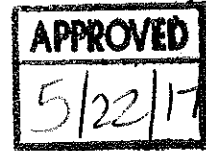


**MINUTES
BOROUGH OF NEW MILFORD
7:00 PM WORK SESSION
Monday, May 8, 2017**



WORK SESSION:

Mayor Subrizi read the Open Public Meeting and Mission Statements.

Councilwoman Thea Sirocchi-Hurley	Present
Councilwoman Randi Duffie	Present
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 Grotsky made a motion to go into closed session. Councilwoman Duffie seconded the motion. The motion carried. All present in favor, none opposed. Time 7:07 PM.

CLOSED SESSION:

1. Current Litigation – Henry v. New Milford
2. Current Litigation – New Milford v. Kilarjian
3. Legal Advice – Recreation JIF Claim
4. Review of Closed Session Minutes

Council President Grant made a motion to return to open session. Councilwoman Sirocchi-Hurley seconded the motion. The motion carried. All present in favor, none opposed. Time 7:29 PM.

OPEN SESSION:

1. Sculpture Garden at Library

Council President Grant introduced Ulla Novina of Sculpture Affiliates. Ms. Novina works with the Art Center of Northern NJ and has previously met with the Library Board of Trustees with regard to locating sculptures on Library property. Ms. Novina said the Borough of Leonia has forty pieces located throughout their borough. Ms. Novina said she has proposed seven pieces for the New Milford Library property; some would be donated to the town and others would be on loan. She said Sculpture Affiliates would raise money to cover the insurance deductible should there be an insurable event. She said if approved she would like to have a reception when the installation is complete.

Councilman Alonso asked about the size of the sculptures and if they would all be located outside. He noted the significant number of children that play on the property. He was advised that they are all being proposed for outside.

Members of the Council asked for pictures of the sculptures being proposed. Ms. Novina said she would forward pictures for the Council's review. The matter will be relisted for discussion and a determination at the next meeting.

2. Field Committee Recommendation

Mayor Subrizi thanked the committee for the comprehensive report. She referenced the mention of the Suez property and suggested it should have been given greater consideration in the report.

Mr. Adelung said the committee included the Suez property with the assumption that high school sports would be played there and that Recreation would have limited evening use of the field. He said also that the committee had limited information on the property and did not want to include anything that was not certain. He said the property could be given additional consideration if the committee could have a copy of the settlement agreement.

Mayor Subrizi said it is important for everyone to understand the Suez field will be a Recreation field first with use granted to the Board of Education. She said this field could be developed within a short period of time and could be used for all football. She said the possibility of a turf field at both the Suez property and at Kennedy Field could be a burden on taxpayers.

Ms. Calderon said the report is a draft and additional information, with regard to the Suez property, can be added. She said the committee's mission was very narrow in that they were charged with addressing proposed improvements at Kennedy Field. She said the committee discussed the possibility of ending up with two turf fields and it did not change the committee's recommendation to install turf at Kennedy Field.

Mr. Adelung said the committee was aware that there would be a settlement with Suez but it did not change the committee's position of installing turf at Kennedy Field because of the number of children that could be served by the improvement to Kennedy Field.

Mayor Subrizi said soccer and football are more suited to turf than softball and baseball, which she said are grass sports. She suggested doing turf at Suez for soccer and football and keeping grass at Kennedy, which would serve everyone.

Councilman Alonso said when the Field Committee decided upon Kennedy Field in 2015 the Borough had not even started negotiations with NMRA. He said the consensus at the time was to analyze the existing fields. He said there has been a change in circumstance since then. He said Mr. Adelung has made the assumption that the Suez field will be a BOE field; it will not. He said he agrees with Ms. Calderon that the committee's hands were tied. He said they should have considered all of the fields in town, not just Kennedy Field. Councilman Alonso said the estimated cost for the improvements to Kennedy Field is \$2.6 million with the possibility of \$600,000 in grants, which would leave \$2 million in expense to the Borough. He said we will have a graded field with drainage and parking at the Suez property and the estimated cost to install a turf field is \$1.3 million. He said we will be receiving \$825,000

from the developer, which means we would need just \$500,000 to complete the field. He said Junior Football could use the field at the Suez property which would reduce the overuse of Kennedy Field. Councilman Alonso said members of the public are going to ask if the Council considered everything; he said the Council needs the Field Committee's analysis to include the Suez property. He said if after there is a full analysis there are still the same concerns regarding capacity he may support the proposal for a turf field at Kennedy. He said the Council needs to remand the matter back to the committee and expand the scope of their analysis. He said the report also did not contain the schedule of practices.

Council President Grant said the report is a working document; the committee will be meeting again later this week and will address the comments raised by the Council.

Mayor Subrizi said the Council will need to decide whether the Suez field will be grass or turf prior to it being graded. Councilman Alonso said the decision will need to be made in the short term as the property will need to be graded prior to it being deeded to the Borough.

Council President Grant asked if the committee's report could be posted to the Borough website. Councilwoman Langschultz suggested that it should not be posted until it is in the final form. All agreed not to post at this time.

Councilwoman Langschultz reviewed sections of the report she either had questions on or thought needed additional clarification. She asked about use of the field during "fall ball." Mr. Adelung said in the event that either Little League or softball decide to hold fall ball, football and soccer would have priority at Kennedy Field. Councilwoman Langschultz asked for additional information on the softball program to be incorporated into the report. Councilwoman Langschultz asked to have the number of participants in spring soccer for 2015 added to the report. She asked for additional clarification on the conflicts between softball and soccer at Williams Field. Councilwoman Langschultz said that the report indicates that most of Little League's budget goes toward maintaining the field. She said according to their lease they are supposed to be maintaining the field. She asked for more information on Little League's expenses to maintain Connelly Field. Councilwoman Langschultz asked if the cost of the power rake has been included in the estimate and if the Borough has a vehicle capable of towing the rake. Mr. Adelung answered affirmatively to both questions. She asked if the committee could provide a side by side analysis of the maintenance of grass vs. turf. Mr. Adelung said they could and asked the Administrator to provide the benefit rate for a DPW Laborer. Councilwoman Langschultz said the report references fields in other towns but none have gone through the process of replacement; she asked for information from a town who is going through that process with regard to the issues they are facing. Councilwoman Langschultz said the report includes a letter from the New Milford School district that indicates a partnership. Mr. Adelung said the letter will be pulled from the report as there is no agreement in place.

Mayor Subrizi said the report indicates that NMJFL is funded by fees, sponsorship and fundraising. She asked if this includes the money raised by the snack stand. Mr. Adelung said that it does. She asked if NMJFL leases the property from the Borough. Mr. Adelung said that NMJFL does not; the field is used with permission from Recreation but the buildings

are maintained by NMJFL. Mayor Subrizi asked when the travel soccer New Milford Futbol Club started. Ms. Henyecz said it started three years ago. Mayor Subrizi asked if it coincided with the surge in soccer participation. She was advised that there was always a travel team it was just under a different league.

Councilwoman Sirocchi-Hurley noted that the Institute for Educational Achievement was not included in the list of private schools outlined in the report. Mr. Adelung said he thought the school was strictly for adults. He was advised that it currently serves preschool through the age of eighteen.

Councilman Alonso said one of the committee's concerns was for the safety of the children. He said the elimination of a scoreboard, trees, fencing and bleachers will reduce the protection afforded to the softball field from the baseball field. He asked about engaging someone to comment on the minimum distances required to maintain safety on the fields. Mr. Adelung said that safety netting has been part of the discussions with the committee.

Mayor Subrizi said the Council would look forward to the committee's continued work. Mr. Adelung said they would be meeting again this week and asked if the Council had any additional questions or comments that they forward them prior to the meeting.

3. Environmental Commission

Councilman Grotsky said the Environmental Commission recently voted to ask the Council to pass an ordinance to prohibit the release of balloons into the atmosphere. He then introduced Lauren Maehrlein, Chairperson of the Environmental Commission. Ms. Maehrlein said balloon launches are silly, wasteful and destructive. She presented the Council with three ordinances from towns that have already enacted this prohibition. She said eight states, including New Jersey, already restrict the release of balloons. She said New Jersey allows for the release of up to 25 balloons. She said the ordinance proposed would not be a burden to anyone and she provided the Council with a list of things that could be done instead of a balloon launch such as blowing bubbles or lighting candles.

Councilwoman Duffie asked to relist the matter for the next work session to give the Council time to review the sample ordinances.

The matter will be relisted for the June work session.

4. No Knock List Proposal

The Administrator explained that the recommendation came from Sgt. LaMorges of the New Milford Police Department. She said Sgt. LaMorges provided a copy of a similar ordinance from Oradell and suggested that it could be beneficial to the residents of New Milford and would cut down on calls to the Police Department. The Administrator said that residents would register with the Borough Clerk and their name would be put on a list that would be given to solicitors at the time of application. Residents would be given a decal to indicate they are on the "no knock" list.

