coordinator to ask for further clarification.

9. Attorney's Report

No report.

10. Administrator's Report

The Administrator said she had met with a representative from the NJ State Treasury, who oversees the demolition of state owned acquisitions, regarding the thirteen homes already acquired through the Sandy Blue Acres program. She said the demolition is scheduled to begin sometime between June and July.

PROCLAMATION: READ ACROSS AMERICA

COUNCIL COMMITTEE REPORTS:

Councilman Grotsky made a motion to file Committee Reports with the Borough Clerk to be spread in full upon the minutes. Council President Grant seconded the motion. The motion carried. All present in favor, none opposed.

APPOINTMENTS: KERRI CAPASSO PLANNING BOARD ALT.

Councilman Alonso made a motion to approve the appointment. Councilwoman Sirocchi-Hurley seconded the motion. The motion carried. All present in favor, none opposed.

UNFINISHED BUSINESS:

Councilman Grotsky made a motion to approve the minutes from the February 13, 2017 Closed and Public Session meetings. Councilman Alonso seconded the motion. The motion carried. All present in favor, none opposed.

ADOPT ORDINANCE 2017:02

AN ORDINANCE TO AMEND CHAPTER VIII ENTITLED "PARKING AND PARKING LOTS" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEW MILFORD

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

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

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

Councilman Alonso made a motion to adopt this ordinance on the second and final reading. Councilman Grotsky seconded the motion. The motion carried on a roll call vote. All present in favor, none opposed.

NEW BUSINESS:

COMMENTS FROM THE PUBLIC

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

Terrence McMackin – Madison Avenue. Mr. McMackin suggested adding a section on the north side of Madison Avenue to the sidewalk list discussed earlier. He identified the section from 425 Madison to Mr. Gerity's house.

Mr. McMackin asked if anyone had discussed the field at the Suez property with the Board of Education. He asked if it is necessary to put turf on the field behind the Borough Hall when there is a possibility that there will be a turf field at the Suez property. Mayor Subrizi said that will be something for the committee to consider. Mr. McMackin said there was a referendum in 2012 for a turf field and it was defeated; he asked why the turf field at Kennedy Field is being pursued so strongly when people did not want it in the past.

Mr. McMackin asked if there is any update with regard to the abandoned vehicles at Jay's Car Care. He was advised that there is not.

Josephine McEwan – 184 Trotta Drive. Ms. McEwan said the estimated cost for the field is \$2.69 million, with 25% provided through a grant and the balance being financed at 2% over 20 years. She said this would result in \$40,000 of interest per year. She said over twenty years it would be close to one half million dollars in interest. Ms. McEwan said she continues to read articles in the newspaper about towns having problems with turf fields. She said having two turf fields would be extravagant. Ms. McEwan said New Milford stopped having fireworks because of the expense and noted other potential projects that may require financing such as a larger senior center. She said the field should be put to a vote town wide and should not just be left to a vote of the Council.

Pauline Alfis – Luhmann Drive. Ms. Alfis said she believes the issue of a turf field should be put to referendum.

Edward Kilarjian – 3030 Edwin Avenue, Fort Lee. Mr. Kilarjian spoke about his claims of police brutality and his discovery of the Bergen Town Center.

Councilman Grotsky made a motion to close to the public. Council President Grant seconded the motion. The motion carried. All present in favor, none opposed.

RESOLUTIONS:

2017:79 Closed Session

2017:80 Payment of Bills and Vouchers

2017:81 Authorize Escrow Refund – Pitch, 549 Boulevard, in the amount of \$200.43

2017:82 Authorize Escrow Refund – Gorin, 221 Birchwood Road, in the amount of \$457.65

2017:83 Authorize 2016 LOSAP Qualifying Participants

- 2017:84 Record Construction Design Immunity – New Milford Police Department
2017:85 Approve Raffle License 2017:07 – New Milford Woman’s Club – On-Premise 50/50
2017:86 Authorize Refund for Marriage Officiation to Adrian Trujillo
2017:87 Authorize Capital Alternatives to Prepare Application to New Jersey Trust Fund Authority Act, Local Aid Infrastructure Trust Program for Baldwin Avenue & Columbia Street Drainage Improvements
2017:88 Authorize Mayor to sign Consent and Agreement for Provisional Acting Court Administrator with the Borough of Dumont
2017:89 Authorize Additional Funding for Boswell Engineering to Provide Inspection Services – 2016 Road Paving Program
2017:90 Authorize New Milford Police Department to Participate in the U.S. Department of Defense 1033-Program *** TABLED ***
2017:91 Approve 2016 Budget Transfers from Reserve
2017:92 Authorize Verizon Wireless and its successors and assigns to use existing poles erected within the public right-of-way

Council President Grant asked for clarification on resolution 2017:84. The Administrator explained that it is required by the Risk Manager. Councilwoman Grant asked to have resolution 2017:90 tabled pending a modification she would like made to the resolution.

VOTE ON RESOLUTIONS

Councilwoman Sirocchi-Hurley made a motion to approve the consent agenda consisting of resolutions 2017:79 through 2017:89 and resolutions 2017:91 and 2017:92. Council President Grant seconded the motion. The motion carried. All present in favor, none opposed.

ADJOURNMENT

Being no further business before the Council, Councilman Grotsky made a motion to adjourn. Councilwoman Sirocchi-Hurley seconded the motion. The motion carried. All present in favor, none opposed. Time 9:47 PM.

Respectfully submitted,



Christine Demiridis, RMC, CMC
Borough Clerk

COUNCIL LIAISON REPORT
Councilwoman Hedy Grant

Public Meeting of the Mayor & Council
February 27, 2017

PLANNING BOARD (Jan. 24)

- *Reappointed members Frank Mottola and John DaCosta were sworn in.
- *It was announced that Vice Chair Chris Pecci had resigned.
- *Frank Mottola was elected Acting Chairman (as Chairman Angelo DeCarlo was absent).
- *The Board voted unanimously to endorse and sign a letter of support for the Borough's Green Acres application for Kennedy Field.
- *The Board voted to support the Resolution supporting the New Milford Redevelopment (NMRA) Settlement Agreement.
- *It was agreed to hold a special meeting on Tuesday, February 7, to review the ordinance supporting the NMRA Settlement Agreement.

