

MINUTES
BOROUGH OF NEW MILFORD
7:00 PM WORK SESSION
Monday, April 15, 2013



WORK SESSION:

Mayor Subrizi read the Open Public Meeting and Mission Statements.

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

Also Present: Marc Leibman – Borough Attorney; Paul Grygiel – Borough Planner;
Christine Demiriz – Administrator/Borough Clerk

OPEN SESSION:

1. Planner Review of Brunetti Proposal – Paul Grygiel

Mr. Grygiel reported on a recent meeting with Mr. Brunetti and a Council committee consisting of Mayor Subrizi, Council President Duffie and Councilman Colucci. The purpose of the meeting was to discuss what might happen with the Brunetti complex in the future; he noted the discussion was very preliminary. Mr. Brunetti is interested in redeveloping the eastern portion of Brookchester; that which flanks the Boulevard. He noted off-street parking is already an issue and the apartments are in need of a facelift. COAH is also an issue that would need to be addressed. The concept proposed by Mr. Brunetti calls for 400 additional units in three to four story buildings. As proposed it would provide for more parking, more green space, a walking track and it would move the building off the perimeter of the property.

Mr. Grygiel identified benefits of the proposal: a newer, more modern building; increase the number of residents; increase the tax revenue; green space; recreation; meeting the COAH requirements. The detriments were identified as follows: greater demand on municipal services and schools; changing the community character; parking effects on street networks.

Mr. Grygiel said the Council would have to decide where to go from here; what would be required in terms of zoning.

The Mayor said there have been just two short, preliminary meetings and the purpose of tonight's discussion is to bring the Council up to date. She said Mr. Brunetti has offered to come and present the proposal as well.

Councilman Putrino asked about senior housing. Mr. Grygiel responded there is no definitive plan as of yet.

Councilwoman Duffie and Councilman Colucci noted the proposed renovation crosses over the Boulevard; it is a sizable portion of the Brunetti property being discussed.

Mr. Grygiel said the existing zone would need to be changed, noting it is currently a Residential C Zone which provides for two-story garden apartments; it would be revised to allow for something more intense. He said any zone change would affect all garden apartment complexes currently within the "C" zone. He said the Council could create a new zone or could identify the property as an area in need of rehabilitation to allow for a redevelopment plan. He reminded the Council an area in need of rehabilitation would be identified as having water/sewer in excess of fifty years old and in need of repair.

Councilman Ashley asked who would control the contractor if it was designated as an area in need of rehabilitation. Mr. Grygiel said the governing body would adopt a plan and can designate a redeveloper to implement the plan.

Mr. Grygiel said there would be the issue of relocation of current residents. He also noted the governing body would have more control with redevelopment as opposed to rezoning. He said the Planning Board would need to amend the Master Plan with changes to the land use and housing elements.

The Mayor said it would take five to ten years to implement such a plan. Councilman Colucci noted that 25-30 apartments turn over each month and 750 apartments are being proposed. The Mayor said Mr. Brunetti has implemented similar proposals in other locations. The Mayor said she asked if Mr. Brunetti had any interest in selling or creating condominiums; he does not. Mr. Brunetti did indicate he would work with the Borough to help the town meet its entire COAH obligation.

Councilwoman Grant asked how Mr. Grygiel would arrive at a recommendation for the Council. He said it would be useful to hear what is on the table from the property owner. He said it is now just a vague notion without a real sense of the benefits the property owner is willing to provide. Once that is put out there he would have a better idea of what would make the most sense for the Borough. The Mayor suggested having Mr. Brunetti present to the full Council. The Council agreed. The Administrator will ask him to present at May 29th Public Meeting. Mr. Grygiel will attend the June 10th Work Session to discuss the presentation of 5/29. Mr. Grygiel left the meeting.

The Administrator reported she was notified by Capital Alternatives that they would be unable to attend tonight's meeting but her office was later advised that they would attend. She apologized for it not being listed on the agenda. Councilman Putrino said Ms. Casey would not be attending.

Council President Duffie said she had some comments she would like to make on the Brunetti offer. She said the Borough has offer before them from Mr. Brunetti to redevelop the Brookchester property and to take the entire COAH obligation. She said the redevelopment of Brookchester is important for many reasons and New Milford is at a crossroad. She said the Council needs to act swiftly. She said this project will signal the beginning of a redevelopment plan that will ensure the long term economic health of this Borough. She said an endeavor of this size calls for an independent planning consultant and she thinks it should happen as soon as possible. A special redevelopment planner would focus only on economic redevelopment and the Brookchester

redevelopment; not on the day-to-day issues such as Master Plan, applications coming before the land use boards.

Mr. Grygiel returned to the meeting.

Mayor Subrizi asked if Council President Duffie believes Mr. Grygiel is not competent or another planner could do a better job.

Council President Duffie said she is not suggesting either of those things. She said she is suggesting the Borough have a special planning consultant specifically for the redevelopment. Council President Duffie proposed the firm of Kauker and Kauker be appointed as the special redevelopment planner as they have extreme knowledge of the town, the Master Plan, and the zoning ordinance. She said under their guidance New Milford has been compliant with COAH for many years. She said they have not been involved in the Hekemian/United Water application or hearings. She additionally cited Mr. Kauker's extensive experience in all levels of redevelopment. Council President Duffie made a motion to retain Kauker and Kauker as the Special Redevelopment Planning Consultants. Councilwoman Grant seconded the motion.

Mayor Subrizi said she was a member of the Council when Kauker and Kauker was the Borough Planner and she said she may agree or disagree that the Borough was in compliance during that time because there was a time when they were the Planner that the Borough was completely out of compliance with COAH. The Mayor said if the Council was to hire a special planner it might require an RFQ to do so. Mr. Leibman said it would depend on the amount of money to be expended and it would be difficult to put a price on it without knowing exactly what the scope of the engagement would be. Council President Duffie said her proposal was for the economic redevelopment and Brunetti redevelopment. Mr. Leibman said a contract in excess of \$17,500 would require an RFQ.

The Mayor commented the Master Plan and regular borough business may overlap with the Brunetti work and then the Borough would be paying two people for the same job. Council President Duffie said it is not unusual to have a special planning consultant for redevelopment areas.

Council President Duffie rephrased her motion. She said she believes the Borough needs a special planning consultant for the economic redevelopment process and designation. She made a motion to issue an RFQ for the position on the advice of counsel.

Councilman Putrino asked if it was a motion to issue an RFQ, not to actually name someone.

Mr. Leibman said it is a motion to issue an RFQ for a planning consultant for a fiscal impact analysis and to see if the area is in need of rehabilitation or redevelopment for the Brunetti property. Council President Duffie said beginning with, but not limited to, the Brunetti property. Mr. Leibman suggested the Council may wish to have Mr. Brunetti pay for the fiscal impact analysis.

Mayor Subrizi said she would prefer to have Mr. Grygiel handle the matter and hopes the Council would follow through on having retained him as the Planner. Councilwoman Grant said she thinks very highly of Mr. Grygiel however he is in the peculiar position of sitting on the Zoning Board at this time, reviewing the Hekemian application to purchase the water company property and that, while may not be a conflict, could certainly have the appearance of a conflict and may cause some issues. She said this would be the reason to appoint a special planner.

