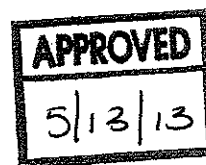


MINUTES
BOROUGH OF NEW MILFORD
7:00 PM WORK SESSION
OPEN SESSION immediately following
7:45 PM PUBLIC MEETING
Monday, September 10, 2012



WORK SESSION:

Mayor Subrizi read the Open Public Meeting and Mission Statements.

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

Also Present: Mark Madaio, Borough Attorney; Christine Demiris, Administrator/Clerk

APPOINTMENTS: BEAUTIFICATION COMMITTEE

Mayor Subrizi asked that the appointments of committee members of the Beautification Committee be placed first on the agenda. A motion was made by Councilwoman Duffie, seconded by Councilwoman Grant to appoint the following residents to the committee: Steve Perrone, Mary O'Brien, Joyce DiBlasio, Thea Sirocchi, Gerard Rasulo, Iris Browne, Geoffrey Browne, Barbara Barbagallo, and Roberta Whitley Gomez. All present in favor, none opposed.

The Administrator asked that resolution 2012:257, approving Raffle License 2012:20, be added to the agenda.

A motion was made by Councilman Colucci, seconded by Council President Berner to go into Closed Session. All present in favor, none opposed.

CLOSED SESSION:

1. Personnel – DPW/Recycling Coordinator Retirement
2. Personnel – DPW Staffing
3. Personnel – PD Disability Retirement Benefit
4. Personnel – Senior Van Coordinator/Rent Leveling Coordinator
5. Closed Session Minutes Review and Approval: 10/12/11, 10/24/11, 11/14/11, 11/28/11, 12/12/11, 4/9/12, 4/23/12
6. Property Acquisition – FEMA Acquisitions; 1033 Steuben Avenue

OPEN SESSION:

A motion was made by Council President Berner, seconded by Councilman Colucci to begin the Open Session. All present in favor, none opposed.

1. Historic New Bridge Landing Park Commission

Kevin Wright, Mary Donohue and Debra Powell appeared representing the HNBLPC. They addressed the Mayor and Council stating there has been progress made in regards to the finding of information and artifacts surrounding the Steuben House; noting it belongs in the realm of Gettysburg and Iwo Jima. Kevin Wright gave a local historical recap of the months following the signing of the Declaration of Independence and the important roll that the bridge and Steuben House played at the time.

A resolution had been passed by New Milford Council supporting the Commission. The Historic New Bridge Landing Park Commission is a non profit, private group of volunteers not affiliated with the borough or any other government office. The Commission's goal at this time is to reopen the state owned and operated historic site. Money is being raised to move artifacts into a permanent and safe location. \$100,000.00 from private donations has been raised to date. Mr. Wright said that the group is looking for grant money to further accomplish their mission. He thanked Mayor Subrizi for sitting on the Commission for many years, and for her commitment and hard work. He thanked the borough for its support. Mayor Subrizi thanked Mr. Wright and said that her six years with the Commission were rewarding. She spoke of her experience helping to save artifacts from the Steuben House in the aftermath of flooding.

Mary Donohue, thanked the Mayor for her time on the Commission and thanked Council President Berner for working with them at this time. She said that the Commission has a vision of New Bridge Landing as a miniature Williamsburg. A planner has a conceptual model of the River Edge portion of New Bridge Landing, with seven miles of buildings and property in keeping with the historic time period. A lot of good can come to the area if this project comes to fruition. Council President Berner stated that the borough also has discussed creating a small historic district on the New Milford side of the New Bridge Landing.

2. Kavner Stipulation of Settlement

Attorney Mark Madaio explained that approximately seven assessments did not get into the county's computer, of which this was one. The Assessor agreed to the adjustment but the change was not made at the County level. Mr. Madaio filed a complaint for the correction of the error. A resolution memorializing the adjustment will be prepared for the next meeting.