OEM (Jan. 31)

Reviewed equipment; noted the ham radio back-up.
The 2017 Emergency Op Plan will be sent to the state for approval.
A 2017 project will be to focus on emergency response to residents with special needs.
Will work with other organizations to create a plan for a wide-spread outbreak.
Will seek permission to set up a CERT team. CERT = Civilian Emergency Response Team.
Will seek grants for equipment. Would like a free HumVee from used government surplus.

PLANNING BOARD SPECIAL MEETING (Feb. 7)

Approved the resolution revising the Development Agreement for the Gramercy development and forwarded it to the Mayor & Council.

Reviewed the NMRA Settlement Agreement Ordinance for consistency with the Master Plan and approved a resolution recommending changes to the ordinance. The resolution will be forwarded to the Mayor & Council.

POLICE AUXILIARY (Feb. 7)

I was unable to attend as there was a special meeting of the Planning Board.

LIBRARY (Feb. 16)

The meeting was canceled for lack of a quorum.

FIELD COMMITTEE (Feb. 19)

Elected a chair (George Adelung) and vice chair (Cheryll Calderon).
Arranged next meeting date: March 5; starting on April 6, the committee will meet on the first Thursday of the month.
George will provide the committee members with a copy of the concept plan designed by Boswell.
Discussed the creation of a Friends of Kennedy Field 501(c)(3)

AMBULANCE CORPS (Feb. 20)

Oritani Bank donated \$1000 to the NMVAC.

Tomy Thomas received a CPR pin.

2016 fundraising total: \$49,483 (\$23,378 from New Milford; \$26,105 from Oradell)

2015 fundraising total: \$48k.

Discussed upcoming drills and courses.

Discussed the problems with the thermostat.

PLANNING BOARD (Feb. 21)

Reviewed and approved the Resolution suggesting revisions to the ordinance incorporated in the NMRA v. NM settlement agreement. Sending it to the M&C.

Elected Frank Mottola Vice Chair.

Councilman Al Alonso said he would be the mayor's representative on the PB for the foreseeable future.

OEM (Feb. 21)

Discussed the 2017 budget.

Welcomed Mark Flores, who will become part of OEM on March 1.

Discussed courses available to OEM members.

Discussed IDs.

Future meetings will be on the second Tuesday of the month at 7:30 pm.

STIGMA-FREE AD HOC COMMITTEE (Feb. 21)

Met with Kait O'Donnell to discuss her possible appointment as the "ambassador" of this committee. She is a superb candidate for this position. Will recommend her appointment to the mayor and council.

Christine Demiris

From: Ira Grotsky
Sent: Sunday, February 12, 2017 9:45 AM
To: Christine Demiris
Subject: Rent Leveling Bd. (committee report)

The Rent Leveling Board met on February 2nd.

1. Steve Perrone was sworn in as a member.
2. A Board member stated that a tenant contacted her in regard to possibly having his rent raised more than once in a year. We told the Board member to have the person contact the Rent Leveling Coordinator so that he may investigate and then come to a board meeting.
3. A discussion was started as to when there is a Quorum, and an important vote needs to be taken, for example: if there are two landlords and a homeowner, is it appropriate to vote on a tenant issue if a tenant board member is not present to vote. In the past the former chairman would wait to take a vote if there was not at least one member from each area present. The discussion will continue at the net meeting.
4. The March meeting is cancelled due to lack of attendance.

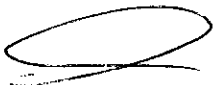
Respectfully submitted,

Ira S. Grotsky
Councilman
New Milford, NJ
201-694-9446

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017: 78

Offered by: 

Seconded by: 

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
DUFFIE				✓
GRANT	✓			
GROTSKY	✓			
LANGSCHULTZ	✓			
ALONSO	✓			
MAYOR (tie)				

WHEREAS, the Borough of New Milford has introduced Ordinance No. 2017:01, which Ordinance amends Chapter XXX entitled "Land Use Regulations" of the Borough of New Milford ; and

WHEREAS, the Borough of New Milford has referred Ordinance No. 2017:01 to the Planning Board of the Borough of New Milford as required by NJSA 40:55D-64; and

WHEREAS, the Planning Board of the Borough of New Milford has conducted a consistency review of Ordinance No. 2017:01 as required by NJSA 40:55D-26(a) and has made a report to the Mayor and Council as set forth in Planning Board Resolution No. 17-05 adopted by the Board on February 21, 2017; and

WHEREAS, the Planning Board determined that Section 30-31.6 is consistent with recent zoning changes in the Borough and is generally consistent with the Master Plan (paragraph 6) and that the balance of the proposed ordinance (after the recommendations in paragraphs 1 to 8) is consistent with the Master Plan as it promotes redevelopment, a vibrant downtown, promotes open space, recreational space and affordable housing; and

WHEREAS, the Planning Board noted that to the extent that the Ordinance is not consistent with the Master Plan, that as part of the Settlement of recent litigation, the inconsistencies will be reconciled through the adoption of revisions to the Borough's Element, Fair Share Plan and Land Use Ordinances; and

WHEREAS, the Planning Board made substantive recommendations:

Paragraph 2, to permit the ancillary uses of restrooms, storage sheds and structures or uses customary to playing fields

Paragraph 4, that the maximum height for proposed supermarket buildings be limited to 50 ft be reconsidered.

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:78

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

Paragraph 8, that the proposed size of signage be reduced because the 22 ft. by 14 ft. size is excessive; and

WHEREAS, the Planning Board recommended clarification or more specificity regarding certain items:

Paragraph 3, that the terms of the Ordinance are consistent with the terms of the Settlement Agreement executed by the Borough; and

Paragraph 5, that the bulk requirement for parking be clarified as to gross floor area or retail floor area; and

Paragraph 6, to clarify that the retail and commercial uses in the Multifamily Area be limited to first floor areas; and

WHEREAS, the Board noted certain clerical or typographical items to be corrected:

Paragraph 1, insert the word "of" in the first WHEREAS clause.