Mr. Leibman recapped the motion: to issue an RFQ seeking a professional planner to prepare a fiscal impact analysis to study whether the Brunetti property is an area in need of rehabilitation or an area in need of redevelopment. Council President Duffie said it should say the Brunetti property and other properties in the town; economic redevelopment.

Councilman Putrino asked if the RFQs come back and no one gets a clear majority would Mr. Grygiel get the job. Mr. Leibman said he would as he is the Borough Planner.

The motion failed on a roll call vote as follows:

For the motion: Duffie, Grant, Putrino

Against the motion: Colucci, Ashley, Robalino, Subrizi

In casting his vote Councilman Colucci commented he believes Mr. Grygiel would be an asset and be cost effective as the Planner.

In casting his vote Councilman Putrino commented it is common to use special planners and engineers for special projects and he thought it would be a good idea to have someone focus specifically on this project.

In casting his vote Councilman Ashley commented he did not feel this could wait for the RFQ process to complete and the Planner in place is more than competent. He also said he feels it is important to have a Borough Planner on all Borough matters.

In casting his vote Councilman Robalino commented it would be an overlapping of services. He said the current Planner is more than able to manage and will do an excellent job. He said he liked the idea of having the developer pay for the fiscal impact study.

Council President Duffie asked to have the Planner clarify the Borough's COAH responsibility and to immediately address the possibility of moving the COAH obligation from one area to another and tell the Council the process to do so.

Mr. Leibman clarified, since COAH is flux, where the number was at the last known point, and the Planner's professional estimate of where it will be five and ten years from now. Mr. Grygiel said nothing has changed in Trenton since the numbers were last reported. He will revisit the numbers and report back to the Council.

Council President Duffie asked what if anything the attorney's role would be in this process. Mr. Leibman said if the decision was to rezone he would review the planner's draft of the rezoning ordinance. He said if the property was deemed an area in need of redevelopment the attorney's role would be much greater. Council President Duffie asked if any of the attorney fees would be covered by the developer. Mr. Leibman said he believed they typically would be covered but said he would review and provide further confirmation.

2. 2013 Budget – Proposed Amendments

Councilman Putrino reviewed the most recent changes made by the Finance Committee. The legal line was increased from \$150,000 to \$165,000. All lines were adjusted so that no individual line was increased or decreased by more than 10% which would necessitate an

additional hearing on the amendment and delay the budget adoption. The Library budget was reduced by approximately \$7,000.

It was noted that a legal bill, recently received, reflected an incorrect hourly rate of \$150.00 per hour. It should be \$125.00 per hour. The Administrator will notify the attorney and request a corrected invoice.

The Administrator asked if she could have the bond attorney prepare the capital bond ordinance as outlined in the introduced and amended budget. Councilman Ashley asked what the \$200,000 capital allocation for the Police Department represented. It was explained, the allocation is to cover all of the expenses to prepare to go out to bid for the construction of the proposed PD addition. Councilman Ashley suggested it may be beneficial to spend less to perform a needs analysis rather than to move forward with construction when that may not be the best course of action. The Mayor said the Council had already had a number of discussions and agreed to proceed. The Council agreed to have the capital bond ordinance prepared for introduction.

Councilman Putrino concluded the budget review by noting \$79,326 was removed from the introduced budget.

3. Eagle Scout Project Request

Councilman Putrino noted, while it is a good idea, the Borough does not own the cemetery; it is owned by the Blauvelt Demarest Society. The Administrator will provide the scout with the contact information for the Blauvelt Society.

4. Prosecutor Resignation

The Administrator referenced the recommendation from the Court Administrator and the Police Chief for Beth Crusius to be named as the replacement. The Mayor said she had yet to receive official notice of the resignation and asked for the matter to be tabled temporarily. She said the Alternate Prosecutor can be called upon until a permanent replacement can be named.

5. Permit Fee Waiver Request

The Mayor and Council asked to have the request re-circulated for further review. The matter was tabled until the next meeting.

6. Fresh & Fancy Farms – Sign/Gate Request

The Mayor recapped. The owners of Fresh & Fancy Farms came to a Mayor and Council meeting to request a gate. They came to the Mayor and Council because a gate would be contrary to the terms of the conservation easement. The Council asked the owner to provide plans depicting the gate. After the meeting it was suggested the Council should contemplate the decision of any type of gate prior to the owner incurring additional expenses.

Councilman Colucci said the gate would come first, followed shortly thereafter by a lock.

Council President Duffie said she is not in favor of any type of gate or any amendment to the conservation easement. The Council unanimously agreed they would be against amending the conservation easement. The Administrator will notify the property owner of the Council's decision.

Council President Duffie went on to say there have been a number of actions taking place on the property that blatantly disregard the deed, there has been intimidation of the Zoning Officer, debris, movement of soil. She asked who should be instructed – the Zoning Board, the engineer, the attorney – to notify the owner they have reached their limit.

Mayor Subrizi recounted a meeting that took place in January with representatives from Bergen County, the Zoning Board attorney, the Zoning Board Chairman, the Zoning Officer, herself, Councilwoman Grant, and Mr. Leibman. Mr. Leibman said the Borough is primarily responsible to maintain public access and enforce the terms of the easement.

Council President Duffie said she is not just talking about the easement; they are doing things on the property that are contrary to the ordinance. The Mayor said we can ask the engineer or Zoning Officer if soil movement has taken place. Mr. Leibman said it would be appropriate to send the engineer or Zoning Officer to inspect for compliance with the deed restrictions. It would be courteous to send a letter to tell them the date and time of the inspection. It would be limited to the deed of easement. Both properties, covered by the easement, should be inspected annually to ensure the public's right to access is maintained. The Administrator said she, along with a representative from the DEP, completed this type of inspection on both properties earlier in the year.

Council President Duffie said this does not address her concerns. Mr. Leibman said you would need probable cause to inspect property beyond the scope of the easement. Mr. Leibman cautioned the Council of a scent of litigation surrounding the discussion. Council President Duffie referenced a letter, dated March 8, 2011 from the previous Borough Attorney, Mark Madaio, in which he stated "my client fully expects any owner to be in compliance with the easement." It was further noted the letter indicates the entire property is burdened by the conservation easement. The Council agreed the discussion should continue in closed session. It was added to the closed session agenda as item #3 – Legal Advice on a motion from Council President Duffie, which was seconded by Councilman Colucci and carried. All present in favor, none opposed.

7. Professional Contracts – Proposed Revisions

Councilwoman Grant said she had requested this item be placed on the agenda. She said, the professional contracts, as currently drafted, only provide for the fee. She suggested other provisions should be added to future contracts such as travel time, research resources, and a reduced fee for associates.

Councilman Robalino said we are already paying a reduced fee for the attorneys. He asked if Councilwoman Grant was suggesting to pay even less to associates. Mr. Leibman said the rate of \$125 is nearly 1/3 the rate he would normally charge and he would argue his associates are worth far more than \$125.

The matter was discussed at length. Going forward the Request for Qualifications will include a requirement to provide a complete summary of the fee structure including travel, research, associates, etc.