Council President Grant asked how this ordinance would affect campaigning. Mr. Kelly said it would be addressed in the framing of the ordinance. It was also noted that it would only apply to those canvassers who are required to obtain a solicitor's permit.

Councilman Alonso said his concern is that the enforcement would put a burden on the police department. Mayor Subrizi suggested the decal would act as a deterrent.

Council President Grant and Councilman Grotsky asked for more information from the Police Department with regard to the number of complaints received.

The Administrator will request additional information from the Police Department and the matter will be relisted for the next work session.

5. Borough Property – Block 904 Lot 30

Mr. Kelly said the property referenced is the Borough owned property adjacent to the former Perrone Farms. He said the new owner has asked if the Borough would have any interest in selling the property. Mr. Kelly said the Borough owns the property in fee pursuant to the sale of a tax sale certificate in the 1930's. He said as such the property would have to be sold at auction.

Mayor Subrizi said she would like to see the property continue to be farmed.

Councilwoman Sirocchi-Hurley asked if the property is subject to a conservation easement. She was advised that it is not.

Mr. Kelly said the property can be used in any way permitted for the zone if the Borough were to sell it. He said if the Council is interested in auctioning the property we should start the procedure to do so; he said if there is no interest in auctioning the property it should be fenced. The Council discussed whether or not the property could be developed. It was noted that there is currently no access and there is a creek that runs through the property. It was noted however that this would not preclude someone from asking the town to vacate the paper street.

Council President Grant and Councilwoman Duffie said they are in favor of auctioning the property and would like for Mr. Kelly to take the next step to move in that direction.

Councilwoman Langschultz asked if it could be developed if it is auctioned. Mr. Kelly said that it is possible the property could be developed.

Councilwoman Sirocchi-Hurley said she is in favor of auctioning the property. Councilman Grotsky said he is in favor of taking the next step to auction. Councilman Alonso and Councilwoman Langschultz said they are not in favor of auctioning the property.

Mr. Kelly said he would move forward to gather additional information on auctioning the property.

6. Ordinance 18-4 Construction of Concrete Curbs, Sidewalks and Driveways

Mr. Kelly summarized a question raised by a resident who was told she would need to install a concrete apron prior to the issuance of a certificate of occupancy for resale. He said he reviewed the matter and provided the Zoning Officer with an opinion that the property could not comply with the requirement. He additionally noted, that although we have consistently required the installation of a concrete apron as a condition of the issuance of a certificate of occupancy for resale, the ordinance, as written, does not support this policy. He suggested the ordinance should be modified and provided the Council with the proposed modification.

The Council agreed the ordinance should be modified. The ordinance will be prepared for introduction at the next meeting.

7. Recreation Commission

Mayor Subrizi said that when this issue was addressed previously she felt the commission was in the best interest of the children. She said she now believes the commission should be transitioned to a department with the Director reporting to the Administrator.

Councilwoman Langschultz said since becoming the liaison to the Commission they have done a lot of work including the formation of a budget committee, updating the bylaws to include safeguards, and implementing online registration. She said the Commission is doing a great job and the members are dedicated and have good intentions however they lack administration. She said for this reason she would agree with the recommendation to transition the Commission to a department.

Council President Grant said she also believes the Commission should be changed to a department; she said she prepared a draft ordinance.

Councilwoman Duffie said she had asked the Administrator for a copy of the ordinance when it was previously changed to a department. She distributed copies of that ordinance to the Council.

Councilwoman Duffie said there are a number of issues and questions that need to be addressed moving forward. She said the systems failed and the checks and balances failed. She said she believes the Recreation Commission should be dissolved immediately. She made a motion to keep the Director and Assistant Director in place during the transition.

Councilman Alonso said it would be irresponsible to dissolve the Commission without a plan in place. Councilwoman Duffie said the Coordinators would continue to run the programs. Councilman Alonso asked under whose authority the Coordinators would be acting. Councilman Alonso said everyone has acknowledged there is a problem and all agree that it

should be transitioned to a department. He said in the meantime safeguards have been put in place.

Mr. Kelly said the Commission was created by ordinance and it would have to be dissolved by ordinance. He said it cannot be done by motion.

Councilwoman Duffie made a motion to have the attorney draft the ordinance to dissolve the Recreation Commission. Mr. Kelly said the ordinance should also establish the Recreation Department. Councilwoman Duffie amended the motion to include Mr. Kelly's recommendation. Council President Grant seconded the motion. The motion carried. All present in favor, none opposed.

Councilman Alonso suggested that Councilwoman Langschultz should work with the Director and Assistant Director to put a transition plan in place. Council President Grant asked what that would mean. Councilwoman Langschultz said she has been working with the Commission to put safeguards in place and would continue to work on these processes.

Councilwoman Duffie referenced the summer camps that operate through Recreation. She asked if the individuals running the camps carry their own insurance or if the coverage is provided through the Borough. She was advised that it is through the Borough. Mr. Heinemann explained that the camps are run primarily by coaches at the high school. The registration money is collected through Recreation and the instructor is paid the entire amount less expenses. Councilwoman Duffie asked if the camps are open only to residents of New Milford. Mr. Heinemann responded affirmatively. Ms. Henyecz said they might not be restricted to New Milford residents only. Councilwoman Duffie asked how many camps are run in the summer. Mr. Heinemann said there are six.

Mayor Subrizi asked to table this discussion until such time as the Council could reconvene in closed session for consultation with the attorney. All agreed.

8. Approval of the April 24, 2017 Closed, Work and Public Session Minutes

Councilman Alonso made a motion to approve the minutes of the April 24, 2017 Closed, Work and Public Sessions. Councilwoman Duffie seconded the motion. The motion carried. All present in favor, none opposed.

ADOPT ORDINANCE 2017:06

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$157,900 FOR THE IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF NEW MILFORD, COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THE NECESSARY FUNDS THEREFORE

Councilman Grotzky made a motion to open to the public for comment on this ordinance. Councilwoman Sirocchi-Hurley 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 Grotsky made a motion to approve this ordinance on the second and final reading. Councilman Alonso seconded the motion. The motion carried. All present in favor, none opposed.

INTRODUCE ORDINANCE 2017:07

AN ORDINANCE TO AMEND CHAPTER VII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED "TRAFFIC," THEREBY AMENDING SECTION 7-9 ENTITLED "BUS STOPS"

Council President Grant made a motion to introduce this ordinance on the first reading. Councilwoman Sirocchi-Hurley seconded the motion. The motion carried. All present in favor, none opposed.

The ordinance will be advertised and a public hearing will be held on May 22nd.

Mayor Subrizi said that Ethan Agnello submitted an essay to the League of Municipalities for their Louis Bay Scholarship contest and was awarded a certificate as a semi-finalist. She said she would invite him to a future meeting or event to present the certificate.

Council President Grant said the Stigma Free Committee will be sponsoring a presentation on anxiety on May 16th at 7:00 PM at the New Milford Public Library.

Councilwoman Duffie said the Board of Health Nurse recently attended a program at the high school sponsored by the Drug Alliance and had very high praise. Councilwoman Duffie referenced a letter from the Borough OEM Coordinator, who is also a member of the Board of Health, in which she has requested that the Council consider creating a Community Emergency Response Team (CERT). Councilwoman Duffie said CERT is a collaboration of OEM, Police Auxiliary and the Board of Health and that training is free for volunteers through the County. Mayor Subrizi said she would like to speak to Chief Ramaci prior to taking this to the next step.

Councilwoman Sirocchi-Hurley said the Public Events Committee has discussed the memorial brick fundraiser and would like some guidance as to where the walkway could be placed. The Administrator suggested scheduling a meeting with the DPW Superintendent.

COMMENTS FROM THE PUBLIC

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

George Adelung – 723 Berkley Street. Mr. Adelung questioned the attorney regarding the dissolution of the Recreation Commission. Mr. Kelly said the Borough took immediate steps with

the Police and the Risk Manager but said the governing body cannot unilaterally dissolve the commission.

Joe Loonam – 469 Marion. Mr. Loonam said he has seen coyotes in the vicinity of his property and the middle school on at least five or six occasions in the last year. The Administrator will contact the Borough's Animal Control Officer for information.

Lauren Maehrlein – 230 McKinley. Ms. Maehrlein said the Environmental Commission had asked for green initiatives to be incorporated into the design for the Police Station. She said they were assured that green initiatives would be incorporated in the construction wherever possible. She asked for an update. The Administrator said she would get the information from the architect at the next status meeting.

Michael Putrino – 327 Lacey. Mr. Putrino said he is glad the entire Council is on board with the plan to transition the Recreation Commission to a Recreation Department. Mr. Putrino said the Drug Alliance Fishing Derby is scheduled for June 13th and asked for a flyer to be posted to the Borough website. Mr. Putrino referenced a request he made previously to post directional signs to the American Legion parking lot and asked for the status. The Administrator will look into it and report back. Mr. Putrino asked about trees that had been cut by PSE&G on the property at the dead end of Henley Avenue. He was told PSE&G will be replanting.