3. Hirschfeld Brook Flood Control Project

Mayor Subrizi stated that approximately \$200,000.00 has been set aside in the 2012 Capital Budget to start one phase of the Brook Flood Control Project. The project involves three phases and engineers now say that the phase that the borough intended to start with cannot be done prior to the completion of the \$1,000,000.00 phase.

The Administrator explained why the downstream area needs to be improved before the upstream phase can begin. Boswell Engineering broke down the project into several phases with dollar amounts attached to each, but now the borough is aware that each phase needs to

be done in a specific order. The \$1,000,000.00 phase was explained and includes concrete walls on both sides of the brook.

Councilwoman Duffie stated that she is frustrated that the project was not explained thoroughly. Ways of financing, including bonding and putting more money in next year's capital budget, were discussed. The project can not move forward until next year.

Councilwoman Grant stated her frustration on behalf of some residents that the project is going to be held up.

Assembly Bill 2278 on flood mitigation was brought up and the Borough Grants Consultant, Marlene Casey, will be consulted to see if the borough could qualify for a grant under the bill. Mayor Subrizi said that she feels the borough needs to go to the state in an attempt to find funding. The Administrator said that the state has been approached. Current permits for the project are good up to November 21, 2016. Debris removal from the brook was discussed briefly.

4. Senior Center Facility Use Policy

Mayor Subrizi said that SOD has requested use of the Senior Center for meetings. After a brief discussion it was agreed that, provided the group has the proper insurance, which will need to be verified by the Administrator, SOD may schedule meeting times with the Director of the Center.

5. Rent Leveling Initiative

Councilman Ashley spoke about Mr. DeSantis' initiative in attempting to go to vote on certain issues since 2010. One topic is allowing a rent freeze and no tax pass through for seniors and disabled tenants who qualify for disability and/or Social Security.

Mark Madaio explained that he looked into the information given to him and some items appear to be in violation of the Anti-Eviction Act, therefore cannot be adopted. Some issues are contrary to state statute and would not be permissible as is. Mr. Madaio spoke about specific relevant case law.

Councilman Ashley stated he would like to disseminate the Rent Leveling proposal and speak about other areas within the Rent Leveling initiative. Amending rent due dates was discussed.

Mr. DeSantis addressed the Mayor and Council explaining that he would like to go over the issues. Mayor Subrizi suggested that he and delegates of the Rent Leveling Board form a sub-committee, sit with Mr. Madaio and go over legal aspects of the issues before presenting to Mayor and Council. Mr. Madaio said that the state assembly is considering a bill to benefit seniors. He will circulate the information he has acquired to the Mayor and Council.

6. Council Communication

Councilwoman Grant said that she felt that, as policy, various requests for documentation should go to only the Councilperson who requested the information and not the entire governing body. Policy was discussed. The Administrator requested clarity from the

Council on policy. Mayor Subrizi stated that when she sat on a former Council, it was decided as policy that everyone would get everything for the sake of consistency. She said that the Administrator is doing a good job making the decisions of what documentation goes to the entire governing body and what goes to individuals. It should be left to her judgment. Councilwoman Grant asked that when she requests documentation without carbon copying others that she be the only person given the information. After a lengthy discussion, it was agreed that everyone is copied on all documentation, as this has been the policy set years ago.

7. Towing Ordinance Recommendation

After a discussion on the current towing ordinance Mr. Madaio stated that minor changes can be made to the ordinance that will help enforcement issues that have been brought up by the Chief of Police. It was agreed that Mr. Madaio will draft a revision.

8. Pedestrian Crossing at New Milford High School

Due to an accident that occurred recently at the intersection of Cooper Street and River Road, adjacent to NMHS, a pedestrian crossing is being considered. Mayor and Council discussed an email from Chief Papapietro addressing a request from the Council for a traffic study to be done by the borough at the location. The Administrator read from the emailed response that a traffic study would be futile since the county engineers have the final authority in these decisions. A discussion to have a traffic officer at the intersection ensued. The Mayor stated that there is a blind spot at that corner due to the location of trees.