8. Repair Shop – Definition of Word Debris

The Mayor recapped the history of this topic including some of the issues with certain properties, summonses issued and appealed and noted it ultimately has ended up costing more to issue the ticket than to not issue the ticket. She noted the Council left off at the point of reworking the ordinance to strengthen the definition of debris. She said the current borough attorney may need to consult with the previous borough attorney. Council President Duffie said it was discussed last year in August and Chief Papapietro issued a memo in October and that it seems to come down to the Borough's ordinance. She did note that the current ordinance calls for cars to be parked 3' from the sidewalk and stated this is not happening at one of the properties in question. The attorney was instructed to review the ordinance and to provide an enforceable definition of debris and a recommendation for anything else that can be strengthened. Councilman Ashley said some boroughs use the International Property Maintenance Code and suggested the Council may wish to adopt it as well.

INTRODUCE ORDINANCE #2013:05

BOND ORDINANCE TO AMEND SECTION 4.A OF THE BOND ORDINANCE (ORD. NO. 2010:07) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF NEW MILFORD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$625,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS," ADOPTED APRIL 26, 2010.

Councilman Robalino made a motion to introduce and approve this ordinance on its first reading. Council President Duffie seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

The ordinance will be published in the Record and a public hearing will be held on May 13, 2013 at 7:00 PM.

COUNCIL:

Councilwoman Grant asked to comment on resolution 2013:125. She noted Mr. & Mrs. Scesa were present at the meeting. They are residents of New Milford and their daughter makes her home at one of the centers slated to be closed. She said they have been very involved in the efforts to keep these two centers open.

Councilman Ashley asked to have resolutions 2013:123 and 2013:124 pulled from the consent agenda for a separate vote.

Council President Duffie said that she had been made aware that the letter of intent the Council instructed the Administrator to submit for the potential acquisition or elevation of additional homes would be in direct competition with the application filed for the Hirschfeld Brook Flood Mitigation Project. Council President Duffie said the commitment to Hirschfeld Brook is longstanding and she feels the Council should pursue that project first. The Mayor agreed, the letter of intent for additional acquisitions should be pulled if it is in direct competition with the Hirschfeld Brook Project. The Council unanimously agreed it should be pulled if the Administrator is able to confirm it is in competition with the other application.

Councilman Colucci reported he was informed by the Chief of Fire Co. #2 that there is an abandoned oil tank on the property. It needs to be removed prior to construction so any issues can be dealt with ahead of time. He referenced an appropriation in last year's capital budget for a concrete apron. He suggested using this money to remove the oil tank. The Administrator explained it would need to be reappropriated via ordinance. She will notify the bond attorney. Councilman Colucci will work with the Buildings and Grounds Supervisor to hire someone to locate the tank. After it is located and funds are reappropriated the B&G Supervisor will obtain quotes to have it removed.

Councilman Putrino asked if the horns at Fire Co. #2 will be disrupted during the renovation. Councilman Colucci said they would be impacted and will need to be temporarily relocated.

Councilman Robalino said that he and Councilman Colucci drove to New Providence to look at streets that had been micro-surfaced. They looked at four streets, two that were done last year and two that were done the year before. He said he could see no difference between the streets and the process had received great reviews from the Borough Manager and the DPW Supervisor. He said micro-surfacing can achieve with \$4,100 what it takes \$15,000 to pave. He asked the DPW Supervisor to attend a future meeting; the DPW Supervisor suggested it would be better to have the micro-surfacing company attend. Councilman Robalino will attempt to schedule an appearance for the September work session.

Mayor Subrizi said she would be attending the 4/16 Community Development meeting at which the Borough's application for additional renovations to the Senior Center will be considered. She also reported that she met with the members of the Police Department to open a conversation on the possibility of moving to the Pittman schedule. She spoke to representatives in Dumont and Oradell who have already adopted this schedule. She said the goal would be to accomplish this with no cost impact to the Borough which would have the effect of picking up two additional officers. The Mayor said when she had the facts and figures she would present it to the Council.

ADMINISTRATOR:

The Administrator referenced the letter from the Beautification Committee asking for permission to enlarge the flower bed at River Edge Road and Holland Avenue. The Council had no objection; the Administrator will notify the Chairman.

The Administrator referenced a letter from a resident requesting permission to hang a banner to welcome his son home from a military tour of duty. The Council approved the request for a one week period and it was suggested a policy for resident requests should be drafted.

The Administrator referenced a memo from the Assistant Superintendent of the DPW regarding the position of Recycling Coordinator. The matter will be listed for discussion in closed session on the 4/22 agenda.

The Administrator raised the possibility of written committee reports being submitted and spread in full upon the minutes by motion of the Council. The Council agreed; this process will begin with the May public meeting.

The Administrator reported the DPW Secretary suggested an additional bulletin board be placed in the vestibule of the Borough Hall and be devoted specifically to items pertaining to the DPW and Recycling. She has volunteered to create and maintain the board. All were in favor.

The Administrator referenced a letter received from the County Board of Taxation regarding the Borough's valuation and read from an email from the Tax Assessor with an explanation. The Assessor's email will be forwarded to the Council for their review.

RESOLUTIONS:

- 2013:119 Closed Session
- 2013:120 Payment of Bills and Vouchers
- 2013:121 Authorize Escrow Refund – O'Brien, 502 Hughes Road in the amount of \$150.00
- 2013:122 Approve Introduction of Bond Ordinance 2013:05 to Amend Ordinance 2010:07
- 2013:123 Award one year contract in the amount of \$35,000 to Ferretti Carting, Inc. for the Collection, Removal and Disposal of Recycling Materials from the Apartment Complexes and New Milford High School and the David E. Owens Middle School
- 2013:124 Award one year contract in the amount of \$115,000 to Ferretti Carting, Inc. for the Collection, Removal and Disposal of Recycling Materials from 1-4 Family Residences, New Milford Senior Center, New Milford Library, New Milford Fire Company #1 and New Milford Fire Company #2
- 2013:125 Support New Jersey State Senate Bill S-2596 and Assembly Bill A-3951 to keep open two centers for the developmentally disabled in northern New Jersey
- 2013:126 Approve Extension of Premise Permit – Pancho's Burritos, May 5, 2013
- 2013:127 Authorize Duplicate Tax Payment Refund – Block 410, Lot 29
- 2013:128 Designate a \$3,500,000 Bond Anticipation Note dated April 19, 2013 and payable April 17, 2014 as a "Qualified Tax-Exempt Obligation"
- 2013:129 Award Flood Buyout Demolition Project to CAP Services in the amount of \$54,730.00

COMMENTS FROM THE PUBLIC

Councilman Robalino made a motion to open to the public. Councilwoman Grant seconded the motion. All present in favor, none opposed.

Ulises Cabrera – 659 Columbia Street. Mr. Cabrera said he walked through the woods behind the Dorchester apartments and found a lot of debris. He asked to have the DPW clean up the area. Mr. Cabrera then asked if the developer (Mr. Brunetti) had indicated that he was willing to absorb the town's entire COAH obligation. Mr. Cabrera was advised that he had. Mr. Cabrera suggested it would be good to get this in writing. The Mayor said the planner for the developer would be attending the May 29th meeting of the Mayor and Council; at this time it would be premature to request a commitment. Mr. Cabrera asked if it would be a good time to remove the obligations from

the United Water property. He was advised that the Borough's planner was instructed earlier in the evening to provide the Council with the information to do this.

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

VOTE ON RESOLUTIONS

Councilman Robalino made a motion to approve the consent agenda: resolutions 2013:119 through 2013:122 and 2013:125 through 2013:129. Councilman Colucci seconded the motion. All present in favor, none opposed.