Cheryll Calderon – 675 William Bliss Drive. Ms. Calderon said she shares the disappointment and outrage that has been expressed about the issue with Recreation but it was a multi-system failure and she does not feel the Recreation Commission should be faced with all of the blame.

Phil Tenant – 319 Lacey Drive. Mr. Tenant said the issue with Recreation was a colossal failure. He said there were procedures in place and the Commissioners did not follow the procedures. He said he believes the Commission could work if it was properly staffed.

Debbie Yaeger – 57 Summit Avenue. Ms. Yaeger said she has worked as a coordinator for many years both when it was a commission and when it was a department. She said the coordinators are paid, they are not volunteers. She said as an employee she felt a responsibility to the Borough. She said she is not sure how it can be fixed with the way it is structured.

Mr. Putrino commented that the Borough has recently cashed checks for recreation programs from 2016. He asked if people were notified prior to the checks being cashed. Mr. Kelly said the checks were cashed without prior notification but that the Borough cannot comment further because of the investigation.

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

RESOLUTIONS:

2017:128 Closed Session

2017:129 Payment of Bills and Vouchers

- 2017:130 Refund 3rd Quarter 2016 (pro-rated), 4th Quarter 2016, 1st and 2nd Quarter 2017 and Cancel 3rd and 4th Quarter 2017 Property Taxes – Block 1107, Lot 9 – Disabled Veteran Exemption
- 2017:131 Approve Social Affair Permit – Fire Co. #1 – June 17, 2017
- 2017:132 Authorize Mayor to sign Urban Community Forestry Program – 2017 CSIP Grant Application
- 2017:133 Request Director of DLGS to approve insertion of revenue and like appropriation for Distracted Drivers Crackdown Program in the amount of \$4,513.86
- 2017:134 Authorize Shared Service Agreement for the Sharing of County Owned Emergency and Non-Emergency Equipment
- 2017:135 Designate Madison Avenue at Charles as a Bus Stop and Eliminate Bus Stop at Madison between Grove Street and Salem Street
- 2017:136 Designate \$6,683,900 Bond Anticipation Note dated May 12, 2017 and payable April 12, 2018 as a “Qualified Tax-Exempt Obligation”
- 2017:137 Authorize Support of Assembly Bill A222 “New Jersey Library Construction Bond Act”
- 2017:138 Authorize Support of Senate Bill S271 “New Jersey Library Construction Bond Act”
- 2017:139 Urge Legislature to Reduce Local Affordable Housing Burdens and Provide Defined Rules and Relief

VOTE ON RESOLUTIONS

Councilman Alonso made a motion to approve the consent agenda consisting of resolutions 2017:128 through 2017:139. Councilwoman Langschultz seconded the motion. The motion carried. All present in favor, none opposed.

Councilman Alonso made a motion to return to closed session. Councilwoman Sirocchi-Hurley seconded the motion. The motion carried. All present in favor, none opposed. Time 10:12 PM.

1. Legal Advice – Recreation

At the conclusion of the closed session Councilman Grotsky made a motion to return to open session. Council President Grant seconded the motion. The motion carried. All present in favor, none opposed. Time 10:27 PM.

ADJOURNMENT

Councilman Alonso made a motion to adjourn. Council President Grant seconded the motion. The motion carried. All present in favor, none opposed. Time 10:28 PM.

Respectfully submitted,



Christine Demiris, RMC, CMC
Borough Clerk

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:128

Offered by: Deputy Mayor

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. Current Litigation – Henry v. New Milford
2. Current Litigation – New Milford v. Kilarjian
3. Review of Closed Session Minutes
4. Legal Advice - Recreation Update re: JIF claim

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 May 8, 2017.

Cristina Demaris

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:129

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 \$7,851,930.09.

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 May 8, 2017.

SEAL

Christine Demusis

Total Bill List: 349309.31

BOROUGH OF NEW MILFORD**Bill list****MAY 8, 2017**

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
JP MORGAN CHASE	370000.00	WIRE TRANSFER-MAY 1-, 2017	PAYMENT	11832
JP MORGAN CHASE	0.00	WIRE TRANSFER-MAY 1-, 2017	INTEREST ON	11832
JP MORGAN CHASE	34893.75	WIRE TRANSFER-MAY 1-, 2017	INTEREST ON	11832
COUNTY OPEN SPACE TRUST FUND	11450.00	2ND QTR 2017 COUNTY OPEN SPACE	COUNTY	11833
COUNTY OF BERGEN	1115000.00	2ND QTR 2017 COUNTY TAXES	COUNTY	11834
NEW MILFORD BOROUGH OPEN	19853.25	2ND QTR 2017 MUNICIPAL OPEN SPACE	MUNICIPAL	11835
NEW MILFORD BOARD OF	2619814.33	MAY 2016 SCHOOL APPROPRIATION	SCHOOL	11836
MEDICAL INSURANCE EMPLOYEE	804.00	APRIL, MAY, JUNE, 2017 MEDICAL	INSURANCE	11837
MARK D. MADAIO, ESQ.	125.00	MARCH, 2017 LEGAL SERVICES	LEGAL	11838
KEVIN P. KELLY, ESQ.	10812.68	FEBRUARY & MARCH, 2017 LEGAL FEES	LEGAL	11839
LERCH, VINCI & HIGGINS, LLP	20000.00	INV.#29730 PREPARATION OF AUDIT	AUDIT	11840
KAUFMAN, SEMERARO & LEIBMAN	522.75	INV.#216283 NM VS. NM REDEV COAH	LEGAL	11841
BOSWELL MCCLAVE ENGINEERING	188.00	INV.110620 3/28/17 NM681 PB	PLANNING	11842
KIM D.RINGLER, ESQ.	987.50	INV.10316 MARCH, 2017 TAX APPEAL	LEGAL	11843
MORRISON MAHONEY LLP	125.00	INV.907024 ALTERNATE PUBLIC	MUNICIPAL	11844
BANISCH ASSOCIATES, INC.	2800.00	MARCH, 2017 COURT APPOINTED	LEGAL	11845
NEW MILFORD PUBLIC LIBRARY	25000.00	ADDITIONAL APPROPRIATION OF 2017	LIBRARY	11846
NICHOLAS M. DELGIODICE	150.00	4/13/17 MUSICAL ENTERTAINMENT/DJ	SENIOR	11847
GARET VALCICH	518.34	REIMB. MILEAGE,TOLLS,MEALS TCI -	COLLECTION	11848
MICHAEL CALAMARI	20.00	4/1/17 MEAL MONEY REIMBURSEMENT	PUBLIC	11849
GEORGE A. KOTEEN ASSOC. INC.	1259.22	OVERAGE CHARGE RECOVERED	O/E	11850
TOWNSHIP OF WYCKOFF	14801.00	JAN-JUNE, 2017 CFO SERVICES	FINANCIAL	11851
PALISADES SALES CORPORATION	1065.00	INV.#954284 PINEAPP SPAM FILTER	MUNICIPAL	11852
OPTIMUM	303.18	APRIL, 2017 CURRENT CABLE CHARGES	MUNICIPAL	11853
OPTIMUM	31.08	APRIL, 2017 CURRENT CABLE CHARGES	POLICE	11853
OPTIMUM	124.11	APRIL, 2017 CURRENT CABLE CHARGES	PUBLIC	11853
OPTIMUM	100.56	APRIL, 2017 CURRENT CABLE CHARGES	RECREATION	11853
OPTIMUM	0.00	APRIL, 2017 CURRENT CABLE CHARGES	O/E	11853
OPTIMUM	104.85	APRIL, 2017 CURRENT CABLE CHARGES	O/E	11853
PAYLOCITY	1050.08	INV.102916858, 102953847 APRIL	MUNICIPAL	11854
NORTH JERSEY MEDIA GROUP	50.58	AD 4150404 ACCT.1101052 -	ZONING	11855
DART COMPUTER SERVICES	3750.00	INV.5413, 5441 1ST QTR COMPUTER	MUNICIPAL	11856
CEUNION	89.00	INV.1811 5/5/17 ETHICS	COLLECTION	11857
DORCHESTER MANOR	1500.00	2ND QTR 2017 GARBAGE REIMBURSEMENT	GARBAGE &	11858
MILITARY TRANSPORT ASSN.	300.00	TRUCKS FOR MEMORIAL DAY	CELEBRATION	11859
NORTH JERSEY MEDIA GROUP	10.73	AD#4146162 3/24/17 ACCT.1101720	ASSESSMENT	11860
GALL'S INC.	328.05	INV.BC0408318 5/21/17 OFFICER'S	POLICE	11861
NJ CRIMINAL INTERDICTION LLC	475.00	INV.784 CASE LAW/SEARCH & SEIZURE	POLICE	11862
THOMSON REUTERS WEST	250.00	INV.835861598 MARCH ONLINE MONTHLY	POLICE	11863
WB MASON CO., INC.	313.15	INV.I403383794 OFFICE SUPPLIES	POLICE	11864
REGIONAL COMMUNICATIONS,	98.00	INV.136106 RADIO REPAIRS	POLICE	11865
G AUTO, INC.	355.75	INV.41609,43602,43677,44092,44305	VEHICLE	11866
PRESTIGE LINCOLN	352.17	INV.14001, 14002 VEHICLE	VEHICLE	11867
P & A AUTO PARTS	308.06	INV.51943,54505,54750,55049,55192,	VEHICLE	11868
GILLIES' AUTO BODY	3206.84	AUTO BODY REPAIR 2016 INTERCEPTOR	VEHICLE	11869
BATTERIES PLUS	55.90	INV.771-294152 BATTERIES FOR	POLICE	11870
SCOTT GRAPHICS PRINTING	112.50	INV.13106 50 SETS OF 8.5X11 2	FIRE O/E	11871