Mayor Subrizi read from a letter sent to the borough by the county engineers regarding the intersection. The engineers suggested that the corridor be highlighted with painted crosswalk lines along the northerly section of Cooper Street and River Road and the installation of school crossing signs. The letter cited various other suggestions including the removal of trees on the southerly portion of the intersection. Several possible solutions were suggested by members of Council. Changing the flow of traffic during certain hours to one way was discussed. The Administrator stated that the county letter, with its recommendations, is considered "clear notice" to the borough and may open the borough up to legal issues if another accident occurs if the recommendations go unmet. Mr. Madaio said that he would research the legality of the borough's responsibilities.

A motion was made to accept the county's recommendations for the intersection at this time by Councilman Colucci, seconded by Council President Berner. The Administrator said that there are other road projects planned and it may be possible to incorporate the safety improvements for the intersection as an alternate in bid specs. Money for improvements could also be put in the Capital budget for next year. The Mayor recapped recommendations from the county letter and conversation on variables were considered. Councilwoman Duffie stated that safety comes first but she would have liked other options. She requested that Councilman Robalino ask that the Board of Education Superintendent to speak to the students about the problem. Councilman Robalino stated that he will make a recommendation to the Board of Education to do so.

The motion passed on a roll call vote as follows:

Ayes: Duffie, Ashley, Colucci, Robalino, Berner

Nays: Grant

Councilwoman Grant said that she would have liked to have explored other options and to have spoken to the Board of Education before committing to the recommendations of the county engineers.

9. William Street No Parking Recommendation

Mayor Subrizi explained that at the southern end of William Street there is a narrow section of yellow painted curb. The Mayor referenced a letter from Lt. Jones regarding resident complaints over landscaping vehicles as well as other vehicles parking on the eastern side of William Street causing residents difficulty entering and exiting the street, their driveways and a section of Madison Avenue. Lt. Jones concurs that the parking issue can be a problem and suggested that the Mayor and Council pass an ordinance restricting parking on William Street.

The Mayor recognized a resident that wished to comment on the discussion.

William Mulkenberg – 304 Madison Avenue. Mr. Mulkenberg stated that he is against the recommendation because it is the only place he has to park. He stated the road is 24 feet wide therefore emergency vehicles can pass parked cars if necessary and gave several reasons why the road should remain open for parking.

Mayor Subrizi pointed out that the yellow line was not painted on the curb through an ordinance. A sign stating “no parking 50 feet to the corner” will alleviate some of the residential complaints. The Administrator was asked to have the Police Department request order and install the appropriate sign. All agreed.

10. CFO Interlocal Agreement

The Administrator reported that the agreement with Wyckoff will expire at the end of the year and it is her recommendation that the agreement be renewed for a period of 3 years with a 2% cost increase per year as requested by the township of Wyckoff. The increase is not a salary increase; it is an increase to Wyckoff to offset administrative costs. After a brief discussion the Council asked to look into the possibility of negotiating the 2% down to a lower amount. A resolution will be prepared after a determination is made.

11. Recreational Vehicles

Chief Papapietro gave the Council samples of ordinances from neighboring towns that are more restrictive than the borough's ordinance regarding recreational vehicles. Only one resident in several years has complained about a situation involving the issue. Specific points including parking/storage locations and offsite storage were discussed. Council agreed to look over the sample ordinances; the matter will be relisted for discussion at the next meeting.

12. Swim Club Lease Amendment

Revisions were made to the Swim Club lease as per the recommendations of Mayor and Council including an extension to the year 2024. At this time the lease will expire in 2019. The revised agreement will be forwarded to the Mayor and Council for review and a resolution to approve the amendment will be prepared for the next meeting.