Paragraph 7, the typographical error of duplicate words in Section 30-31.8 be corrected

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

1. The Mayor and Council have received and reviewed the report from the Planning Board as set forth in the Board Resolution No. 17-05.
2. The typographical/clerical changes described in paragraphs 1 and 7 of the Board Resolution are minor changes which are approved and should be made prior to adoption of Ordinance No. 2017:01.
3. The Governing Body agrees with the determination of the Planning Board regarding consistencies and inconsistencies between the proposed Ordinance and the current Master Plan. To the extent that the provisions of Ordinance 2017:01 are presently not consistent with the Master Plan, the Governing Body determines that the provisions of the new Mixed Use Planned Unit Development zones (Code 30-31.1 and 30-31-10) and for Affordable Housing (Code Section 30-31.8) are in the best interests of the residents of New Milford and would provide a mixture of residential, commercial and recreational uses in locations compatible with the historical uses of those locations and the surrounding uses, meeting unmet needs within the Borough for low and moderate income housing and public recreational facilities, and maintaining the balance of diverse uses in the Borough. The

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:78

Offered by:.....

Seconded by:.....

apparent inconsistencies will be addressed in the Master Plan provisions adopted after Court approval of the Settlement documents.

4. The Governing Body, in response to the Planning Board comment in paragraph 3 of the Board Resolution finds that the terms of the Ordinance and the Settlement Agreement are consistent.
5. The recommendation to add permitted uses in Section 30-31.3 in Area A for restrooms, storage sheds, and any structures or uses customary to playing fields is appropriate because these ancillary uses are obviously within the intent of the ordinance. The ordinance should be revised to include these items as a minor change prior to adoption.
6. The Board recommendation regarding maximum building height is acknowledged. However, at this time the provision for 4 stories/ 50 ft. max height is required by the Settlement Agreement and will remain as introduced.
7. The Board recommendation regarding reduction of maximum size for signage is acknowledged. However, the provision is required by the Settlement Agreement and will remain as introduced.
8. The recommendation regarding clarification on measurement of floor area for parking requirements does not require a change or clarification. "Floor area" is defined in Section 30-2 of the Borough Land Use code. That definition controls for all floor area and not just retail area.
9. The comment regarding limitation of retail and commercial uses to the first floors refers to the Standards for Area C, Code Sections 30-31.6, Multifamily Housing. The ordinance provides for 4 stories and a max of 12,500 sq. ft. of non-residential uses. This item recommendation appears to seek clarification of the intent of the concepts discussed during negotiation of the Settlement Agreement. Thus, Section 30-31.6 Development Standard for Area C – Maximum Floor Area for Non Residential Uses: 12,500 sq. ft. should be amended by the addition of the language "...limited to the first floor." This clarification is a minor change to be made prior to adoption.

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 February 27, 2017.

SEAL

Christine Demus

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:79

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
DUFFIE				✓
GRANT	✓			
GROTSKY	✓			
LANGSCHULTZ	✓			
ALONSO	✓			
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. Legal Advice – NMRA
2. Legal Advice – Recreation
3. Review of Closed Session Minutes

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 adopted by the Council of the Borough of New Milford at the meeting held on February 27, 2017.

SEAL

[Signature]

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:80

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
DUFFIE				✓
GRANT	✓			
GROTSKY	✓			
LANGSCHULTZ	✓			
ALONSO	✓			
MAYOR (lie)				

WHEREAS, the claims and accounts listed in the attached, 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 \$619,015.60.

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 February 27, 2017.