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
ADVANCED AIR SYSTEMS	785.75	INV.1858108 ANNUAL PM FOR AIR	FIRE O/E	11872
FELDMAN BROTHERS	92.19	INV.229040	PUBLIC	11873
ARROW ELEVATOR INC.	185.00	INV.76847 APRIL 2017 ELEVATOR	PUBLIC	11874
CLIFFSIDE BODY CORP.	523.62	INV.80172,81152 PLOW PARTS FOR	VEHICLE	11875
CLIFFSIDE BODY CORP.	1356.00	INV.581495 REPLACEMENT PLOW BLADES	VEHICLE	11876
BERGEN DOOR COMPANY	949.00	INV.9610 OVER HEAD DOOR FIRE CO. 2	PUBLIC	11877
BEYER BROS. CORP.	160.19	INV.73590 HOSE, PIPES FOR TRUCK 60	VEHICLE	11878
DAVID WEBER OIL COMPANY	299.80	INV.442752 HYDRAULIC OIL DRUM	VEHICLE	11879
PETROLEUM EQUIPMENT SERVICE	518.12	INV.ISANJ0010038 PROGRAM CHIP FUEL	VEHICLE	11880
PARENT DOOR HARDWARE	575.00	INV.81817 FIRE HOUSE	PUBLIC	11881
LYNCO ALARMS	1600.00	INV. 12982 FIRE ALARM @ BABE RUTH	PUBLIC	11882
LYNCO ALARMS	275.00	INV.12979 REPAIRS TO FIRE ALARM	PUBLIC	11883
FOLEY MACHINERY CO.	367.98	INV.3408965, 3408966	VEHICLE	11884
METROPOLITAN RUBBER CO.	61.25	INV.24686, 24309	VEHICLE	11885
HIGHWAY TRAFFIC SUPPLY	83.33	INV.51025 STREET SIGNS	PUBLIC	11886
TIME SYSTEMS INTERNATIONAL	320.28	INV.159010 2 BOXES OF TIME CARDS	PUBLIC	11887
STATE LINE	104.00	INV. 108577 INSPECT EXTINGUISHER	PUBLIC	11888
KSD ELECTRICAL	150.00	INV.2202 COMPACTOR PROBLEM	GARBAGE &	11889
KSD ELECTRICAL	1100.00	INV.2188 REPAIR WIRES-POST LIGHTS	PUBLIC	11890
RAPID PUMP & METER	855.00	INV.RIR133456,133374,133199	PUBLIC	11891
GOODYEAR AUTO SERVICE CENTER	573.48	INV.232928 TIRES-TRUCK 60	VEHICLE	11892
BERGEN COUNTY UTILITIES	344896.00	INV.4856 2ND QTR 2017 WASTEWATER	SEWER	11893
WILLIAM FINNIGAN	360.00	1/29-17-3/6/17 BASKETBALL REFEREE	RECREATION	11894
GLEN G. MEZZATESTA	50.00	11/12/16 SOCCER REFEREE	RECREATION	11895
VERIZON	114.99	ACCT#354-820-617-0001-80	O/E	11896
SCOTT GRAPHICS PRINTING	95.00	INV.13296, 13306 2 LAWN	PUBLIC	11897
NIE FRIEDMAN	6883.75	TOTALLY DISABLED VETERAN	TAX	11898
NO CHAPTER, AMERICAN ACADEMY	144.00	L. PALMA NJAAP ANNUAL CONFERENCE & BOARD OF		11899
HOLY NAME HOSPITAL	554.00	INV.81404401201703, 81404400,	PUBLIC	11900
WB MASON CO., INC.	259.80	INV.143580967	PUBLIC	11901
WB MASON CO., INC.	1498.99	INV.141402706 PRINTER	RECYCLING	11902
WB MASON CO., INC.	1009.40	INV.142979061,142052707,141673982	PUBLIC	11903
STONE INDUSTRIES, INC.	1382.64	INV.3371,3372,3601,3889,4675	PUBLIC	11904
FALASCA & SON SERVICE	366.08	INV.131871 TRANS SERVICE SR VAN	VEHICLE	11905
MC GRATH MUNICIPAL EQUIP.LLC	250.00	INV.20170420 TUNE UP FOR HOT BOX	VEHICLE	11906
TD BANK	29219.93	WIRE TRANSFER-BAN INTEREST DUE	INTEREST ON	11907
TYCO ANIMAL CONTROL	1650.00	APRIL 2017 ANIMAL CONTROL SERVICES	ANIMAL	11908
RELIANCE STANDARD LIFE INS.	1412.82	APRIL 2017 PREMIUM STD 159044	INSURANCE	11909
FLAGSHIP HEALTH INC.	84.44	INV. 113455 MAY2017 DENTAL PREMIUM	INSURANCE	11910
WB MASON CO., INC.	167.87	INV.I43617062 4/24/17	MUNICIPAL	11911
FORD MOTOR CREDIT COMPANY	2943.60	INV.1381800 MAY LEASE (3) 2014	POLICE	11912
FORD MOTOR CREDIT COMPANY	1022.47	INV.1381801 MAY LEASE (1) 2016	POLICE	11913
SOME'S UNIFORMS, INC.	124.95	INV. V151198 CLOTHING-B. WILD	POLICE	11914
PRIMO PEST CONTROL CO., INC.	50.00	INV. 627-Q APRIL EXTERMINATION	SENIOR	11915
JEANETTE P. MARTIN	75.00	APRIL 2017 BALLROOM CLASS	SENIOR	11916
BOSWELL MCCLAVE ENGINEERING	564.00	INV.110621 4/19/17 NM682-2/14,	ZONING	11917
JOHN L. SHAHDANIAN, ESQ	175.00	INV.164486 MARCH 2017 LABOR	LEGAL	11918
ALLAN ROTTO CONSULTANTS INC.	86.01	APRIL 2017 SERVICES	O/E	11919
ATLANTIC TOMORROWS OFFICE	101.05	APRIL 2017 INV. CNIN622088	MUNICIPAL	11920
ATLANTIC TOMORROWS OFFICE	33.68	APRIL 2017 INV. CNIN622088	COLLECTION	11920
ATLANTIC TOMORROWS OFFICE	33.68	APRIL 2017 INV. CNIN622088	ASSESSMENT	11920
ATLANTIC TOMORROWS OFFICE	33.68	APRIL 2017 INV. CNIN622088	CODE	11920
ATLANTIC TOMORROWS OFFICE	101.05	APRIL 2017 INV. CNIN622088	POLICE	11920
ATLANTIC TOMORROWS OFFICE	33.68	APRIL 2017 INV. CNIN622088	PUBLIC	11920
ATLANTIC TOMORROWS OFFICE	0.00	APRIL 2017 INV. CNIN622088	MUNICIPAL	11920

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
ATLANTIC TOMORROWS OFFICE	33.68	APRIL 2017 INV. CNIN622088	MUNICIPAL	11920
JOHN P. PAMPALONI JR.	395.00	APRIL 2017 LICENSED SEWER OPERATOR	PUBLIC	11921
AMERICANWEAR INDUSTRIAL	646.00	ACCT. 2174 2175 MARCH 2017	PUBLIC	11922
ENVIRONMENTAL REFRIGERANT	723.00	INV.114354JS 3/29/17 FREON REMOVAL	RECYCLING	11923
NORTHEAST TALENT SOLUTIONS	2462.40	INV.4508, 4484 APRIL 2017	RECYCLING	11924
BRYAN MONE	28.81	REIMB. MEALS & MILEAGE-3/21 ONE	POLICE	11925

Total Bill List: 4674460.85

BOROUGH OF NEW MILFORD

Bill list

MAY 8, 2017

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
BOSWELL MCCLAVE ENGINEERING	97.00	INV.110619 4/19/17 NM662A PROSPECT 2015		1742
ROBBIE CONLEY ARCHITECT	3877.48	INV.13016-22 APRIL 2017 .	2014	1743
TD BANK	2817435.00	WIRE TRANSFER 5/12/17 BAN MATURITY BOND ANT		1744

Total fund: 04 CAPITAL 2821409.48

Total Bill List: 2821409.48

BOROUGH OF NEW MILFORD

Bill list

MAY 8, 2017

Combined TRUST FUND 12

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
PHILLIPS PREISS GRYGIEL	1950.00	INV.#24177 MARCH 2017 J15076G NM	AFFORDABLE	1005
Total fund: 2809 AFFORDABLE HSG DEV TRUST				1950.00
Total Bill List:		1950.00		