A motion was made by Council President Berner, seconded by Councilman Colucci to approve the closed minutes of October 12, 2011. The motion passed on a roll call vote as follows:

Ayes: Duffie, Colucci, Robalino, Berner

Nays: None

Abstain: Grant, Ashley

A motion was made by Councilman Colucci, seconded by Council President Berner to approve the closed minutes of October 24, 2011. The motion passed on a roll call vote as follows:

Ayes: Duffie, Colucci, Robalino, Berner

Nays: None

Abstain: Grant, Ashley

A motion was made by Councilman Colucci, seconded by Councilwoman Duffie to approve the closed minutes of November 14, 2011. The motion passed on a roll call vote as follows:

Ayes: Duffie, Colucci, Robalino, Berner

Nays: None

Abstain: Grant, Ashley

A motion was made by Councilman Colucci, seconded by Council President Berner to approve the closed minutes of November 28, 2011. The motion passed on a roll call vote as follows:

Ayes: Duffie, Ashley, Colucci, Robalino, Berner

Nays: None

Abstain: Grant

A motion was made by Councilman Colucci, seconded by Councilwoman Duffie to approve the closed minutes of December 12, 2011. The motion passed on a roll call vote as follows:

Ayes: Duffie, Ashley, Colucci, Robalino, Berner

Nays: None

Abstain: Grant

A motion was made by Councilman Colucci, seconded by Councilwoman Duffie to approve the closed minutes of April 9, 2012. The motion passed on a roll call vote as follows:

Ayes: Duffie, Grant, Ashley, Colucci, Berner

Nays: None

Abstain: Robalino

A motion was made by Councilman Colucci, seconded by Councilwoman Duffie to approve the closed minutes of April 23, 2012. The motion passed on a roll call vote as follows:

Ayes: Duffie, Grant, Ashley, Colucci, Robalino, Berner

Nays: None

Abstain: Ashley

ADMINISTRATOR:

The Administrator reported that the borough has had trouble concerning Dedication by Rider accounts. It was included in the 2011 report of audit due of a lack of resolutions. In an effort to correct the issue, resolutions were approved by Council several months ago. It has come to light that the Historic Trust Preservation trust account held by the borough is not state approved. The money in the account currently and future funds coming into the account will now need to go into the Clerk's Fee account which is anticipated revenue. Any money that Historic Preservation wants to spend will need to be budgeted for. The Junior Police Academy trust account is allowed but needs extra explanation to the state; a new resolution will be voted on tonight. Council discussed the needs of Historic Preservation.

Councilwoman Grant pointed out the time as 10:32pm and bylaws state that Council meeting shall end at 10:30pm unless a motion to continue is made. A motion was made by Councilman Robalino, seconded by Councilman Ashley to continue the meeting. All present in favor, none opposed.

The Administrator stated that a Senior Van Driver is needed and asked Mayor and Council permission to advertise. The job pays \$12.08 per hour. Council approved.

The Administrator spoke about the Community Development application due October 1, 2012. The borough's grant writer recommended that the borough not request more than \$50,000 due to the funding available. Several projects are being discussed including handicapped ramps at Borough Hall for a cost of approximately \$10,000. The Senior Center is being worked on at this time with last year's grant money and funding is needed for various other projects at the Senior Center.

A new minivan has been acquired for the Senior Van Service by the borough and is now in use and is working out well. It has wheelchair access. There is an optional seating package that can be purchased. A question of using Title III money that is leftover in the budget for the seating will be looked into.

At this time Council President Berner and Councilman Ashley recused themselves from the following topic.

13. Rezoning Study Course of Action

Mayor Subrizi reported on several phone calls she had recently made. She stated that she spoke with Chuck Richman, the head of the COAH division of the DCA. He said that New Milford is not considered completely built out and therefore our COAH obligation still exists until the law rules otherwise. She spoke to the Riverkeeper about money that might have been offered to the borough at one point through a conservation grant from the American Dream project in the Meadowlands in 2011. It was only on the table for a few days and not at any time that the Council could have voted on it.

Mayor Subrizi said that she called Peter Hekemian to ask if the original offer of April 2011, where a portion of about 1/3 of the property would be given to the borough, would still be available to the borough today and the answer was yes. If the borough were to proceed with that offer, the Council, with the help of the borough Planner, would need to craft a zoning ordinance that would allow for something different than what is now proposed. If some of the property were to be set aside for the COAH obligation, according to Mr. Richman of the DCA, the

borough would avoid a future Builders Remedy lawsuit. The Mayor said that she spoke to Mr. Inserra and, when asked what would happen to the present Shop Rite site if a store were built on the new site, he said they would like to keep it commercial, but not a grocery store. He was open to talking about a municipal use for the property.