SEAL

Christine Dennis

BOROUGH OF NEW MILFORD**Bill list****FEBRUARY 27, 2017**

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
TERRI L. SMITH, MD, PA	437.50	2/14/17 3.5 HRS CHC	BOARD OF	11414
MARK D. MADAIO, ESQ.	2765.20	JANUARY, 2017 LEGAL SERVICES	LEGAL	11415
KAUFMAN, SEMERARO & LEIBMAN	2249.62	OCT., NOV., DEC., 2016 NM REDEV	LEGAL	11416
BOSWELL MCCLAVE ENGINEERING	188.00	INV.108638 1/31/17 NM668 ZB	ZONING	11417
DELTA DENTAL OF NJ. INC.	8884.78	FEBRUARY, 2017 DENTAL INS. PREMIUM	INSURANCE	11418
NORTHERN VALLEY MAYORS'	275.00	2017 ANNUAL DUES	PLANNING	11419
MICHAEL CALAMARI	80.00	1/14/17 MEAL MONEY REIMB.	PUBLIC	11420
ALAN SILVERMAN	45.00	REIMBURSE 2017 DUES IAAI	UNIFORM	11421
WILLIAM FINNIGAN	180.00	BASKETBALL REFEREE	RECREATION	11422
STEPHEN BUCKLEY	765.00	BASKETBALL REFEREE	RECREATION	11423
NATIONAL NOTARY ASSOCIATION	102.00	2017 DUES -	MUNICIPAL	11424
MUNICIPAL CLERK'S ASSOC.OF	620.00	CLERKS CONFERENCE 2017-DEMIRIS &	MUNICIPAL	11425
BERGEN/PASSAIC CTY REG.	0.00	2017 DUES-LEPAGE #2909,	MUNICIPAL	11426
BERGEN/PASSAIC CTY REG.	50.00	2017 DUES-LEPAGE #2909,	MUNICIPAL	11426
BERGEN/PASSAIC CTY REG.	25.00	2017 DUES-LEPAGE #2909,	BOARD OF	11426
BERGEN COUNTY MUNICIPAL	150.00	2017 MEMBERSHIP DUES -C. DEMIRIS,	MUNICIPAL	11427
MOORE MEDICAL, LLC	793.67	INV.83170884, 83173474 MEDICAL	BOARD OF	11428
NOVA-TECH INTERNATIONAL INC.	63.77	INV.31181 SENTRY DIGITAL VACCINE	BOARD OF	11429
METROPOLITAN	2404.19	FEBRUARY, 2017 TELEPHONE CHARGES	O/E	11430
H. NAME HOSPITAL	850.83	DEC., 2016 AMBULANCE BACKUP	FIRST AID	11431
HOLY NAME HOSPITAL	320.00	4 EMPLOYEES CHAIN OF CUSTODY TESTS	PUBLIC	11432
AM CONSULTANTS	925.00	INV. 10901 2016 FIXED ASSET	MUNICIPAL	11433
H & H WEB MANAGEMENT LLC	500.00	INV. NMPD NMPD WEBSITE CREATION	POLICE	11434
THOMSON REUTERS WEST	250.00	INV. 835521584 ONLINE MONTHLY	POLICE	11435
BERGEN COUNTY POLICE CHIEFS	350.00	2017 BCPCA ACTIVE CHIEF'S DUES	POLICE	11436
BAD DOG TEE	245.00	INV.3059 HERRERO/INV.3060 CARLINO	POLICE	11437
NORTHWEST BERGEN CENTRAL	17092.96	INV. 139 911 HANDOFF FEE	POLICE	11438
DRAEGER SAFETY DIAGNOSTICS,	179.00	INV. 91282942 ALCOTEST CALIBRATION	DDEF FUND	11439
ENFORSYS POLICE SYSTEMS INC.	900.00	INV. 8530 ENFORSYS POLICE SYSTEMS	POLICE	11440
NJ DRUG RECOGNITION EXPERT	35.00	ANNUAL MEMBERSHIP DUES-WILLIAM	POLICE	11441
DART COMPUTER SERVICES	2781.25	INV. 5334 4TH QUARTER COMPUTER	POLICE	11442
REGIONAL COMMUNICATIONS,	78.17	ACCT.17923 NUMERIC JAN - MARCH	EMERGENCY	11443
RAINBOW CLEANERS	76.00	INV, 6276 CLEANING & REPAIR OF FF	FIRE O/E	11444
NEW JERSEY FIRE EQUIPMENT	197.54	INV.52830 REPAIR 2.5 AND 5 " HOSE	FIRE O/E	11445
OLYMPIC GLOVES & SAFETY CO.	599.90	INV.684615 2 METERS CALIBRATED.	FIRE O/E	11446
STATE LINE	75.00	INV. 107735 TESTING OF EQUIPMENT	FIRE O/E	11447
STAN'S SPORT CENTER, INC.	3270.00	INV.1003882 SOCCER JERSEYS/SOCCER	RECREATION	11448
GEESE CHASERS, NORTH JERSEY	1295.66	INV.521669 GEESE CLEARING OF	RECREATION	11449
MONTAGUE TOOL & SUPPLY CO.,	512.51	INV.01-003911201, 01-58486 AIR	PUBLIC	11450
FOLEY MACHINERY CO.	1066.30	INV.1987425,1985983 BLADES FOR CAT	VEHICLE	11451
RACHLES/MICHELE'S OIL	2090.93	INV.245133 1/2/17 DIESEL FUEL	O/E GAS &	11452
RACHLES/MICHELE'S OIL	2031.10	INV.249396 112/20-12/29/16	O/E GAS &	11453
HU. DEPOT CREDIT SERVICES	563.70	ACCT.6035-3225-0294-8221	PUBLIC	11454
AMERICANWEAR INDUSTRIAL	35.60	ACCT. 2176 JANUARY UNIFORMS	PUBLIC	11455
AMERICANWEAR INDUSTRIAL	825.50	ACCT. 2174, 2175 JANUARY UNIFORMS	PUBLIC	11456
P & A AUTO PARTS	1696.61	16 INVOICES	VEHICLE	11457
GEESE CHASERS, NORTH JERSEY	1295.66	INV.521683 2/1/17 FEB, GEESE	RECREATION	11458