Councilman Robalino made a motion to approve resolution 2013:123 and 2013:124. Councilman Colucci seconded the motion. The motion passed on a roll call vote as follows:

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

Against the motion: Ashley

Abstain: None

Councilwoman Duffie made a motion to go into closed session. Councilman Robalino seconded the motion. All present in favor, none opposed.

CLOSED SESSION:

1. Collective Bargaining – Compensation for Waived Benefits
2. Review of Closed Session Minutes – 6/25/12, 7/23/12, 8/20/12
3. Legal Advice – Deed of Easement
4. Personnel – Sr. Center
5. Legal Advice – Police Department

At the conclusion of the closed session Councilman Colucci made a motion to reopen the meeting. Councilman Robalino seconded the motion. All present in favor, none opposed.

Councilman Robalino made a motion to approve the 6/25/12 and 7/23/12 Closed Session Minutes. Councilman Colucci seconded the motion. The motion passed on a roll call vote, all present in favor with the exception of Councilman Putrino who abstained.

Councilman Robalino made a motion to approve the 8/20/12 Closed Session Minutes. Councilman Colucci seconded the motion. The motion passed on a roll call vote, all present in favor with the exception of Councilman Putrino and Councilman Ashley who abstained.

ADJOURNMENT

Councilwoman Grant made a motion to adjourn. Council President Duffie seconded the motion. All present in favor, none opposed. Time 11:02 PM.

Respectfully submitted,



Christine Demiris, RMC
Borough Clerk

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:119

Offered by: [Signature]

Seconded by: [Signature]

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

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

1. Collective Bargaining – Compensation for Waived Benefits
2. Review of Closed Session Minutes – 6/25/12, 7/23/12, 8/20/12
3. Legal Advice – Deed of Easement
4. Personnel – Sr. Center
5. Legal Advice – Police Department

WHEREAS, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW, THEREFORE BE IT RESOLVED that the public be excluded from this meeting.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on April 15, 2013.

SEAL

[Signature]

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:120

Offered by: [Signature]

Seconded by: [Signature]

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

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council hereby authorize the payment of these claims, and that warrants be drawn therefore when funds are available in the aggregate amount of \$2,350,449.50.

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 April 15, 2013.

SEAL

Cristina Demaris

BOROUGH OF NEW MILFORD**Bill list****MARCH 16-31, 2013 PAYROLL**

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
PAYROLL	1354.17	MARCH 16-31, 2013 PAYROLL	GENERAL	2582
PAYROLL	3625.00	MARCH 16-31, 2013 PAYROLL	MAYOR &	2582
PAYROLL	1875.00	MARCH 16-31, 2013 PAYROLL	MAYOR AND	2582
PAYROLL	8177.91	MARCH 16-31, 2013 PAYROLL	MUNICIPAL	2582
PAYROLL	7115.35	MARCH 16-31, 2013 PAYROLL	COLLECTION	2582
PAYROLL	1262.80	MARCH 16-31, 2013 PAYROLL	ASSESSMENT	2582
PAYROLL	645.38	MARCH 16-31, 2013 PAYROLL	ASSESSMENT	2582
PAYROLL	105.00	MARCH 16-31, 2013 PAYROLL	ZONING	2582
PAYROLL	5240.83	MARCH 16-31, 2013 PAYROLL	CODE	2582
PAYROLL	0.00	MARCH 16-31, 2013 PAYROLL	HEALTH	2582
PAYROLL	6547.67	MARCH 16-31, 2013 PAYROLL	HEALTH	2582
PAYROLL	1289.45	MARCH 16-31, 2013 PAYROLL	POLICE	2582
PAYROLL	7593.06	MARCH 16-31, 2013 PAYROLL	POLICE	2582
PAYROLL	4732.82	MARCH 16-31, 2013 PAYROLL	POLICE	2582
PAYROLL	13456.21	MARCH 16-31, 2013 PAYROLL	POLICE	2582
PAYROLL	185387.01	MARCH 16-31, 2013 PAYROLL	POLICE	2582
PAYROLL	512.50	MARCH 16-31, 2013 PAYROLL	FIRE S/W	2582
PAYROLL	473.50	MARCH 16-31, 2013 PAYROLL	UNIFORM	2582
PAYROLL	6105.12	MARCH 16-31, 2013 PAYROLL	PUBLIC	2582
PAYROLL	56946.83	MARCH 16-31, 2013 PAYROLL	PUBLIC	2582
PAYROLL	600.00	MARCH 16-31, 2013 PAYROLL	PUBLIC	2582
PAYROLL	1570.93	MARCH 16-31, 2013 PAYROLL	RECYCLING	2582
PAYROLL	3375.62	MARCH 16-31, 2013 PAYROLL	PUBLIC	2582
PAYROLL	4639.64	MARCH 16-31, 2013 PAYROLL	BOARD OF	2582
PAYROLL	2167.50	MARCH 16-31, 2013 PAYROLL	RECREATION	2582
PAYROLL	3323.76	MARCH 16-31, 2013 PAYROLL	SENIOR	2582
PAYROLL	20920.90	MARCH 16-31, 2013 PAYROLL	LIBRARY	2582
PAYROLL	6101.46	MARCH 16-31, 2013 PAYROLL	MUNICIPAL	2582
PAYROLL	1000.00	MARCH 16-31, 2013 PAYROLL	PUBLIC	2582
PAYROLL	2594.09	MARCH 16-31, 2013 PAYROLL	TITLE III -	2582
PAYROLL	9693.83	MARCH 16-31, 2013 BORO SOCIAL	SOCIAL	2583
PAYROLL	4339.18	MARCH 16-31, 2013 BORO MEDICARE	SOCIAL	2584