If the United Water property was to be rezoned, new plans would need to be discussed.

Cranford's Builder's Remedy lawsuit going on in Elizabeth at this time was referenced.

Mayor Subrizi said that she met with representatives of SOD on Saturday to discuss the property and they expressed their desire to take the cause to the bitter end. There could be a heavy cost in professional fees if the property is not rezoned by the borough. By rezoning the property, the 221 units proposed would be eliminated as well as other aspects of the project now being presented. The Mayor said she also spoke to Lori Charkey from SWAN, who explained that at no time did the organization have the funding to give to the borough for the purchase of the property. If the property is sold, United Water is obligated to turn over \$1,000,000.00 to a conservation group.

Councilwoman Grant reported a timeline she put together regarding the purchase of the United Water property. She stated that in December 2010, then Councilwoman Subrizi met with United Water Company and (presumably) the sale of the property was discussed. On December 30, 2010 United Water went into contract with Hekemian New Milford Development Corporation for purchase of the property for the cost of 7.2 million dollars. The contract provided the borough of New Milford four months in which to notify United Water if they wished to purchase the property. The deadline was April 30, 2011. On January 10, 2011 United Water Company representatives and attorney met with the Mayor and Council in closed session. Councilwoman Grant said that at that meeting a contract, which was never signed, was discussed. She said that the Administrator could not find the contract at that time.

The Administrator stated, for the record, that she has no knowledge of the contract in question; she had never seen the contract nor was the contract between United Water and the borough ever in her possession. Councilwoman Grant continued her timeline of events, taking quotes from approved minutes from January, February and March of 2011. She quoted from a letter written by the United Water attorney, reminding the Council that their option to purchase the property expired at the end of the month. She said that on April 11, 2011 Hekemian made a presentation at the high school where a negative opinion was expressed by many residents. She said that Mr. Madaio spoke about the borough's possible purchase of the property and its rezoning. Quotes were taken from the September 12, 2011 closed meeting regarding a possible application on the property. She referenced the January 2012 Mayor's Message on the website. Councilwoman Grant summed up her timeline by saying that the borough never voted on buying the property, the property was never rezoned, the master plan was not changed, and the developer never came in front of the governing body to discuss rezoning. She called the sequence of events the United Watergate and explained her reasoning. She expressed her desire for a special counsel to be approved to investigate the topic. Councilwoman Grant made a motion to begin the procedure to hire special counsel.

Mayor Subrizi asked for the list of questions raised by Councilwoman Grant and gave explanations to certain aspects of the questioning. The Mayor stated the planner had been called in to do a study on the property and the grants writer spoke to the Council regarding the property. Timelines and documents were discussed by Mr. Madaio and the governing body. Mr.

Madaio explained his phone conversations between the borough, United Water, and Hekemian leading up to a formal letter that he said was sent by United Water's attorney on April 4, 2011. The letter gave the borough officially 30 days to acknowledge the desire to buy the property. Mr. Madaio said that he forwarded an email with the letter to everyone on the Council and carbon copied the Administrator. Councilwoman Grant stated that the deadline of April 30, 2011 was spoken about and put into the minutes of January's Council meeting. Mr. Madaio said that the letter did not exist until April 4, 2012 although the offer was understood earlier. Mayor Subrizi said that the issue began decades ago. The master plan recommendation for the property was for intense use. Councilwoman Grant said that she will email her list of questions to the Mayor and members of Council. Councilwoman Duffie said that she had asked about the letter regarding the purchase from January to April when it was received. Mr. Madaio said that he suggested that an attorney specializing in condemnation could be consulted. He said that the Council has historically not been interested in purchasing the property for financial reasons.

A general conversation of past discussions involving the former Council as well as the present ensued. Councilwoman Grant made a motion again to hire special counsel to investigate the failure of the Mayor and Council to purchase the property or take any future actions with respect to the property in 2011. Councilwoman Duffie seconded the motion.