BOROUGH OF NEW MILFORD

Bill list

MAY 8, 2017

Combined ANIMAL CONTROL 13

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
NJ STATE DEPT. OF HEALTH	43.20	MONTHLY DOG LICENSE FEE-APRIL 2017 RES'V FOR		1096
Total fund: 2930 RES'V FOR ANIMAL CTRL EXPENSE				43.20
Total Bill List:		43.20		

BOROUGH OF NEW MILFORD

Bill list

MAY 8, 2017

Combined DEVELOPERS TRUST 14

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
NORTH JERSEY MEDIA GROUP	53.05	AD#4149730 ESCROW - JOSEPH-1117	RESERVE FOR	1634
NORTH JERSEY MEDIA GROUP	48.92	AD#4149730 ESCROW - LAYNE - 222	RESERVE FOR	1635
BOSWELL MCCLAVE	693.00	#110628 4/19/17 NMES689 BOULEVARD	RESERVE FOR	1636
BOSWELL MCCLAVE	547.00	#110626 4//19/17 NMES686 - 288	RESERVE FOR	1637
BOSWELL MCCLAVE	933.00	#110624 4/19/17 NMES664 ESCROW -	RESERVE FOR	1638
BOSWELL MCCLAVE	485.00	#110627 4/19/17 NMES687 JOSEPH	RESERVE FOR	1639
BOSWELL MCCLAVE	643.50	#110629 4/19/17 NMES690 ESCROW-	RESERVE FOR	1640
Total fund: 2940 RESERVE FOR DEVELOPERS ESCROW				3403.47
Total Bill List:	3403.47			

BOROUGH OF NEW MILFORD

Bill list

MAY 8, 2017

Combined TRUST FUND 12

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
CREATIVE PRODUCT	1353.78	INV.103093 4/14/17 T-SHIRTS,NAME	RESERVE FOR	1064
Total fund: 2802 RESERVE FOR DRUG & ALCOLHOL AL				1353.78
<hr/>				
Total Bill List:	1353.78			

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:130

Offered by: Randolph

Seconded by: [Signature]

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

WHEREAS, a Total Property Tax Exemption for a Disabled Veteran has been granted by the assessor to Carnie Friedman residing at 438 Central Park Drive, also known as Block 1107 Lot 9 as of August 10, 2016; and

WHEREAS, 3rd quarter 2016 through 2nd quarter 2017 property taxes had already been levied against said property; and

WHEREAS, 3rd quarter 2016 through 2nd quarter 2017 property taxes was paid by said owner before total exemption was granted by the assessor; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of New Milford that the taxes levied against Block 1107 Lot 9 from August 10, 2016 through 2nd quarter 2017 in the amount of \$6,883.75 be cancelled and refunded to Carnie Friedman, 438 Central Park Drive, New Milford, NJ and 3rd and 4th quarter 2017 taxes be cancelled.

3 rd 2016 Quarter Taxes pro-rated from August 10, 2016	\$1,111.65
4 th Quarter 2016 Taxes	\$1,950.56
1 st Quarter 2017 Taxes	\$1,910.77
2 nd Quarter 2017 Taxes	<u>\$1,910.77</u>

TOTAL TAXES TO BE REFUNDED **\$6,883.75**

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 May 8, 2017.

SEAL

Catherine Demus



**Borough of
New Milford**
930 River Road, New Milford, NJ 07646
(201) 967-5044 Ext. 7258
Fax (201) 262-7967
Patrick Wilkins, CTA
Tax Assessor

May 2, 2017

Mr. Carnie Friedman
438 Central Park Drive
New Milford, NJ 07646

RE: Block 1107 Lot 9 - Disabled Veteran Exemption

Dear Mr. Friedman:

This will acknowledge receipt of your D.V.S.S.E. *Claim for Property Tax Exemption on Dwelling House of Disabled Veteran* dated May 1, 2017. I received your application in my office on May 2, 2017.

Being that you met the requirements as a 100% permanently disabled veteran as of August 10, 2016, I have approved the application and updated your assessment record accordingly. I will forward your approved application to the Borough Tax Collector who will qualify your status relative to your tax bill.

Please let me know if you have any questions.

Very truly yours,

Patrick Wilkins, CTA
Municipal Tax Assessor

C: Chris Demiris, Administrator
For Mayor & Council
C: Tax Collector w/copy of application
BCC to C. Demiris & D. Amoroso

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:131

Offered by: *[Signature]*

Seconded by: *[Signature]*

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

WHEREAS, the New Milford Fire Department Company #1, 249 Center Street, New Milford, NJ has applied for a Special Permit for a Social Affair; and

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

WHEREAS, the required documentation along with a fee of \$100.00 to the Division of Alcohol and Beverage Control has been submitted, reviewed and signed by the Chief of Police and Borough Clerk of the Borough of New Milford, NJ;

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council hereby grant a Special Social Affair Permit to New Milford Fire Department Co. #1 to conduct a social gathering at which alcohol will be served in the back of the premises of the NMFD Co. #1, 249 Center Street, New Milford, NJ on June 17, 2017 from 10:AM – 1:00 PM in accordance with New Milford Borough Ordinance #6-4, et seq.; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Ross Rhein 8 Fox Court, Dumont NJ 07628.

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 May 8, 2017.

SEAL

[Signature]

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:132

Offered by: [Signature]

Seconded by: [Signature]

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

WHEREAS, pursuant to the New Jersey Shade Tree and Community Forestry Assistance Act, NJSA 13:1L-17.4 (c), one purpose of the New Jersey Forest Service Urban and Community Forestry Program is to provide grants to local governments and shade tree commissions to assist in the implementation of an approved comprehensive Community Forestry Management Plan to the extent monies are appropriated or otherwise made available; and

WHEREAS, the Community Stewardship Incentive Program (CSIP) grant was established to provide this assistance; and

WHEREAS, the Borough of New Milford wishes to submit an application to the Urban Community Forestry Program – 2017 CSIP Grant for Reforestation and Tree Planting in the amount of \$15,000.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of New Milford that Mayor Ann Subrizi is authorized to sign the Urban Community Forestry Program – 2017 CSIP grant application on behalf of the Borough.

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 May 8, 2017.

SEAL

[Signature]

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:133

Offered by: [Signature]

Seconded by: [Signature]

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

WHEREAS, N.J.S. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, by the Governing body of the Borough of New Milford in the County of Bergen, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$4,513.86, which is now available as a revenue from the Distracted Drivers Crackdown Program in the amount of \$4,513.86.

BE IT FURTHER RESOLVED that the like sum of \$4,513.86 is hereby appropriated under the caption of "Distracted Drivers Crackdown Program"; and

BE IT FURTHER RESOLVED, that the above is a result of an Distracted Driving Statewide Crackdown Grant of \$4,513.86 from the State of New Jersey; and

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

I hereby certify that the above is a true copy of a resolution adopted by the Council of the Borough of New Milford at the meeting held on May 8, 2016.

SEAL

Christine Demaris

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:134

Offered by:

Seconded by:

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

WHEREAS, the County of Bergen owns certain vehicles and equipment (the "Equipment") that it could make available to the local units within Bergen County, subject to the operational needs of the County; and

WHEREAS, some of the Equipment was acquired by the County's Office of Emergency Management pursuant to State and Federal grants for the express purpose of making same available to the municipalities within Bergen County, and is controlled by the County's Office of Emergency Management ("OEM"); and

WHEREAS, other Equipment is controlled by other departments of the County such as Public Works and Parks; and

WHEREAS, due to emergencies, mechanical breakdown or budgetary restrictions, the need arises occasionally for which the local units to no possess the required equipment; and

WHEREAS, by entering into a written agreement governing the terms for sharing of County owned Equipment in advance of the actual need, the County will be able to facilitate the prompt availability of such Equipment at such time as the local units have a need to utilize same;

WHEREAS, the Borough of New Milford ("the Borough") is authorized to enter into shared services agreements in accordance with the Uniform Shared Services and Consolidation Act, P.L. 2007, c.63 (C.40A:65-1, et seq.)

WHEREAS, the County Counsel has prepared a form of Shared Service Agreement "FOR THE SHARING OF COUNTY-OWNED EMERGENCY AND NON-EMERGENCY EQUIPMENT" ("Shared Services Agreement"), a copy of which is annexed to this Resolution; and

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:134

Offered by:.....

Seconded by:.....

WHEREAS, the Borough Attorney has reviewed and approved this Shared Services Agreement; and

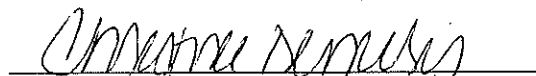
WHEREAS, the Shared Services Agreement sets for the terms under which the County, will subject to availability and the County's operational needs, loan Equipment to the Borough for short term use.