Total fund: 01 Current 372772.52

Total Bill List: 372772.52

BOROUGH OF NEW MILFORD**Bill list****APRIL 15, 2013**

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
RICHARD & MARY	150.00	REFUND PERMIT #1303-01	PERMIT	2585
MICHAEL CALAMARI	195.00	3/18/13 MEAL MONEY REIMB.	PUBLIC	2586
FRANK PAPAPIETRO	80.00	REIMB. FBI RENEWAL MEMBERSHIP DUES	POLICE	2587
FRANK PAPAPIETRO	5.34	PETTY CASH	POLICE	2588
FRANK PAPAPIETRO	49.42	PETTY CASH	POLICE	2588
FRANK PAPAPIETRO	42.94	PETTY CASH	POLICE	2588
FRANK PAPAPIETRO	0.00	PETTY CASH	POLICE	2588
FRANK PAPAPIETRO	8.55	PETTY CASH	POLICE	2588
FRANK PAPAPIETRO	41.88	PETTY CASH	DDEF FUND	2588
KEVIN J. VAN	173.14	REIMB. CLOTHING PURCHASE	POLICE	2589
RICHARD J.	100.00	JAN. 15, 2013 INV.13-01 ATTEND	PLANNING	2590
RICHARD J.	100.00	FEB. 19, 2013 INV. 13-02 ATTEND	PLANNING	2591
PATRICIA SUPINO	684.00	REIMB. MEALS/MILEAGE MANDATORY	MUNICIPAL	2592
HUNTINGTON BAILEY,	255.50	12/4/12-2/5/13 SERVICES	LEGAL	2593
PHILLIPS PREISS	145.00	INV.16778 FEB. 2013 SERVICES	ZONING	2594
FERRAIOLI,	370.00	3/26/13 CASH FLOW ANALYSIS T.A.N.	FINANCIAL	2595
FERRAIOLI,	185.00	EMERGENCY RESOLUTION-ORD-ACCRUED	FINANCIAL	2596
BOSWELL MCCLAVE	176.00	INV.74611 2/19/13 NM604 ATTEND MTG	PLANNING	2597
SWELL MCCLAVE	0.00	INV.74611 2/19/13 NM604 ATTEND MTG	ZONING	2597
BOSWELL MCCLAVE	0.00	INV.74611 2/19/13 NM604 ATTEND MTG	ZONING	2597
BOSWELL MCCLAVE	0.00	INV.74610 2/12/13 NM603 ATTEND ZB	PLANNING	2598
BOSWELL MCCLAVE	0.00	INV.74610 2/12/13 NM603 ATTEND ZB	ZONING	2598
BOSWELL MCCLAVE	176.00	INV.74610 2/12/13 NM603 ATTEND ZB	ZONING	2598
BOSWELL MCCLAVE	352.00	INV.74850 3/25/13 NM602 GENERAL	ENGINEERING	2599
BOSWELL MCCLAVE	7675.97	INV.74849 3/25/13 NM598F SITE	HAZARD	2600
EDIE RYERSON	70.00	3/5/13 ENVIRONMENTAL MTG MINUTES	ENVIRONMENT	2601
JESSE V. D'AMORE	172.80	446 MADISON AVE & 133 CENTER ST	BOARD OF	2602
HASMIG MEKJIAN	1440.00	JAN-MARCH 2013 36 CLASSES TAI-CHI	SENIOR	2603
TREASURER, STATE	500.00	JAN-MARCH 1ST QTR 20	STATE	2604
TREASURER, STATE OF	1106.00	JAN-MARCH 2013 1ST QTR STATE	STATE	2605
BERGEN CTY	65729.37	2ND QTR 2013 JIF ASSESSMENT BILL	LIABILITY	2606
BERGEN CTY	0.00	2ND QTR 2013 JIF ASSESSMENT BILL	WORKMANS	2606
BERGEN CTY	79174.87	2ND QTR 2013 JIF ASSESSMENT BILL	WORKMANS	2606
FLAGSHIP HEALTH	80.70	APRIL PREMIUM INV.92036	INSURANCE	2607
RELIANCE STANDARD	1327.56	APRIL 2013 PREMIUM STD 159044	INSURANCE	2608
NEW MILFORD BOARD	582750.54	PAYMENT 3 MARCH 2013 SCHOOL	SCHOOL	2609
NEW MILFORD BOARD	582750.55	BALANCE MARCH 2013 SCHOOL	SCHOOL	2610
FORD MOTOR CREDIT	3456.30	PAYMENT NO. 31 ACCT.5381015 LEASE	POLICE	2611
BMI	327.00	ACCT.2392432 BMI LOCAL GOV'T	MUNICIPAL	2612
VERIZON	73.38	INV.013613 201-202-9455	O/E	2613
VERIZON WIRELESS	762.07	1/24-2/23/13 CELL CHARGES	O/E	2614
APLES ADVANTAGE	270.45	INV.3195281032 ACCT.1053306 OFFICE	COLLECTION	2615
STEWART BUSINESS	181.00	INV. 19A493 FEB. MAINTENANCE ON	MUNICIPAL	2616
SCOTT GRAPHICS	75.00	INV. 10542 250 SANITARY INSPECTION	BOARD OF	2617
SCOTT GRAPHICS	140.00	INV. 10492 1,000 #10 ENVELOPES	MUNICIPAL	2618
SCOTT GRAPHICS	625.00	INV.10523 500 PERMIT FOLDERS	CODE	2619
LO GATTO	190.00	INV. 6784A 3/8/13 2013 TAX BOOKS	ASSESSMENT	2620

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
GANN LAW BOOKS	205.00	INV. D503949 2 GAN LAW BOOKS	ZONING	2621
NOAH'S CLEANERS	135.00	INV.28-7513-T ALTERATIONS POLICE	POLICE	2622
PALISADES SALES	340.00	INV. 951936 3 MICROSOFT REMOTE	POLICE	2623
POP PRODUCTS	577.00	INV.98844-00, 98844-01 FLOOR	PUBLIC	2624
LL'S INC.	313.40	INV. BC0012411 B. LONG CLOTHING	POLICE	2625
DEPTCOR	714.00	INV. 119525 GREEN SIGN POSTS	POLICE	2626
LANIGAN	64.00	INV. 86624 S. LITTLEFIELD CLOTHING	POLICE	2627
ALL POINTS	100.00	TRUCK 22 3/21/13 TOWING	VEHICLE	2628
I.D.M. MEDICAL	138.25	INV. B4702 OXYGEN REFILLS	POLICE	2629
REGIONAL	45.00	INV. 120467 ACCT.17511 RADIO	POLICE	2630
GUARD LINE FIRE &	829.20	INV. 639937 3/13/13 DETECTOR,	FIRE O/E	2631
MILFORD ARMS	1200.00	1ST QTR 2013 (JAN,FEB,MARCH)	GARBAGE &	2632
PALMERS HOME	246.46	INV.20866,653140,653172,653432,653	PUBLIC	2633
HOME DEPOT CREDIT	53.15	INV. 261852 3 VINYL ROOM DARKENING	PUBLIC	2634
ONE CALL CONCEPTS,	69.54	INV.3025104 FEB. MARK OUT MESSAGES	O/E	2635
CERTIFIED	1347.75	INV.1029025 20 4x5 FLOW MATE SEWER	PUBLIC	2636
P & A AUTO PARTS	2215.13	FEB. INVOICES SUPPLIES/PARTS	PUBLIC	2637
TRICO EQUIPMENT	110.09	INV.PT08907 2/27/13	PUBLIC	2638
INTERNATIONAL SALT	2850.68	INV. 423301 ROAD SALT	PUBLIC	2639
AUTOMOTIVE BRAKE	96.56	INV. 137546 PARTS	PUBLIC	2640
BRAEN STONE	535.43	INV.293367 MB 50 TONS QUARRY STONE	PUBLIC	2641
FLEETSOURCE, LLC	2401.56	INV.60-000767 REPL. FUEL	PUBLIC	2642
RACHLES/MICHELE'S	602.19	INV.164966 2/27/13	O/E GAS &	2643
RACHLES/MICHELE'S	3336.87	INV.165267 2/23-3/6/13 1114. GALS	O/E GAS &	2644
RACHLES/MICHELE'S	3850.84	INV.165267 3/6/13 DIESEL	O/E GAS &	2645
UNITED WATER NEW	737.71	FEBRUARY 2013 CURRENT BILLING	O/E WATER	2646
UNITED WATER NEW	15437.68	MARCH 2013 HYDRANTS ACCT	O/E WATER	2647
LOTTLER, GEOFFREY &	2189.13	BL.410 LT. 29 1ST QTR 2013 TAX	TAX	2648
FERRETTI CARTING,	4500.00	INV.4284 MARCH APTS/NMHS/NMMS	RECYCLING	2649
FERRETTI CARTING,	12083.33	INV. 4283 MARCH 2013 RESIDENTIAL	RECYCLING	2650
PRIMO PEST CONTROL	50.00	MARCH EXTERMINATION INV.2678	SENIOR	2651
SHOP RITE OF NEW	234.96	CUST. NO. 3563-MARCH WELLNESS	SENIOR	2652
CARTRIDGE WORLD	95.96	INV. 18629 3 BLACK INK, 1 COLOR	MUNICIPAL	2653
MOMAR, INC.	256.87	INV.A20713 2 DOZ. EZE BRAKE	PUBLIC	2654
PAYROLL	1354.17	APRIL 1-15, 2013 PAYROLL	GENERAL	2655
PAYROLL	8330.40	APRIL 1-15, 2013 PAYROLL	MUNICIPAL	2655
PAYROLL	1440.81	APRIL 1-15, 2013 PAYROLL	COLLECTION	2655
PAYROLL	7115.35	APRIL 1-15, 2013 PAYROLL	COLLECTION	2655
PAYROLL	1389.08	APRIL 1-15, 2013 PAYROLL	ASSESSMENT	2655
PAYROLL	1377.78	APRIL 1-15, 2013 PAYROLL	ASSESSMENT	2655
PAYROLL	5240.83	APRIL 1-15, 2013 PAYROLL	CODE	2655
PAYROLL	7334.94	APRIL 1-15, 2013 PAYROLL	POLICE	2655
PAYROLL	4824.40	APRIL 1-15, 2013 PAYROLL	POLICE	2655
PAYROLL	11537.64	APRIL 1-15, 2013 PAYROLL	POLICE	2655
PAYROLL	45366.10	APRIL 1-15, 2013 PAYROLL	POLICE	2655
PAYROLL	150437.62	APRIL 1-15, 2013 PAYROLL	POLICE	2655
PAYROLL	70.00	APRIL 1-15, 2013 PAYROLL	UNIFORM	2655
PAYROLL	473.50	APRIL 1-15, 2013 PAYROLL	UNIFORM	2655
PAYROLL	610.76	APRIL 1-15, 2013 PAYROLL	PUBLIC	2655
PAYROLL	49461.52	APRIL 1-15, 2013 PAYROLL	PUBLIC	2655
PAYROLL	600.00	APRIL 1-15, 2013 PAYROLL	PUBLIC	2655
PAYROLL	1570.93	APRIL 1-15, 2013 PAYROLL	RECYCLING	2655
PAYROLL	3375.62	APRIL 1-15, 2013 PAYROLL	PUBLIC	2655
PAYROLL	4589.64	APRIL 1-15, 2013 PAYROLL	BOARD OF	2655
PAYROLL	424.36	APRIL 1-15, 2013 PAYROLL	RECREATION	2655