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
JOHNNY ON THE SPOT, LLC	513.60	INV.258000 1/4/17 PORTABLE TOILETS	RECREATION	11459
MICRO SYSTEMS-NJ.COM,L.L.C.	2438.31	INV.12117 1/22/17 POSTCARD	ASSESSMENT	11460
INTERBORO MUTUAL FIRE AID	500.00	2017 DUES	FIRE O/E	11461
PDR DISTRIBUTION, LLC	179.85	INV.73412131 PHYSICIANS' DESKS	POLICE	11462
JEN STYLES	5812.15	INV.77718, 78568, 78583, 77129 T	RECREATION	11463
JOSEPH SMENTKOWSKI, INC.	32433.33	JANUARY 2017 GARBAGE	GARBAGE &	11464
RAPID PUMP & METER	285.00	INV.RIRI33071 JANUARY MONTHLY	PUBLIC	11465
CLEAN MAT SERVICES LLC	198.80	INV.199224 DECEMBER ,AT SERVOCE	PUBLIC	11466
DORCHESTER MANOR	1500.00	1ST QTR 2017 GARBAGE REIMBURSEMENT	GARBAGE &	11467
DELUXE INTERNATIONAL TRUCKS	356.99	INV.546975, 548888 TRUCK PARTS	VEHICLE	11468
N.J. PLANNING OFFICIALS	185.00	ZB/PB DUES 2017	PLANNING	11469
N.J. PLANNING OFFICIALS	0.00	ZB/PB DUES 2017	ZONING	11469
N.J. PLANNING OFFICIALS	185.00	ZB/PB DUES 2017	ZONING	11469
SERV PRO OF	1014.64	INV.5146885 CLEAN REC BUILDING	PUBLIC	11470
ZIPP TANNENBAUM & CACCAVELLI	3122.00	RE-ISSUE 2013 & 2014 TAX COURT	TAX	11471
NORTHWEST BERGEN CENTRAL	7282.80	IST QTR FIRE A& EMS DISPATCH FEE	POLICE	11472
OPTIMUM	240.87	FEBRUARY, 2017 CABLE CHARGES	MUNICIPAL	11473
OPTIMUM	4.32	FEBRUARY, 2017 CABLE CHARGES	POLICE	11473
OPTIMUM	123.97	FEBRUARY, 2017 CABLE CHARGES	PUBLIC	11473
OPTIMUM	100.58	FEBRUARY, 2017 CABLE CHARGES	RECREATION	11473
OPTIMUM	0.00	FEBRUARY, 2017 CABLE CHARGES	O/E	11473
OPTIMUM	104.85	FEBRUARY, 2017 CABLE CHARGES	O/E	11473
NORTH JERSEY MEDIA GROUP	402.57	AD#4101098 ACCT#1101720 NOV.,	MUNICIPAL	11474
NORTH JERSEY MEDIA GROUP	1013.52	JAN., 2017 LEGAL ADVERTISING	MUNICIPAL	11475
SUEZ WATER NEW JERSEY	15596.31	FEBRUARY, 2017 HYDRANT CHARGES	O/E WATER	11476
VERIZON	245.69	FEBRUARY, 2017 CHARGES	O/E	11477
NORTHEAST TALENT SOLUTIONS	1134.00	INV.3828 FEBRUARY	RECYCLING	11478
ROTONDI & SONS, INC.	725.00	INV.310785 JANUARY 2017 BRUSH	RECYCLING	11479
P & A AUTO PARTS	833.09	12 INVOICES	VEHICLE	11480
V.E. RALPH & SON, INC.	190.70	INV.333652 MEDICAL SUPPLIES	POLICE	11481
WAYNE MARKETING ASSOCIATES	125.00	FEBRUARY 2017 BRAIN	SENIOR	11482
HASMIG MEKJIAN	462.00	FEB. 2017 'TAI CHI INSTRUCTION FOR SENIOR		11483
WB MASON CO., INC.	63.36	INV.41762286 2/14/17 MISC OFFICE	MUNICIPAL	11484
WB MASON CO., INC.	73.83	INV.141417360 MISC OFFICE SUPPLIES	MUNICIPAL	11485
KEVIN P. KELLY, ESQ.	6041.64	INV.11777 JAN. 2017 BORO ATTORNEY	LEGAL	11486
HOLY NAME HOSPITAL	850.83	INV.2017 NM-0002 JAN. AMBULANCE	FIRST AID	11487
NORTHEAST TALENT SOLUTIONS	2332.00	INV.3805, 3778 FEB. 2017 RECYCLING	RECYCLING	11488
NEW JERSEY FIRE EQUIPMENT	162.00	INV.53272 REPAIR SCOTT AMPS.	FIRE O/E	11489
AMERICAN HEART ASSOCIATION	75.00	DONATION IN MEMORY OF MARYANN	MUNICIPAL	11490
LERCH, VINCI & HIGGINS, LLP	3500.00	INV.#29439 PREPARE UNAUDITED	FINANCIAL	11491
VERIZON SECURITY SUBPOENA	100.00	INV.2016223466 EMERGENCY TRACE	O/E	11492
KIM RINGLER, ESQ.	637.50	TAX APPEAL ATTY FEES - JAN 2017	LEGAL	11493
DB HEATING & COOLING, INC.	4500.00	INV.9319807 REC BLDG REPLACEMENT	PUBLIC	11494
AUTOMOTIVE BRAKE CO.	102.24	INV.1628566 CREDIT 1628995-PARTS	VEHICLE	11495
RAPID PUMP & METER	1145.71	INV.RSR153527 EMERGENCY SERVICE	PUBLIC	11496
NORTHEAST GAS SERVICES	464.12	INV.292926, 24845, 293207, 293329	VEHICLE	11497
ADRIANA TRUJILLO	0.00	REFUND 17-06M 2/27/17 MARRIAGE FEE	MRNA-MISCEL	11498
ADRIANA TRUJILLO	25.00	REFUND 17-06M 2/27/17 MARRIAGE FEE	MRNA-MISCEL	11498
ADRIANA TRUJILLO	50.00	REFUND 17-06M 2/27/17 MARRIAGE FEE	MAYOR &	11498
SOCCER COLISEUM	2085.00	INV 6179,6180, 6201 SOCCER LEAGUE	RECREATION	11499
LOLN FINANCIAL	54327.00	2016 LOSAP QUALIFYING PARTICIPANTS	FIRE -	11500
PAYROLL	2053.09	FEBRUARY 16 - FEBRUARY 28, 2017	RECEIVABLE:	11501
PAYROLL	1925.00	FEBRUARY 16 - FEBRUARY 28, 2017	GENERAL	11501
PAYROLL	9579.97	FEBRUARY 16 - FEBRUARY 28, 2017	MUNICIPAL	11501
PAYROLL	7854.67	FEBRUARY 16 - FEBRUARY 28, 2017	COLLECTION	11501

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
PAYROLL	1387.10	FEBRUARY 16 - FEBRUARY 28, 2017	ASSESSMENT	11501
PAYROLL	875.52	FEBRUARY 16 - FEBRUARY 28, 2017	ASSESSMENT	11501
PAYROLL	30.00	FEBRUARY 16 - FEBRUARY 28, 2017	ZONING	11501
PAYROLL	5510.44	FEBRUARY 16 - FEBRUARY 28, 2017	CODE	11501
PAYROLL	943.64	FEBRUARY 16 - FEBRUARY 28, 2017	POLICE	11501
PAYROLL	5457.39	FEBRUARY 16 - FEBRUARY 28, 2017	POLICE	11501
PAYROLL	5963.75	FEBRUARY 16 - FEBRUARY 28, 2017	POLICE	11501
PAYROLL	3666.63	FEBRUARY 16 - FEBRUARY 28, 2017	POLICE	11501
PAYROLL	154956.69	FEBRUARY 16 - FEBRUARY 28, 2017	POLICE	11501
PAYROLL	520.14	FEBRUARY 16 - FEBRUARY 28, 2017	UNIFORM	11501
PAYROLL	9150.44	FEBRUARY 16 - FEBRUARY 28, 2017	PUBLIC	11501
PAYROLL	64383.57	FEBRUARY 16 - FEBRUARY 28, 2017	PUBLIC	11501
PAYROLL	650.00	FEBRUARY 16 - FEBRUARY 28, 2017	PUBLIC	11501
PAYROLL	1733.76	FEBRUARY 16 - FEBRUARY 28, 2017	RECYCLING	11501
PAYROLL	3725.22	FEBRUARY 16 - FEBRUARY 28, 2017	PUBLIC	11501
PAYROLL	5300.80	FEBRUARY 16 - FEBRUARY 28, 2017	BOARD OF	11501
PAYROLL	2083.33	FEBRUARY 16 - FEBRUARY 28, 2017	RECREATION	11501
PAYROLL	975.00	FEBRUARY 16 - FEBRUARY 28, 2017	RECREATION	11501
PAYROLL	5955.03	FEBRUARY 16 - FEBRUARY 28, 2017	SENIOR	11501
PAYROLL	0.00	FEBRUARY 16 - FEBRUARY 28, 2017	LIBRARY	11501
PAYROLL	23556.67	FEBRUARY 16 - FEBRUARY 28, 2017	LIBRARY	11501
PAYROLL	7111.15	FEBRUARY 16 - FEBRUARY 28, 2017	MUNICIPAL	11501
PAYROLL	861.00	FEBRUARY 16 - FEBRUARY 28, 2017	TITLE III -	11501
PAYROLL	4519.63	FEBRUARY 16 - FEBRUARY 28, 2017	SOCIAL	11502
PAYROLL	9820.01	FEBRUARY 16 - FEBRUARY 28, 2017	SOCIAL	11503