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 incorporated as if set forth at length herein.
2. The Mayor and Council of the Borough of New Milford hereby endorse the proposed Shared Services Agreement, and approves the terms thereof, as annexed to this Resolution.
3. The Mayor is hereby authorized to sign the Shared Services Agreement in the form annexed with the County of Bergen, together with any other documents necessary to implement the Agreement, the Agreement and all other documents to be in forms approved by the Borough Attorney.

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 May 8, 2017.

SEAL



SHARED SERVICES AGREEMENT

BETWEEN

COUNTY OF BERGEN

AND

FOR:

**THE SHARING OF COUNTY-OWNED
EMERGENCY AND NON-EMERGENCY EQUIPMENT**

BERGEN COUNTY OFFICE OF EMERGENCY MANAGEMENT

**BERGEN COUNTY DEPARTMENT OF PUBLIC WORKS
DIVISION OF SHARED SERVICES**

Approved by Bergen County Resolution No. _____
Approved by _____ Resolution No. _____

DATE: _____, 2017

PREPARED BY:

**BERGEN COUNTY COUNSEL
ONE BERGEN COUNTY PLAZA
HACKENSACK, NJ 07601-7076
(201) 336-6950**

**SHARED SERVICES AGREEMENT
SHARING OF COUNTY-OWNED
EMERGENCY AND NON-EMERGENCY EQUIPMENT**

THIS AGREEMENT is made by and between:

COUNTY OF BERGEN, a body politic and corporate of the State of New Jersey, with administrative offices located at One Bergen County Plaza, Fifth Floor, Hackensack, New Jersey 07601-7076 hereinafter referred to as the "County" and

_____, a body politic and corporate of the State of New Jersey, with administrative offices located at _____, hereinafter referred to as the "Municipality."

WITNESSETH:

WHEREAS, the County of Bergen owns certain vehicles and equipment (the "Equipment") that it could make available to the Municipality, subject to the operational needs of the County; and

WHEREAS, some of the Equipment was acquired by the County's Office of Emergency Management pursuant to State and Federal grants for the express purpose of making same available to the municipalities within Bergen County, and is controlled by the County's Office of Emergency Management ("OEM"); and

WHEREAS, other equipment is controlled by other departments of the County, such as Public Works and Parks; and

WHEREAS, due to emergencies, mechanical breakdown or budgetary restrictions, the need arises occasionally for which the Municipality does not possess the required equipment; and

WHEREAS, the County and Municipality recognize the need to enter into a written agreement between the County and the Municipality in advance of the actual need, to govern the terms under which the County will make the County's Equipment available for the use of the Municipality ; and

WHEREAS, the County and Municipality have determined that by entering into this Shared Services Agreement governing the terms for sharing of County owned Equipment, the parties will be able to facilitate the prompt availability of such Equipment at such time as Municipality has a need to utilize it;

WHEREAS, this Agreement is established in accordance with the Uniform Shared Services and Consolidation Act, P.L.2007, c.63 (N.J.S.A. 40A:65-1, et seq.).

WHEREAS, the County has authorized this agreement by adoption of Resolution No. _____ on _____, 2016; and

WHEREAS, the Municipality has authorized this agreement by adoption of Resolution No. _____ on _____, 2016; and

NOW THEREFORE BE IT AGREED AS FOLLOWS:

1. Scope of Services.

- A. This Agreement is intended to cover the sharing of equipment controlled by the County's Office of Emergency Management or Division of Emergency Management as appropriate, as well as equipment controlled by other Departments and Divisions of the County.
- B. The purpose of this Agreement is to provide the basic terms under which the Municipality may borrow Equipment from the County for short term use should the County, in its sole discretion, determine that such Equipment is available for use by the Municipality. By entry into this Agreement, the County does not commit to loan any particular piece of Equipment to Municipality.
- C. It is clearly understood by all the parties concerned that the Equipment must be available to the County for County projects, whenever needed, and that the County is entering into this Agreement with other Municipalities in the County. Consequently, any particular piece of Equipment will only be available whenever not in use or scheduled to be used for a County project or another municipality, and even then, it will only be made available at the sole discretion of the County.
- D. The County anticipates entering into this agreement with all of the municipalities in Bergen County. Therefore, the Municipality agrees to notify the County as far in advance of the Municipality's need for Equipment as possible, to permit the County to determine if the County has available equipment to loan and, if so, to coordinate among possible requests from various municipalities.
- E. While the County will make every effort to make Equipment available to any municipality seeking to borrow Equipment where doing so does not compromise the County's operations, the County shall not be deemed in breach of this Agreement, and shall have no liability to the Municipality in the event the County denies Municipality's request to borrow any particular piece of Equipment.
- F. This Agreement shall not apply to any Equipment for which the County requires execution of a separate agreement, or payment of a fee to borrow or use. Nor shall anything in this Agreement preclude the County from requiring execution of a separate agreement or payment of a fee to borrow or use any Equipment.

2. Term; Termination.

- A. The term of this Agreement shall commence upon adoption of authorizing resolutions by both the County and the Municipality, and execution by authorized officials of both entities, and shall continue for a period of one year.
- B. This Agreement shall automatically renew for successive one-year terms unless either party notifies the other in writing of intent to terminate.
- C. This Agreement may be terminated by either party upon thirty days' written notice, for any reason, including administrative convenience.
- D. Termination of this Agreement does not relieve the Municipality from any responsibility for defense or indemnification of any claims against the County or the Municipality's obligations for maintenance or repair of the Equipment occasioned by Municipality's use thereof.
- E. The County shall have no liability to the Municipality for any losses or additional costs that may be incurred by the Municipality as a result of the County's termination of this Agreement.

3. Compensation.

- A. The Equipment loaned under this Agreement shall be loaned by the County to the Municipality free of charge. In the event any reimbursement is available from State or Federal sources (e.g. FEMA reimbursement) for use of such Equipment, Municipality agrees and acknowledges that the County is entitled to such reimbursement.
- B. In the event any payment is due from the Municipality to the County (e.g. for damage to the Equipment resulting from the Municipality's use), the Municipality agrees to pay the County within 45 days after submission of the invoice by the County to the Municipality.

4. County's Contact Person.

- A. For purposes of Equipment controlled by the County's Office of Emergency Management, the County's Contact Person shall be the Director of the County's Division of Emergency Management, the County Emergency Management Coordinator, or either of their designees.
- B. For purposes of Equipment not controlled by the County's Office of Emergency Management, the County's designated Contact Person shall be the Director of the Division of Shared Services within the Department of Public Works.
- C. The Municipality shall designate one or more Contact Persons, and shall advise the County accordingly.

5. Responsibilities of the Parties.

- A. When and if the Municipality wishes to borrow Equipment from the County, the Municipality's Contact Person shall submit to the County's appropriate Contact Person a written request to borrow the Equipment. The request shall include:
1. The piece of Equipment requested;
 2. The reason for the request, and the use to which the Equipment will be put;
 3. The approximate dates or duration for which the Municipality wishes to borrow the Equipment.
 4. Any other information the Municipality wishes to include with its request;
 5. Any other information required by the County, in its discretion, to evaluate the Municipality's request.
- B. Requests for Equipment controlled by the County's Office of Emergency Management shall, unless otherwise permitted by the County, be submitted through the online system utilized by the County's Office of Emergency Management called "WEBEOC," or such other system that the County's Office of Emergency Management may choose to use in the future.
- D. Requests for Equipment not controlled by the County's Office of Emergency Management may be submitted to the Director of the Division of Shared Services within the Department of Public Works, who shall coordinate with the directors of the various County departments and the Administration to determine whether the requested Equipment is available for loan.
- C. The County anticipates entering into this agreement with several municipalities. Therefore, the Municipality agrees to notify the County as far in advance of the Municipality's need for the Equipment, to permit the County to schedule use among the Municipalities seeking to borrow the Equipment.
- D. The County, upon review of the written request, shall:
1. Notify the Municipality's Contact Person of the Equipment's availability, and coordinate a time for the Municipality to take custody of the Equipment; or
 2. Notify the Municipality's Contact Person that the requested Equipment cannot be loaned; or
 3. If the Equipment can be loaned, but is unavailable for the date(s) requested by the Municipality, the County will notify the Municipality accordingly, and, attempt to coordinate an alternate date or set of dates for the Municipality to borrow the Equipment.
- E. The Municipality shall be responsible in most instances for retrieving the Equipment from the County's storage location, which will vary depending upon the piece of Equipment.