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
PAYROLL	3416.72	APRIL 1-15, 2013 PAYROLL	SENIOR	2655
PAYROLL	0.00	APRIL 1-15, 2013 PAYROLL	LIBRARY	2655
PAYROLL	22795.33	APRIL 1-15, 2013 PAYROLL	LIBRARY	2655
PAYROLL	4063.85	APRIL 1-15, 2013 PAYROLL	MUNICIPAL	2655
PAYROLL	2524.21	APRIL 1-15, 2013 PAYROLL	TITLE III -	2655
PAYROLL	8094.90	APRIL 1-15, 2013 BORO SOCIAL	SOCIAL	2656
PAYROLL	3929.71	APRIL 1-15, 2013 BORO MEDICARE	SOCIAL	2657
PALMERS HOME	58.67	INV.643871,649816,650262,650462,65	PUBLIC	2658
TIME SYSTEMS	285.00	INV.155116 DIAGNOSTIC & REPAIR	MUNICIPAL	2659
COOPER ELECTRIC	160.74	INV.15145903, CM SA09852947 2	PUBLIC	2660
DAVE STERN, INC	896.50	INV.272525 TIRES, MOUNT, VALVE	CLEAN	2661
CERTIFIED	1275.21	INV.1031546 35 GALS ASPHALT	PUBLIC	2662
MOMAR, INC.	1312.31	INV. A20756 33 GALS SEWER	PUBLIC	2663
NEW MILFORD PUBLIC	35000.00	PARTIAL BUDGET APPROPRIATION	LIBRARY	2664
HARTE, MICHAEL P.	1254.51	BL.1315 LT.2 REPLACE 2011 TAX	OPERATIONS	2665
IRON MOUNTAIN	183.07	INV. GUY8970 MARCH 2013 ACCT.N2194	MUNICIPAL	2666
CLEANING WORLD	1110.00	INV. 62652 MARCH 2013 CLEANING	PUBLIC	2667
CLEANING WORLD	0.00	INV. 62652 MARCH 2013 CLEANING	RECREATION	2667
CLEANING WORLD	35.00	INV. 62652 MARCH 2013 CLEANING	RECREATION	2667
CLEANING WORLD	550.00	INV. 62652 MARCH 2013 CLEANING	SENIOR	2667
P & A AUTO PARTS	125.67	INV. 13-470261, 13-468622	VEHICLE	2668
LEXIS NEXIS	209.00	INV. 20130331 MARCH 2013	O/E	2669
AETNA	139380.88	APRIL PREMIUM INV.G1496995	INSURANCE	2670
NORTHEAST GAS	68.00	INV.15407 WELDING RENTAL	PUBLIC	2671
METROPOLITAN	207.34	INV. 1073, 1152 SEWER JET REPAIRS	PUBLIC	2672
CLIFFSIDE BODY	580.16	INV. S 64472 GEAR BOX, COUPLING,	PUBLIC	2673
GEN COUNTY	20831.54	FEB. 2013 RESIDENTIAL TIPPING	GARBAGE &	2674

Total fund: 01 Current 1945404.84

Total Bill List: 1945404.84

BOROUGH OF NEW MILFORD

Bill list

APRIL 15, 2013

Combined ANIMAL CONTROL 13

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
NJ STATE DEPT. OF	162.60	MARCH 2013 DOG LICENSE FEES	RES'V FOR	1016
Total fund: 2930 RES'V FOR ANIMAL CTRL EXPENSE				162.60
Total Bill List:		162.60		

BILL LIST FOR MEETING OF:

APRIL 15, 2013

DEVELOPER'S ESCROW

VENDOR	ACCOUNT	CHECK NO.	AMOUNT
BOSWELL MC CLAVE ENGINEERING	ALEX & SONS	1278	\$528.00
SCOTT SPROVIERO, ESQ.	S. HEKEMIAN	1279	\$1,343.75
BOSWELL MC CLAVE ENGINEERING	S. HEKEMIAN	1280	\$5,543.00
BOSWELL MC CLAVE ENGINEERING	PARK	1281	\$176.00
RICHARD J. ABRAHAMSEN, ESQ.	PARK	1282	\$625.00
BOSWELL MC CLAVE ENGINEERING	SANZARI'S	1283	\$176.00
NORTH JERSEY MEDIA GROUP	S. HEKEMIAN	1284	\$72.84
BOROUGH OF NEW MILFORD CURRENT ACCOUNT	S. HEKEMIAN	1285	\$228.32
PHILLISP PREISS GRYGIEL LLC	ALEX & SONS	1286	\$725.00
SCOTT SPROVIERO, ESQ.	ALEX & SONS	1287	\$93.75
SCOTT SPROVIERO, ESQ.	S. HEKEMIAN	1288	\$100.00
BOSWELL MC CLAVE ENGINEERING	S. HEKEMIAN	1289	\$1,584.00
		TOTAL	\$11,195.66