Mr. Madaio led a debate as to whether Councilmen Ashley and Council President Berner should recuse themselves from the vote. The motion failed on a roll call vote as follows:

Ayes: Duffie, Grant
Nays: Robalino, Colucci, Subrizi
Abstain: Berner, Ashley

Mr. Robalino stated that in light of new information that came out at tonight's meeting he would like to make a motion to consider the creation of an ordinance to rezone the property with the assistance of the planner. The motion was seconded by Councilman Colucci. The motion passed on a roll call vote as follows:

Ayes: Duffie, Robalino, Colucci
Nays: Grant
Abstain: Berner, Ashley

Resolution 2012:259 was added to the agenda to authorize the planner to draft a zoning ordinance for Council's consideration. The original plan for the property and possible changes was discussed by Council. It was agreed that the planner would come and speak with the Council and that Council would take an active role in the proposed plans. Dates were discussed. The Planner will be asked to attend the October work session.

A motion was made by Councilman Colucci, seconded by Councilman Robalino to open to the public. All present in favor, none opposed.

Michael Putrino, 494 James Street - Mr. Putrino asked that the Mayor, Council and residents hold a moment of silence at midnight in honor of the tragic 9/11 event. All agreed

John DeSantis, 190 Powell Drive - Mr. DeSantis apologized to Councilwoman Duffie for bypassing the Rent Leveling Board on the issue of rent freezes for seniors. He spoke about the issue of rezoning, referencing a Cedar Grove vs. COAH lawsuit.

Midnight: A moment of silence was observed.

Mr. DeSantis continued saying that the town must stand up to the builder and not allow the development of the project proposed. He pointed out to the Mayor and Council a petition he brought to the meeting with 1,100 signatures from residents asking the governing body not to compromise by rezoning the property. Mr. Robalino said that SOD is doing a great job and he appreciates the passion and efforts steering the organization. He understands what SOD intentions are but he feels that a compromise may be needed or there is a possibility that the proposed project could be approved. He agreed with Mr. DeSantis that he does not know any resident of the town that wants 221 units to be built on the United Water property. Mr. DeSantis listed specific plans of how SOD would like the property to be used, including an urban farm, wildlife center, or a recreational field with an impervious surface with part green land. He said the property contributes to the area flooding and the proposed development would increase flooding to other areas.

Miriam Pickett, 222 Baldwin Street – Ms Pickett said that she had sent an OPRA request to the Clerk's office for a set of closed meeting minutes. She did not realize that the Council would receive a copy of her request. The Administrator said that it is policy to inform the Mayor and Council of requests for closed minutes and consult with the borough attorney for purposes of possible necessary redactions before fulfilling the request. Ms. Pickett said that the SOD executive board sent a letter to Mayor and Council at a time when both the SOD and borough website were down. The letter was also sent and put up on Patch. She agreed that Mr. DeSantis is right and the developer is playing a game with the Council, but that the project can be fought. Any development would be bad for New Milford and neighboring towns. Past developments have not been beneficial to the town. Flooding, traffic and pollution will be a disaster.

Anna Leone, 505 Boulevard – Ms. Leone agreed with Ms. Pickett and Mr. DeSantis. She said that we need to look into the past before moving forward. Matters in the past that were not pursued should have been for the betterment of the town. She said that the document spoken about by Councilwoman Grant, offering the property to the town is critical. If the document does not exist then United Water is in breach of contract. She asked who represented New Milford in declining the invitation to sell the property to the town. Mayor Subrizi said that there was no motion to buy the property and the time elapsed without an offer. There was no written correspondence. Ms. Leone asked the Mayor and Council not to rezone the property; she asked that they fight against the development.

Howard Berner asked to be recognized and Mr. Madaio advised him not to comment in public on an issue he where he has recused himself.

Ms. Leone asked why discussions and phone calls regarding the property have been made so aggressively in the past few weeks.