- F. The representative of the Municipality taking custody of the Equipment shall sign a statement prior to removing the Equipment from the County's property, indicating and agreeing to the following:
- i. Identifying the Equipment, utilizing the make, model, vehicle identification number, serial number, or other Equipment-specific identification;
 - ii. The date on which the Municipality takes custody of the Equipment;
 - iii. The date by which the Equipment will be returned;
 - iv. That the Municipality has inspected the Equipment and independently determined that the Equipment is acceptable for the Municipality's purposes.
 - v. Any operational requirements specific to the Equipment, that the Municipality should not reasonably be aware.
- G. The Municipality shall return the Equipment no later than the date set forth in the foregoing statement, unless the Municipality requests to keep the Equipment for a longer period, and the County consents.
- H. The Municipality shall take custody of and return the Equipment to the County at the storage location designated by the County. The County shall not be required to deliver the Equipment to or retrieve the Equipment from another location.
- I. Prior to taking custody of the Equipment, the Municipality shall provide the County with one or more certificates of insurance meeting the requirements of Paragraph 9, "Insurance," below.
- J. The Municipality agrees that persons assigned to operate the Equipment ("operators") will possess all required licenses to operate the Equipment, will have fulfilled all training requirements for such operation, prior to operating said Equipment.
- K. The Municipality agrees to utilize the Equipment in full and complete compliance with all Federal, State, and Local laws, standards and requirements as well as any requirements imposed by the County. In the event the County determines that the Municipality has failed to utilize the Equipment in conformance with all Federal, State, and Local laws, standards and requirements, or any requirements imposed by the County, the Municipality shall immediately return the Equipment to the County in the manner directed by the County.
- L. Where the Equipment requires fuel (e.g. vehicles, generators, etc.), Municipality shall be responsible for all fuel utilized while borrowing the Equipment, and shall return the Equipment with a full fuel tank.

- M. The Municipality shall be responsible for inspecting the Equipment before taking custody, and before each operation of the Equipment to ensure the Equipment is in operational condition.
- N. The Municipality shall maintain written records regarding receipt, possession, inspection, and use of the Equipment, and provide them to the County upon return of the Equipment.
- O. The Municipality shall be responsible for the cost of repairing any damage to the Equipment occurring while the Equipment is in the Municipality's custody. In the event that the equipment is damaged during the Municipality's possession of same, the County will provide an itemized bill to the Borough and the Municipality will pay same within forty five days of presentment of the itemized bill.
- P. Depending upon the length of time the Municipality will be borrowing a piece of Equipment, the County may determine that Municipality must be responsible for the cost of regular scheduled maintenance. The County shall advise Municipality of any regular scheduled maintenance due during the period Municipality is expected to have custody of the Equipment, and whether the Municipality shall be responsible for the cost of such regular scheduled maintenance. The Municipality shall return the Equipment to the County for regular scheduled maintenance in accordance with the manufacturer's recommended maintenance schedule.
- Q. All maintenance and repair, including regular scheduled maintenance, of the Equipment shall be conducted by the County at the County's vehicle maintenance facility, currently located at the Bergen County Annex in Paramus, or by such other service provider as the County may determine. If Municipality is responsible for the cost of any maintenance or repair, same shall be charged at the County's then current rates charged under the County's vehicle maintenance shared services agreement, or the County's actual cost where repair or maintenance must be performed by an outside vendor.
- R. The Municipality shall return the Equipment to the County in the same condition as when the Municipality borrowed it, normal wear and tear excepted.
- S. Notwithstanding any other provision of this agreement, the Municipality will return the Equipment to the County upon the County's request within twenty four (24) hours under normal operations. If an emergent circumstance should occur while the equipment is in the custody of the Municipality, the emergent circumstance shall take precedence, and the Municipality shall mobilize the equipment at the direction of the County Office of Emergency Management.

6. Other Agreements.

The County and the Municipality reserve the right to enter into any other contract with other public or private entities for the performance of any service or services which may be included within the scope of services provided in this Agreement. Nothing in this Agreement

shall prohibit the County from entering into agreements to purchase, maintain, borrow, loan, sell, or otherwise dispose of the Equipment to other public or private entities.

7. Dispute Regarding Payment.

As provided in N.J.S.A. 40A:65-1, et seq., in the event of any dispute as to the amount to be paid under the terms of this Agreement, the full amount to be paid in accordance with this Agreement shall be paid. If through subsequent negotiation, litigation, or settlement, the amount due shall be determined agreed to or adjudicated to be less than was actually so paid, the County shall promptly repay the excess.

8. Risk of Loss; Indemnification.

The Municipality acknowledges and agrees that County has made no representation regarding the condition of the Equipment, and the Equipment is being loaned strictly in "as is" and "where is" condition with no warranties, either expressed or implied. The Municipality hereby assumes all risk of damage, injury, liability or loss, including but not limited to damage to any property whatsoever and injury to, or death of, any person whomsoever, occurring by reason of, or in connection with, or as a result of, the Municipality's use of the Equipment, including any loss occasioned by failure of the Equipment to perform as intended.

The Municipality agrees to defend, indemnify and hold harmless the County, including its officers, employees, volunteers, and agents ("County Indemnified Parties"), from any and all liability and claims for damages or injury to persons or property, including death, caused by, or resulting from, or arising out of this Agreement or any of the obligations assumed by the County or the Municipality hereunder. Specifically included in this obligation is the Municipality's agreement to defend, indemnify and hold harmless the County Indemnified Parties from any and all claims asserting failure on the part of the County to properly maintain the Equipment, including but not limited to any claim alleging liability based upon any known or unknown defective, malfunctioning, or nonfunctioning part of the Equipment.

The Municipality, upon notice from the County, shall resist and defend, at the expense of the Municipality, such action or proceeding with counsel satisfactory to the County. In addition, the County may engage separate counsel to appear on its behalf in such action or proceeding without waiving its rights or the Municipality's obligation to defend, indemnify, and hold harmless the County, including its officers, employees, and agents, under this paragraph.

The Municipality shall be solely responsible for any and all theft and/or damage which shall be occasioned by the Municipality's use, or occur while the Equipment is being utilized or in the custody of the Municipality, and all such costs shall be borne solely by the Municipality.

9. Insurance.

During the term of this Agreement, the Municipality shall maintain workers' compensation insurance with statutory limits and a minimum of \$1,000,000/\$1,000,000/\$1,000,000 Employers Liability limits, and automobile liability insurance

with a minimum liability limit of \$1,000,000.00 Combined Single Limit in full force and effect, covering all employees in the Equipment used in this performance hereunder. In addition, the Municipality shall maintain general liability insurance at limits not less than one million (\$1,000,000.00) dollars covering any claims arising out of the use of the Equipment other than those claims covered by the aforementioned automobile liability insurance. The Municipality shall not take any action to cancel or materially change any of the insurance requirements under this Agreement without the County's prior written approval of such cancellation or change. The County shall be listed as Additional Insured on all policies of insurance. The certificates of insurance must provide for thirty (30) days' notice of cancellation in the event that a Municipality's policy is cancelled for any reason. The Municipality expressly understands and agrees that any insurance protection required by this Agreement shall in no way limit the Municipality's obligations assumed in this Agreement and shall not be construed to relieve the Municipality from liability in excess of such coverage.

It is understood that, while the County of Bergen is the titled owner to the Equipment, the Municipality, being responsible for the operator of the Equipment, will be solely responsible for the provision of motor vehicle liability insurance coverage for the Equipment during such time as the Municipality has custody of the Equipment, with said insurance providing defense and indemnification to the County Indemnified Parties, as Additional Insureds.

10. Dispute Resolution.

In the event a dispute shall arise concerning the terms and conditions of this Agreement, the parties hereto agree to first meet informally. If informal discussion cannot resolve the dispute, the parties agree to pursue mediation prior to commencing court action. Nothing set forth herein shall be construed as relieving the Municipality of returning the Equipment to the County immediately upon demand, regardless of the status of any dispute resolution process.

11. No Waiver.

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

12. Relationship of the Parties.

Accept as otherwise provided herein, nothing shall create any association, joint venture, partnership, or agency relationship of any kind between the parties. Neither party may create or assume any liability, obligation or expense on behalf of the other, to use the other's monetary credit in conducting any activities under this Agreement.

13. Notices.

All notices, demand, consents, approvals, or requests, required or permitted to be given to or served upon the County, shall be in writing. Any such notice, demand, consent, approval, request, instrument or document shall be sufficiently given or served if sent by certified or registered mail, postage prepaid, addressed at the address set forth below, or at such other address as it shall designate by notice, as follows:

If to the Municipality:

If to the County:

Director, Division of Shared Services
Bergen County Department of Public Works
One Bergen County Plaza
Hackensack, NJ 07410

Or

Director, Division of Emergency Management
Bergen County Office of Emergency Management
Bergen County Public Safety Operations Center
285 Campgaw Road
Mahwah, NJ 07430

With a copy to:

County Counsel
County of Bergen
One Bergen County Plaza – Room 580
Hackensack, NJ 07601

14. Miscellaneous.

This Agreement may only be modified in writing, duly authorized and signed by the County and Municipality. All notices, statements or other documents required by this Agreement shall be hand-delivered or mailed to the County Contact or Municipal Contact.

15. Governing Law.

This Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey.

16. No Assignment.

This Agreement may not be assigned by either party without the written consent of the other. Under no circumstances shall the Municipality grant custody of the Equipment to any third party without the express written consent of the County.

17. No Third Party Beneficiaries.

This Agreement shall inure to the benefit of the Parties hereto and their successors and permitted assignees. No other person, corporation, company, partnership or other entity shall be deemed a third party or other beneficiary of this Agreement.