BOROUGH OF NEW MILFORD

Bill list

APRIL 15, 2013

Combined TRUST FUND 12

Vendor

KEVIN ULMER

Amount Description

300.00 DJ 3/28/13 MIDDLE SCHOOL DANCE

Account

RESERVE FOR

Check #

1012

Total fund: 2802 RESERVE FOR DRUG & ALCOLHOL AL

300.00

Total Bill List:

300.00

BOROUGH OF NEW MILFORD

Bill list

APRIL 15, 2013

Combined TRUST FUND 12

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
BAUER SPORT SHOP	396.00	INV. 1310 36 T-SHIRTS	RESERVE JR.	1007
THE INTREPID	420.00	40 STUDENTS 5/24/13	RESERVE JR.	1008
Total fund: 2803 RESERVE JR. POLICE ACADEMY				816.00
Total Bill List:		816.00		

BOROUGH OF NEW MILFORD

Bill list

APRIL 15, 2013

Combined TRUST OTHER 12

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
S. ROTONDI & SONS,	15000.00	INV.244121 2/28/13 TUB	SNOW	1016
Total fund: 2705 SNOW REMOVAL RESERVE				15000.00
Total Bill List:		15000.00		

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013: 121

Offered by: *Justin Collier*

Seconded by: *AT*

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

WHEREAS, Richard & Mary O'Brien, 502 Hughes Road, New Milford, NJ 07646 made an application for a boiler permit on January 1, 2013, and

WHEREAS, Richard & Mary O'Brien, 502 Hughes Road, New Milford, NJ 07646 was issued a permit, number 1303-01, and was charged a \$150.00 fee; and

WHEREAS, Richard & Mary O'Brien, 502 Hughes Road, New Milford, NJ 07646, has asked for the permit fee to be refunded as per the enclosed claim letter from Whalen & Ives, Inc. and per resolution 2012:314 waiving permit fees for repairs associated with Hurricane Sandy ; and

WHEREAS, Richard & Mary O'Brien, 502 Hughes Road, New Milford, NJ 07646 is now due a refund of \$150.00.

NOW THEREFORE BE IT RESOLVED that the Building Department return to Richard & Mary O'Brien, 502 Hughes Road, New Milford, NJ 07646 the sum of \$150.00 as a reimbursement for Permit #1303-01.

BUILDING DEPARTMENT – Construction Permit #1303-01

ACCOUNT #01-1920-08-1600-001 \$150.00

Please adjust the above account.

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 April 15, 2013

SEAL

Cristina Demus

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:122

Offered by: A. J. P. R.

Seconded by: [Signature]

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

BE IT RESOLVED that the ordinance entitled:

"BOND ORDINANCE TO AMEND SECTION 4.A OF THE BOND ORDINANCE (ORD. NO. 2010:07) ENTITLED: 'BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF NEW MILFORD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$625,000 TO PAY THE COST THEREOF, TO MAKE A SOEN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONEDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE DOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS,' ADOPTED APRIL 26, 2010."

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

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on April 15, 2013.

Christine Demaris

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013-123

Offered by:

Seconded by:

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

WHEREAS, the Mayor and Council of the Borough of New Milford advertised for public bids in connection with Collection, Removal and Disposal of Recycling Materials from the Apartment Complexes (Dorchester Manor, Brookchester, New Milford Arms, New Milford Village) and New Milford High School and the David E. Owens Middle School; and

WHEREAS, the bid specifications provided for three options: Option 1 – a one-year contract with four one-year options for renewal; Option 2 – a three-year contract with two one-year options for renewal; and Option 3 – a five-year contract; and

WHEREAS, two bids were received and opened on March 15, 2013 at 10:30 AM in the New Milford Borough Hall as follows:

	Option 1 <u>5 Year Total</u>	Option 2 <u>5 Year Total</u>	Option 3 <u>5 Year Total</u>
Ferretti Carting	\$200,000	\$200,000	\$187,500
Miele Sanitation	\$304,000	\$304,000	\$304,000

WHEREAS, the foregoing procedures were in compliance with the New Jersey Public bidding law and all other statutes, rules and regulations governing public bidding; and

WHEREAS, Ferretti Carting, Inc., Hackensack, NJ was determined to be the lowest responsible bidder; and

WHEREAS, the Borough of New Milford, subject to the terms and conditions set forth in the specifications hereby accepts the bid of Ferretti Carting for a one-year contract with four one-year options for renewal as outlined in Option 1 of the bid specifications as follows:

Year One:	June 1, 2013 – May 31, 2014	\$35,000
Option Yr. 1:	June 1, 2014 – May 31, 2015	\$37,500
Option Yr. 2:	June 1, 2015 – May 31, 2016	\$40,000
Option Yr. 3:	June 1, 2016 – May 31, 2017	\$42,500
Option Yr. 4:	June 1, 2017 – May 31, 2018	\$45,000

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:123

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough of New Milford does hereby award the one-year contract in the amount of \$35,000 for the Collection, Removal and Disposal of Recycling Materials from the Apartment Complexes and New Milford High School and the David E. Owens Middle School for the Borough of New Milford to Ferretti Carting, Inc., 160 Union Street, Hackensack, NJ 07601.

BE IT FURTHER RESOLVED, that a copy of this resolution be provided to Ferretti Carting, Inc. and the Department of Public Works.

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 April 15, 2013.

Christine Demaris

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:124

Offered by: [Signature]

Seconded by: [Signature]

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

WHEREAS, the Mayor and Council of the Borough of New Milford advertised for public bids in connection with Collection, Removal and Disposal of Recycling Materials from 1-4 Family Residences, New Milford Senior Center, New Milford Library, New Milford Fire Company #1 and New Milford Fire Company #2; and

WHEREAS, the bid specifications provided for three options: Option 1 – a one-year contract with four one-year options for renewal; Option 2 – a three-year contract with two one-year options for renewal; and Option 3 – a five-year contract; and

WHEREAS, bids were received and opened on March 15, 2013 at 11:00 AM in the New Milford Borough Hall as follows:

	Option 1 <u>5 Year Total</u>	Option 2 <u>5 Year Total</u>	Option 3 <u>5 Year Total</u>
Ferretti Carting	\$675,000	\$670,000	\$725,000
Miele Sanitation	\$810,000	\$810,000	\$810,000

WHEREAS, the foregoing procedures were in compliance with the New Jersey Public bidding law and all other statutes, rules and regulations governing public bidding; and

WHEREAS, Ferretti Carting, Inc., Hackensack, NJ was determined to be the lowest responsible bidder; and

WHEREAS, the Borough of New Milford, subject to the terms and conditions set forth in the specifications hereby accepts the bid of Ferretti Carting for a one-year contract with four one-year options for renewal as outlined in Option 1 of the bid specifications as follows:

Year One:	May 1, 2013 – April 30, 2014	\$115,000
Option Yr. 1:	May 1, 2014 – April 30, 2015	\$140,000
Option Yr. 2:	May 1, 2015 – April 30, 2016	\$140,000
Option Yr. 3:	May 1, 2016 – April 30, 2017	\$140,000
Option Yr. 4:	May 1, 2017 – April 30, 2018	\$140,000

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:124

Offered by:.....