Mayor Subrizi said it is her opinion that fighting the development of the property entirely is too much of a gamble for the town. It is not the best thing for the town to allow the zoning application to run its course and hope for a better outcome. She feels the Mayor and Council should craft the zoning ordinance and look at it. It has always been an option to rezone. The governing body has pursued the idea of United Water donating or the borough buying the land in the past. Purchasing the land for 8 million dollars and hoping to recoup some of it through SWAN or the RiverKeeper would have been a great gamble. Mr. Madaio and the Administrator agreed that the governing body had pursued the idea of acquiring the land.

Miriam Pickett, 222 Baldwin Street – Ms. Pickett said that SOD would like the Mayor and Council to do nothing until the Board of Adjustment comes to a decision. After that time, the governing body should take action. She stated that the application will probably take about three months' time in front of the Zoning Board. Mr. Madaio said that a rezoning ordinance would take approximately that much time anyway.

Ulises Cabrera, 59 Columbia Street – Mr. Cabrera thanked the Mayor and Council for their dedicated service. He apologized for certain comments he made at the last Council meeting. He thanked Councilwoman Grant for coming forward with her information earlier in the evening. He said that he agrees with the public that the governing body should not rush to do anything at this time. He asked if the houses in the flood zone were still being purchased by the borough through FEMA funding and was told yes. He suggested that the borough should consider buying 666 Columbia Street if they have extra funds, which is unoccupied and now bank owned.

John DeSantis, 190 Powell Drive – Mr. DeSantis said that if the governing body chose to rezone, if the present developer walked away, all other developers would then be able to submit proposals to build something and the town would lose its ability to have the property used as parkland or any other passive way. He said that the residents and governing body should be of the same mind.

Celeste Scavetta, 635 Mabie Street – Ms. Scavetta asked if the governing body could call an emergency rezone if nothing is done before the Zoning Board makes its decision, or does it automatically go to an appeal process. Mr. Madaio stated again that a rezoning ordinance would take significant time to craft and need two meetings, including a public hearing before it could be adopted.

John Rutledge, 335 River Road – Mr. Rutledge echoed Mr. Cabrera's comments about the energy and efforts of the Council and believes they are operating in the best interest of New Milford. He said that it would be wise to assess Mr. Burnett's feelings about offering some of his property to meet the COAH requirements. This would take some of the burden off of the COAH aspects of the proposed development. He said that even if the burden would be lessened, the property would still be open to a large supermarket which will create traffic and pollution. He said that this would open the borough up to more litigation. He said that road improvements and other changes would be detrimental. The extra cost of police and fire would offset any extra tax income generated. He said that somewhere along the line not enough was done. He asked that the Mayor and Council do the right thing. Mr. Rutledge commented on the earlier topic of safety improvements on River Road at the high school. He stated that he did not want the heritage trees taken down. He suggested that the existing no drop-off/pick-up ordinance should be enforced.

A motion was made by Councilwoman Duffie, seconded by Council President Berner to close the public portion of the meeting. All present in favor, none opposed.

Council President Berner asked that resolution 2012:257 be pulled from the consent agenda and voted on separately. Resolution 2012:259 was voted on earlier.

RESOLUTIONS

The following resolutions were presented and voted on in one motion

2012:239 Closed Session

2012:240 Payment of Bills and Vouchers

2012:241 Authorize Change in Custodian of Police/Detective Petty Cash Fund – Frank Ramaci