Total fund: 01 Current 554612.76

Total Bill List: 554612.76

BOROUGH OF NEW MILFORD

Bill list

FEBRUARY 27, 2017

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
OLYMPIC GLOVES & SAFETY CO.	795.00	INV. 684614 GX2 ELECTRIC CYLINDER	2016	1714
KEY-TECH	1415.00	INV.#45922 BLVD. SECTION VII	2015	1715
HOME DEPOT CREDIT SERVICES	1866.38	7 INVOICES ACCT 6035322502948221	2016	1716
JEREMIAH M. NOLAN	3000.00	INV.306 REPAIRS TO FIREHOUSE	2016	1717
DB HEATING & COOLING, INC.	13600.00	INV.93150 INSTALL NEW HVAC AT DPW	2016	1718
DB HEATING & COOLING, INC.	34800.00	INV.92913 REPLACE HVAC UNITS	2015	1719
MUNICIPAL EMERGENCIES	2884.00	INV.1105030 J-TEK MEGABLAST 2 SET	2016	1720
DB HEATING & COOLING, INC.	1600.00	INV.9319808 MOVEO HEATER FOR BLDG	2016	1721
WILFRED MAC DONALD INC.	472.00	INV.234854 9/30/16 GRASS CATCHER	2016	1722

Total fund: 04 CAPITAL 60432.38

Total Bill List: 60432.38

BOROUGH OF NEW MILFORD

Bill list

FEBRUARY 27, 2017

Combined ANIMAL CONTROL 13

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
CAROL CARBERRY	200.00	PROF.SVCS FOR 2/11/17 RABIES	RES'V FOR	1089
ERICA ARBORN	100.00	PROF.SVCS FOF 2/11/17 RABIES	RES'V FOR	1090
BOROUGH OF NEW MILFORD	291.87	REIMBURSE CURRENT ACCT-L. PALMA	RES'V FOR	1091
BOROUGH OF NEW MILFORD	161.56	REIMBURSE CURRENT ACCT-J.LEPAGE	RES'V FOR	1092
Total fund: 2930 RES'V FOR ANIMAL CTRL EXPENSE				753.43
Total Bill List:	753.43			

BOROUGH OF NEW MILFORD

Bill list

FEBRUARY 27, 2017

Combined DEVELOPERS TRUST 14

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
AVIVA AND LEE GORIN	457.65	REFUND BALANCE OF ESCROW	DEVELOPERS	1609
VANESSA PITCH	200.43	REFUND BALANCE OF ESCROW	DEVELOPERS	1610
BOSWELL MCCLAVE	291.00	INV.108640 1/31/17 NMES444 ESCROW-	DEVELOPERS	1611
BOSWELL MCCLAVE	388.00	INV.108643 1/31/17 NMES679 ESCROW	DEVELOPERS	1612
BOSWELL MCCLAVE	194.00	INV.108641 1/31/17 NMES672	DEVELOPERS	1613
BOSWELL MCCLAVE	679.00	#108642 1/31/17 NMES678	DEVELOPERS	1614
Total fund: 2940 DEVELOPERS ESCROW				2210.08
Total Bill List:	2210.08			

BOROUGH OF NEW MILFORD

Bill list

FEBRUARY 27, 2017

Combined RECREATION COMM TRUST 18

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
FLAG HOUSE	1006.95	INV.72632901016 INDOOR SOCCER	RES'V FOR	1656
Total fund: 2930 RES'V RECREATION COMM EXPENSES				1006.95
Total Bill List:		1006.95		

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:81

Offered by: 488

Seconded by:

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
DUFFIE				✓
GRANT	✓			
GROTSKY	✓			
LANGSCHULTZ	✓			
ALONSO	✓			
MAYOR (tie)				

WHEREAS Vanessa Pitch, 549 Boulevard, New Milford, NJ, 07646, made an application to the Zoning Board of Adjustment and was granted approval ; and

WHEREAS, Vanessa Pitch, was issued a permit #1607-08; and established an escrow account for the Board Engineer to review the plans: and

WHEREAS, Vanessa Pitch has completed the construction and passed all the final inspections;

WHEREAS, Vanessa Pitch, 549 Boulevard, New Milford, NJ, 07646, has asked for the remainder of escrow fee to be refunded as per the enclosed letter; and

WHEREAS, Vanessa Pitch, 549 Boulevard, New Milford, NJ, 07646, is now due a refund of the escrow fee money, for the full the amount of \$200.43.

NOW THEREFORE BE IT RESOLVED that the Building Department return to Vanessa Pitch, 549 Boulevard, New Milford, NJ, 07646, the sum of \$200.43 as a refund of the escrow fee money held for this application.

Building Department – construction Permit #1607-08

ACCOUNT: Pitch #14-2940 \$200.43

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 February 27, 2017.

Christine Demus

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:83

Offered by H88.....

Seconded by: [Signature].....