Seconded by:.....

NOW, THEREFORE, BE IT RESOLVED, that the Borough of New Milford does hereby award the one-year contract in the amount of \$115,000 for the Collection, Removal and Disposal of Recycling Materials from 1-4 Family Residences, New Milford Senior Center, New Milford Library, New Milford Fire Company #1 and New Milford Fire Company #2 for the Borough of New Milford to Ferretti Carting, Inc., 160 Union Street, Hackensack, NJ 07601.

BE IT FURTHER RESOLVED, that a copy of this resolution be provided to Ferretti Carting, Inc. the Department of Public Works.

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 April 15, 2013.

SEAL

Christine Demaris

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:125

Offered by:.....

Seconded by:.....

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

**RESOLUTION IN SUPPORT OF LEGISLATIVE
ACTION TO KEEP OPEN THE TWO CENTERS FOR THE
DEVELOPMENTALLY DISABLED IN NORTHERN NEW JERSEY**

WHEREAS, there are two centers for the developmentally disabled in northern New Jersey: the North Jersey Developmental Center in Totowa and the Woodbridge Developmental Center in Woodbridge; and

WHEREAS, approximately 700 severely developmentally disabled people reside in these two centers; and

WHEREAS, approximately 2,000 people are employed by these two centers; and

WHEREAS, the state has decided to close these two centers and transfer most of the residents to five other centers, three of which are in southern New Jersey and two of which are a bit closer but have few spaces available; and

WHEREAS, such a move would be traumatic for the residents, many of whom have no memories of any other home; and

WHEREAS, the parents and guardians of many of the residents are aging and would find it difficult to travel at least two or three hours to get to the centers in southern New Jersey; and

WHEREAS, such travel might necessitate overnight stays, additional expenses and therefore fewer visits; and

WHEREAS, there would be less contact between the residents and their parents, guardians or other relatives, which would reduce the comfort, security and well being of the residents; and

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:125

Offered by:.....

Seconded by:.....

WHEREAS, 2,000 people will lose their jobs; now

THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of New Milford support New Jersey State Senate Bill S-2596 and Assembly Bill A-3951 and any future legislation, which would keep the North Jersey Center for the Developmentally Disabled in Totowa and the Woodbridge Center for the Developmentally Disabled open; and

BE IT FURTHER RESOLVED that copies of this resolution be sent to Senate President Stephen M. Sweeney, Senator Joseph F. Vitale, Assembly Speaker Sheila Y. Oliver, Assembly Majority Leader Louis D. Greenwald, Senator Robert Gordon, Assemblywoman Valerie Vainieri Huttie, Assemblywoman Connie Wagner, Assemblyman Tim Eustace, Governor Christie, and Bergen County Executive Kathleen Donovan.

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 April 15, 2013.

SEAL

Christine Demus

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No 2013: 126

Offered by: Walter J. De

Seconded by: Christine Bernieris

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

WHEREAS, Pancho's Burritos, 214 Main Street, New Milford, NJ, License #0238-33-016-005 has applied for a Permit to Extend Licensed Premises to include the parking lot and additional outdoor seating of their establishment for an event scheduled for Sunday, May 5, 2013; and

WHEREAS, the required documentation along with a fee of \$75.00 made payable 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;

WHEREAS, the applicant agrees to the following conditions; no service bar shall be outside, no seating shall be on the Prospect Avenue side of premises and applicant must contact Chief Papapietro regarding security measures.

NOW, THEREFORE, BE IT RESOLVED, the Mayor & Council hereby approve the Petition to Extend Licensed Premises of Pancho's Burritos for their event on May 5, 2013 from 11:00 AM through 11:59 PM; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to David M. Watkins, Esq., 285 Closter Dock Road, P.O. Box 304, Closter, NJ 07624.

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 April 15, 2013.

SEAL

Christine Bernieris

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:127

Offered by: [Signature]

Seconded by: [Signature]

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

WHEREAS, the following taxpayer and/or mortgage company has made Duplicate payment of property taxes, creating an overpayment,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of New Milford, New Jersey, that a refund be granted to:

VENDOR	BLK	LOT	NAME	ADDRESS	AMT	CK#
	410	29	Butler, Geoffrey & D'Arrigo, Deanna	1041 Carnation Dr	\$2,189.13	
				TOTAL	\$2,189.13	

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 April 15, 2013.

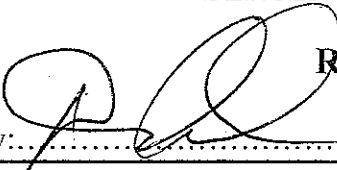
SEAL

[Signature]

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:128

Offered by: 

Seconded by: 

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

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF NEW MILFORD, IN THE COUNTY OF BERGEN, NEW JERSEY, DESIGNATING A \$3,500,000 BOND ANTICIPATION NOTE, DATED APRIL 19, 2013 AND PAYABLE APRIL 17, 2014, 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") desires to designate a \$3,500,000 Bond Anticipation Note, dated April 19, 2013, payable April 17, 2014 (the "Note") as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (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:

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:128

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

SECTION 1. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of the Code.

SECTION 2. 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 2013.

SECTION 3. 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 2013.

SECTION 4. 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, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:128

Offered by:.....

Seconded by:.....

SECTION 5. 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 2013 dated as of the date of delivery of the Note.

SECTION 6. This resolution shall take effect immediately upon its adoption.

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 April 15, 2013.

SEAL

Christina Demusio

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:129

Offered by: 

Seconded by: 

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

WHEREAS, the Borough of New Milford has entered into an agreement with the State of New Jersey, Office of Emergency Management for the acquisition of five homes in the floodplain through the Hazard Mitigation Grant Program; and

WHEREAS, the scope of work, as outlined in the agreement, includes the acquisition, demolition and removal of all structures on the properties, and site restoration; and

WHEREAS, the demolition and site restoration will be funded through the Increased Cost of Compliance Coverage provided for each of the homes through the National Flood Insurance Program; and

WHEREAS, bids were advertised for and received in New Milford Borough Hall for the Flood Buyout Demolition Project on April 5, 2013 at 10:00 AM with the lowest three bids as follows:

	<u>Base Bid</u>	<u>Alt. A</u>	<u>Alt. B</u>
CAP Services, Inc. Belleville, NJ	\$31,420.00	10,420.00	12,890.00
Lombardo Excavating Newton, NJ	\$44,000.00	14,000.00	15,000.00
MT General Contractors Cliffside Park, NJ	\$49,750.00	13,800.00	18,200.00

WHEREAS the bids were reviewed by the attorney assigned to oversee the acquisitions through to completion and a recommendation has been made to award the project to the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council hereby award the contract for the Base Bid, Alternate A and Alternate B for the Flood Buyout Demolition Project to the lowest responsible bidder, CAP Services, Belleville, NJ in the amount of \$54,730.00 and authorize Mayor Subrizi to sign said contract and authorize the Borough Clerk to attest to the same.

BE IT FURTHER RESOLVED that a certified copy of this resolution be mailed to CAP Services, Inc. 81 Heckel Street, Belleville, NJ 07109.

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 April 15, 2013.

SEAL