18. Counterparts.

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

19. Entire Agreement.

This Agreement sets forth the entire understanding of the parties hereto with respect to the transactions contemplated herein. No change or modification of this Agreement shall be valid unless the same shall be in writing and signed by all the parties hereto.

20. Severability.

If any clause, sentence, paragraph, section or part of this Agreement shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof, directly involved in the controversy in which such judgment shall have been rendered.

21. Title and Headings.

Titles and headings to sections or paragraphs herein are inserted merely for convenience of reference and are not intended to be a part of or to affect the meaning or interpretation of this Agreement.

22. Recitals.

The recitals set forth above are incorporated into the body of this Agreement as if set forth at length herein.

23. Effective Date.

This Agreement shall become effective upon passage of an authorizing Resolutions by the Municipality and the County as required by the Uniform Shared Services and Consolidation

Act, N.J.S.A. 40A:65-1, et seq., and execution hereof by both the County Executive and the Authorized official of the Municipality.

IN WITNESS WHEREOF, the parties have executed this Shared Services Agreement for THE SHARING OF COUNTY-OWNED EMERGENCY AND NON-EMERGENCY EQUIPMENT ("Agreement"), and agree to be bound to the terms thereof, as of the Effective Date.

ATTEST:

COUNTY OF BERGEN

By: _____
James J. Tedesco, III, County Executive, or
Julien X. Neals, Acting County Administrator

Dated: _____

ATTEST:

By: _____

Dated: _____

Title: _____

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:135

Offered by:

Seconded by:

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

BE IT RESOLVED by the Mayor and Council of the Borough of New Milford, County of Bergen, State of New Jersey that pursuant to N.J.S.A. 39-4-8(e) the following described location is designated as a bus stop:

County Road

1. Along Madison Avenue (CR 74), westbound, on the northerly side thereof at:

a. Charles Street – (near side)

Beginning at the easterly curblin of Charles Street and extending 105 feet easterly therefrom (Location 32665).

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of New Milford, County of Bergen, State of New Jersey that pursuant to N.J.S.A. 39-4-8(e) the following described location is deleted as a bus stop:

County Road

1. Along Madison Avenue (CR 74), westbound, on the northerly side thereof at:

a. Between Grove Street and Salem Street – (mid-block)

Beginning 100 feet west of the westerly curblin of Grove Street and extending 135 feet westerly therefrom (Location 12770).

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of New Milford will enforce the needed traffic regulations governing the aforementioned bus stop location and provide the necessary police security to ensure the safety of the traveling public.

Ann Subrizi
Mayor

Christine Dennis
Municipal Clerk

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 May 8, 2017.

SEAL

Christine Dennis

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:136

Offered by: 

Seconded by: 

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

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF NEW MILFORD, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF NEW MILFORD, AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$6,683,900 BOND ANTICIPATION NOTE, DATED MAY 12, 2017 AND PAYABLE APRIL 12, 2018, AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Borough of New Milford, in the County of Bergen, New Jersey (the "Borough"), from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, that require issuers of tax-exempt obligations, such as the Borough, to account for and rebate certain arbitrage earnings to the United States Treasury and to take such other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough intends to issue a \$6,683,900 bond anticipation note, dated May 12, 2017 and payable April 12, 2018 (the "Note"); and

WHEREAS, the Borough desires to designate the Note as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Code;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of New Milford, in the County of Bergen, New Jersey, as follows:

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Borough (including the Note) be and remain excluded from gross income of the owners

thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) the Note is not a "private activity bond" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2017.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2017.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, the Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2017 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its 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 May 8, 2017.

SEAL

Christine Demaris

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No.

2017:137

Offered by:.....

Seconded by:.....

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

A RESOLUTION SUPPORTING ASSEMBLY BILL A222 "NEW JERSEY LIBRARY CONSTRUCTION BOND ACT" AND URGING THE ASSEMBLY APPROPRIATIONS COMMITTEE TO APPROVE SAME FOR A FULL ASSEMBLY VOTE

WHEREAS, Assembly Bill A222, the New Jersey Library Construction Bond Act, authorizes the issuances of \$125,000,000.00 in general obligation bonds to finance capital projects; and

WHEREAS, it has been over fifteen years since a library construction bond program has been developed by the State of New Jersey; and

WHEREAS, numerous public library facilities need capital funding to provide physical and technological improvements to meet the growing needs of their communities; and

WHEREAS, many public library facilities in New Jersey are not ADA compliant and therefore limit access to library services to thousands of New Jersey residents; and

WHEREAS, the Borough of New Milford supports this financing for capital projects at public libraries around the state of New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of New Milford that it affirms support of Assembly Bill A222 and urges its passage; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to Assembly Speaker Vincent Prieto and all members of the NJ General Assembly.

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 May 8, 2017.

SEAL

Christine Demaris

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:138

Offered by: Deputy Mayor

Seconded by: Councilman Ira Grotsky

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

A RESOLUTION SUPPORTING SENATE BILL S2171 "NEW JERSEY LIBRARY CONSTRUCTION BOND ACT" AND URGING THE SENATE COMMITTEE TO APPROVE SAME FOR A FULL SENATE VOTE

WHEREAS, Senate Bill S2171, the New Jersey Library Construction Bond Act, authorizes the issuances of \$125,000,000.00 in general obligation bonds to finance capital projects; and

WHEREAS, it has been over fifteen years since a library construction bond program has been developed by the State of New Jersey; and

WHEREAS, numerous public library facilities need capital funding to provide physical and technological improvements to meet the growing needs of their communities; and

WHEREAS, many public library facilities in New Jersey are not ADA compliant and therefore limit access to library services to thousands of New Jersey residents; and

WHEREAS, the Borough of New Milford supports this financing for capital projects at public libraries around the state of New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of New Milford that it affirms support of Senate Bill S2171 and urges its passage; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to Senate President Stephen Sweeney and all members of the NJ State Senate.

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 May 8, 2017.

SEAL

Christine Sweeney

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:139

Offered by: [Signature]

Seconded by: [Signature]

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

**RESOLUTION URGING THE LEGISLATURE TO REDUCE LOCAL
AFFORDABLE HOUSING BURDENS AND PROVIDE DEFINED RULES AND
RELIEF IN PROVIDING THEREOF**

WHEREAS, municipalities do not have the resources to provide court mandated housing to comply with the Mount Laurel doctrine without proper funding; and

WHEREAS, lawsuits increase housing four-fold through court mandates and without an affirmative defense municipalities can do nothing to stop growth and sprawl, costing millions of dollars outside of local budgets; and

WHEREAS, property taxes must be raised exponentially to pay the costs associated with court mandates and, therefore, population, further overburdening taxpayers; and

WHEREAS, the cumulative impact of years of unfunded court mandates has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, expected state population growth of .3 percent does not provide sufficient demand to justify court-mandated 30 percent housing supply increase; further congesting our state; and

WHEREAS, New Jersey is already the most densely populated state in the country with 1,195 persons per square mile; and

WHEREAS, the quality of life and public welfare in this municipality will be reduced, negatively impacting infrastructure, water and sewer capacities; school class sizes and school services; municipal services such as volunteer and staffed ambulatory services and fire departments, police departments, public transportation and traffic; and

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2017:139

Offered by:.....

Seconded by:.....

WHEREAS, the lack of affordable housing and rentals is not due to a lack of units, rather it stems from residents paying property taxes that are unaffordable and increasing by roughly \$700 million annually; and

WHEREAS, the state of New Jersey should relieve the burden of unfunded court mandates and provide statewide parity and predictability in regard to municipal affordable housing obligations; and

WHEREAS, the Assembly is urged to pass Assembly Bill No. 4666 imposing an end-of-year moratorium on all affordable housing litigation; and Assembly Bill No. 4667 establishing the "Affordable Housing Obligation Study Commission" to assist in finding solutions to the affordable housing crisis foisted upon municipalities by the end of the year; and

WHEREAS, it is the responsibility of the state and the legislature to assist municipalities; and

WHEREAS, the time has come to reasonably address affordable housing needs in New Jersey to preserve the integrity of the state and its quality of life;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of New Milford urges the state and the legislature to aid municipalities overburdened by court-mandated affordable housing; and

BE IT FURTHER RESOLVED that we enthusiastically must reach a solution to affordable housing in New Jersey; and be it finally

BE IT FINALLY RESOLVED, that certified copies of this Resolution be forwarded to Governor Chris Christie, Lieutenant Governor Kim Guadagno, Department of Community Affairs Commissioner Charles A. Richman, New Jersey Senate President Steve Sweeney, New Jersey Senate Republican Leader Thomas Kean, Jr., New Jersey Assembly Speaker Vincent Prieto, New Jersey Assembly Republican Leader Jon Bramnick, State Senator Robert Gordon, Assemblyman Timothy Eustace and Assemblyman Joseph Lagana, and to the New Jersey League of Municipalities.

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 May 8, 2017.

SEAL

Christine Remick