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	/			
DUFFIE				/
GRANT	/			
GROTSKY	/			
LANGSCHULTZ	/			
ALONSO	/			
MAYOR (tie)				

Resolution to Authorize 2016 LOSAP Qualifying Participants

WHEREAS, N.J.S. 5:30 et. seq. allows municipalities to create a length of service program for volunteer fire and first aid organizations; and

WHEREAS, on November 7, 2000, a referendum to establish a Length of Service Award Program was approved by the voters of the Borough of New Milford; and

WHEREAS Borough of New Milford Ordinance 2000:06 was adopted on June 26, 2000 establishing the Borough of New Milford Length of Service Award Program; and

WHEREAS a Length of Service Award Program (LOSAP) was established to provide tax-deferred income benefits to active volunteer members of the Borough of New Milford's Volunteer Fire Department and Volunteer Ambulance Corps; and

WHEREAS, the 2016 year of active emergency service has been completed and all qualifying volunteer fire department and first aid participants has been calculated in accordance with N.J.S. 5:30 et. seq.; and

WHEREAS, the Chief of the Volunteer Fire Department and the Captain of the Volunteer Ambulance Corp have certified that the volunteers on the attached roster have satisfied the minimum requirements of participation established by the Borough of New Milford LOSAP on a consistent and uniform basis; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of New Milford approves the 2016 Qualifying Volunteer Fire Department and Volunteer Ambulance Corps roster as attached; and

BE IT FURTHER RESOLVED the 2016 Qualifying Volunteer Fire Department and Volunteer Ambulance Corps roster hereby be posted at the Municipal Clerks Office, each Fire Company, and the Ambulance Corps Building.

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 February 27, 2017.

Christine Demaris

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:84

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
DUFFIE				✓
GRANT	✓			
GROTSKY	✓			
LANGSCHULTZ	✓			
ALONSO	✓			
MAYOR (lie)				

CONSTRUCTION DESIGN IMMUNITY

WHEREAS, N.J.S.A. 59:4-6 provides in pertinent part that neither the public entity nor a public employee is liable for an injury caused by the plan or design of public property or any improvement thereto where the plan or design was approved in advance of construction by the Mayor and Council or a public employee exercising discretionary authority on its behalf or where such plan or design was prepared in conformity with standards previously approved by the Mayor and Council; and

WHEREAS, the following improvement to public property has been designed by Robbie Conley Architect, LLC; and

WHEREAS, the Mayor and Council wishes to record its approval of said design.

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

1. Plans and specifications entitled the New Milford Police Department prepared by Robbie Conley Architect, LLC, dated April 25, 2016 be, and hereby are approved.
2. Upon the completion of the improvements described herein above, Robbie Conley Architect, LLC shall inspect said improvement and certify to the Mayor and Council, before final payment is made for same that said improvement has been constructed in accordance with the above referenced design.
3. The Borough Clerk shall archive this Resolution in a manner consistent with the purpose of perpetually documenting governmental immunity in the event of any claim based upon the plan, design or construction of the improvement.

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 February 27, 2017.

SEAL

[Signature]

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:85

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
DUFFIE				✓
GRANT	✓			
GROTSKY	✓			
LANGSCHULTZ	✓			
ALONSO	✓			
MAYOR (lie)				

RAFFLE/BINGO LICENSE

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

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

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

<u>APPLICANT</u>	<u>TYPE OF LICENSE</u>	<u>DATE/TIME/PLACE</u>	<u>LICENSE #</u>
New Milford Woman's Club	On Premise 50/50	March 29, 2017 9:00pm	2017:07

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 February 27, 2017.

[Signature]

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017: 86

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
DUFFIE				✓
GRANT	✓			
GROTSKY	✓			
LANGSCHULTZ	✓			
ALONSO	✓			
MAYOR (tie)				

WHEREAS, Adriana Trujillo, 99 Keasler Avenue, Lodi, NJ 07644 paid a \$75.00 fee for the Mayor to officiate at a wedding ceremony scheduled to take place on February 27, 2017; and

WHEREAS, Adriana Trujillo, has cancelled the wedding ceremony scheduled for February 27, 2017; and

WHEREAS, Adriana Trujillo has requested a refund of the \$75.00 fee.

NOW THEREFORE BE IT RESOLVED that the New Milford Health Department return to Adriana Trujillo, 99 Keasler Avenue, Lodi, NJ 07644, \$75.00 as a refund of the fee for the Mayor to officiate at the wedding ceremony.

HEALTH DEPARTMENT – Marriage License 17-06M

01-2010-20-1101-136 \$50.00

01-1940-00-0000-001 \$25.00

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 February 27, 2017.

Christine Demusis

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017-87

Offered by: H88

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
DUFFIE				✓
GRANT	✓			
GROTSKY	✓			
LANGSCHULTZ	✓			
ALONSO	✓			
MAYOR (tie)				

BE IT RESOLVED by the Mayor and Council of the municipality of New Milford that application is made to the Commissioner of Transportation for aid under the New Jersey Trust Fund Authority Act, Local Aid Infrastructure Trust program for:

**BALDWIN AVENUE & COLUMBIA STREET DRAINAGE
IMPROVEMENTS**

WHEREAS, the Council has determined that such application(s) should be prepared by Capital Alternatives Corporation, the grants specialists engaged by the municipality for assistance in such matters.

RESOLVED, that Capital Alternatives Corporation is authorized to prepare, assemble, and submit the necessary documentation on behalf of the municipality of New Milford for the stated project(s).

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 February 13, 2017.

SEAL

Christine Demusis

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:88

Offered by: 

Seconded by: 

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
DUFFIE				✓
GRANT	✓			
GROTSKY	✓			
LANGSCHULTZ	✓			
ALONSO	✓			
MAYOR (tie)				

WHEREAS, the Superior Court of New Jersey, County of Bergen, has instituted a policy which requires appointment, on a provisional basis, of an Acting Municipal Court Administrator to undertake court duties when the Municipal Court Administrator is out on scheduled and/or unscheduled leave of absence; and

WHEREAS, the policy is designed to satisfy statutory obligations of each municipal court to meet the requirements of Criminal Justice Reform; and

WHEREAS, the Administrator provisionally appointed as an Acting Municipal Court Administrator shall be a Municipal Court Administrator in another Bergen municipal court, who is fully accredited with certification in good standing; and


WHEREAS, Beryl Horbert, Court Administrator, Borough of Dumont and Susan Stucke, Court Administrator, Borough of New Milford have agreed to serve as the Acting Court Administrator for the other when either is out on scheduled and/or unscheduled leave of absence; and

WHEREAS, the Superior Court of New Jersey, County of Bergen has provided a Consent and Agreement which requires the signature of the Mayor of each municipality.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of New Milford hereby authorize Mayor Subrizi to sign the Consent and Agreement and further authorize the Borough Clerk to attest to the same.

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 February 27, 2017.

SEAL



BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:89

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
DUFFIE				✓
GRANT	✓			
GROTSKY	✓			
LANGSCHULTZ	✓			
ALONSO	✓			
MAYOR (lie)				

WHEREAS, the Mayor and Council of the Borough of New Milford have allocated funding for the 2016 Road Program via capital ordinance 2016:10 for this purpose; and

WHEREAS, the Mayor and Council have authorized Boswell Engineering to provide inspection services for the 2016 Road Program at a cost not to exceed \$30,000; and

WHEREAS, the cost of inspection services is based upon the cost of construction which totaled \$338,674.89;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of New Milford hereby authorize an additional \$5,000 to Boswell Engineering to cover the cost of the inspection services for the 2016 Road Program.

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.

I, Diana McLeod, Chief Financial Officer of the Borough of New Milford certify that sufficient funds exist for this purchase in account number 04-2150-16-0010-101.

[Signature]
Diana McLeod

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 February 27, 2017.

SEAL

[Signature]

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

RESOLUTION

No. 2017:90

Offered by: WSS

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY				
DUFFIE				
GRANT				
GROTSKY				
LANGSCHULTZ				
ALONSO				
MAYOR (lie)				

**RESOLUTION AUTHORIZING THE
NEW MILFORD POLICE DEPARTMENT TO
REQUEST / PARTICIPATE IN THE
U.S. DEPARTMENT OF DEFENSE (DoD)
"1033-PROGRAM"**

WHEREAS, the U.S. Department of Defense ("DoD") 1033 Program permits the Secretary of Defense to transfer excess DoD supplies and equipment to state and local Law Enforcement Agencies for use in their Law Enforcement duties; and

WHEREAS, this property is procured at no cost to the agency with the exception of any shipping or transportation costs, and includes office supplies, clothing, and support items including; safety equipment, rescue equipment, counter-drug and terrorism equipment, disaster response / flood mitigation equipment, tactical gear, vehicles including high water rescue / all-terrain, watercraft, and vision enhancement equipment; and

WHEREAS, Senate Bill No. 2364-1(a) recently enacted by the New Jersey Legislature as P.L. 2015 chapter 23, requires that all local or county Law Enforcement Agencies wanting to apply to the 1033 Program, be approved by Resolution by a majority of the full membership of the governing body of that jurisdiction and the said DLA requires that application for Program be submitted every 365 days; and

WHEREAS, the State Coordinator then facilitates the agency's application process with the Federal Law Enforcement Support Office; and

WHEREAS, the Borough of New Milford Mayor and Council at its February 27, 2017 meeting reviewed this matter and is recommending it to the New Milford Police Department; and

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:90

Offered by:.....

Seconded by:.....

NOW, THEREFORE, LET IT BE RESOLVED, by the Council of the Borough of New Milford that the Director of the New Milford Police Department, or the designated representative thereof, is hereby authorized to solicit the State Coordinator to participate in the DoD 1033 Program; and

BE IT FURTHER RESOLVED, that the New Milford Police Department is hereby authorized to seek supplies and equipment from various DoD Demilitarization Codes "Demil A" through "Demil Q".

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 February 27, 2017.

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:91

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DUFFIE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GRANT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GROTSKY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LANGSCHULTZ	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ALONSO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MAYOR (lie)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, N.J.S.A. 40A:4-59 permits transfer of funds from January 1st through March 31st for prior years appropriations;

BE IT RESOLVED, by the Governing Body of the Borough of New Milford, that the following appropriation transfers from reserves, affecting the 2016 Local Municipal Budget Year, be approved:

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

TRANSFERS TO:

Municipal Clerk	01-2030-20-1201	\$350.00
Tax Assessor	01-2030-20-1501	\$500.00
Municipal Court	01-2030-43-4911	\$450.00
Recreation O/E	01-2030-28-3702	<u>\$25,000.00</u>
		\$26,300.00

TRANSFERS FROM:

S&W Adjustment	01-2030-35-4650	\$6,300.00
Garbage & Trash	01-2030-26-3052	<u>\$20,000.00</u>
		\$26,300.00

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 February 27, 2017.

Cristine Demaris

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:92

Offered by Ms. J. Grady.....

Seconded by:.....

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
DUFFIE				✓
GRANT	✓			
GROTSKY	✓			
LANGSCHULTZ	✓			
ALONSO	✓			
MAYOR (tie)				

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless, ("Verizon Wireless"), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

WHEREAS, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon Wireless may use such poles erected within the public right-of-way in the Borough of New Milford; and

WHEREAS, New Jersey law permits such use provided that there is the consent of the relevant municipality;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of New Milford, County of Bergen, State of New Jersey that:

STATEMENT

This resolution authorizes Verizon Wireless, and its successors and assigns, to use existing poles erected within the public right-of-way of the Borough of New Milford by parties that have the lawful right to maintain existing poles.

1. Permission and authority are hereby granted to Verizon Wireless, and its successors and assigns, to use existing poles erected by parties that have the lawful right to maintain such existing poles within the public right-of-way in the Borough of New Milford, subject to the following:
 - A. Verizon Wireless, and its successors and assigns, shall provide the Borough of New Milford with proof of consent to use the existing poles, from the party that erected said Poles.
 - B. Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way.

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:92

Offered by:.....

Seconded by:.....

- C. Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State, and Local laws requiring permits prior to beginning construction on existing poles, and shall obtain any applicable permits that may be required by the Borough of New Milford.
- D. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Borough of New Milford, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy of the existing poles located within the public right-of-way, except to the extent resulting from the acts or omissions of the Borough of New Milford.
- E. Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$5,000,000 for injury to or death of one or more persons in any one occurrence and \$1,000,000 for damage or destruction to property in any one occurrence. Verizon Wireless shall include the Borough of New Milford as an additional insured.
- F. Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.
- G. Notwithstanding any provision contained herein, neither the Borough of neither New Milford nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.
- H. This instrument shall be adopted on behalf of the Borough of New Milford by the Borough Council of the Borough of New Milford and attested to by the Borough of New Milford Clerk who shall affix the Borough of New Milford Seal thereto.
- I. The permission and authority hereby granted does not include the authority to install any additional poles of additional equipment or property in the right of way and may continue for the same period of time as the grant to parties whose poles Verizon Wireless is using.

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 February 27, 2017.

SEAL

Christine Demusis