- 2012:242 Authorize Change in Custodian of DPW Petty Cash Fund – Michael Calamari
- 2012:243 Authorize Rescinding of Senior Advisory Board Petty Cash Fund
- 2012:244 Authorize Rescinding of Borough Clerk Petty Cash Fund
- 2012:245 Authorize Cash Management Plan pursuant to N.J.S.A. 40A:5-14
- 2012:246 Authorize Dedication by Rider – Youth Safety and Awareness Program – Jr. Police Academy
- 2012:247 Authorize Cancellation of 4th Quarter 2012, 1st Quarter of 2013 and 2nd Quarter of 2013 Taxes for Block 112, Lot 5
- 2012:248 Record Approval of Design – 2012 Riverside Cooperative Road Improvement Program
- 2012:249 Authorize Boswell to Prepare Plans and Borough Clerk to Advertise for Bids for DOT - Center Street
- 2012:250 Authorize Cancellation of Checks
- 2012:251 Award Contract for 2013 Dump Truck to Beyer CDJR in the amount of \$74,428.00
- 2012:252 Appoint Senior Van Coordinator/Rent Leveling Coordinator – Jeffrey Hill
- 2012:253 Authorize Mayor to Sign Grant Agreement with County of Bergen Community Development – Senior Center Rehabilitation
- 2012:254 Authorize Mayor to Sign Agreement for Architectural and Engineering Services with Daniel Dressel, RA for Senior Center Rehabilitation
- 2012:255 Approve Raffle License 2012:18 – Hovnanian School – Off-Premise 50/50
- 2012:256 Approve Raffle License 2012:19 – Crohn's and Colitis Foundation of America – On-Premise Merchandise Raffle
- 2012:258 Appoint DPW Laborer 1 – Mark Hettinger – Effective October 1, 2012
- 2012:259 Authorize Planner Phillip Grygiel to Draft a Zoning Ordinance for Block 1309, Lot 1.02

VOTE ON RESOLUTIONS

A motion was made by Councilman Robalino, seconded by Council President Berner to pass the consent agenda, resolutions 2012:239 through 2012:256 and resolution 2012:258. All present in favor, none opposed.

A motion was made by Councilman Ashley, seconded by Councilman Robalino to pass resolution 2012:257. The motion passed on a roll call vote as follows:

Ayes:	Duffie, Grant, Ashley, Colucci, Robalino
Nays:	None
Abstain:	Berner

Council President Berner explained that his wife is President of New Milford High School PSO.

ADJOURNMENT

As there was no further business, Councilwoman Grant made a motion to adjourn. Council President Berner seconded the motion. All present in favor, none opposed. Time 12:50am.

Respectfully submitted,

Diane Grimaldi
Deputy Borough Clerk

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:239

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
DUFFIE	✓			
ASHLEY	✓			
ROBALINO	✓			
COLUCCI	✓			
GRANT	✓			
BERNER	✓			
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. Personnel – DPW/Recycling Coordinator Retirement
2. Personnel – DPW Staffing
3. Personnel – PD Disability Retirement Benefit
4. Personnel – Senior Van Coordinator/Rent Leveling Coordinator
5. Closed Session Minutes Review and Approval: 10/12/11, 10/24/11, 11/14/11, 11/28/11, 12/12/11, 4/9/12, 4/23/12
6. Property Acquisition – FEMA Properties 1033 Steuben

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

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

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

SEAL

Christine Bernick

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:240

Offered by: [Signature]

Seconded by: [Signature]

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

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council hereby authorize the payment of these claims, and that warrants be drawn therefore when funds are available in the aggregate amount of \$3,131,887.49.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

Christine Bernius

SEAL

BOROUGH OF NEW MILFORD**Bill list****AUGUST 16-31, 2012 PAYROLL**

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
PAYROLL	901.47	AUGUST 16-31, 2012 PAYROLL	GENERAL	1285
PAYROLL	8468.12	AUGUST 16-31, 2012 PAYROLL	MUNICIPAL	1285
PAYROLL	6839.03	AUGUST 16-31, 2012 PAYROLL	COLLECTION	1285
PAYROLL	1456.62	AUGUST 16-31, 2012 PAYROLL	ASSESSMENT	1285
PAYROLL	620.34	AUGUST 16-31, 2012 PAYROLL	ASSESSMENT	1285
PAYROLL	414.95	AUGUST 16-31, 2012 PAYROLL	CODE	1285
PAYROLL	5062.55	AUGUST 16-31, 2012 PAYROLL	CODE	1285
PAYROLL	2320.24	AUGUST 16-31, 2012 PAYROLL	POLICE	1285
PAYROLL	4700.83	AUGUST 16-31, 2012 PAYROLL	POLICE	1285
PAYROLL	45721.75	AUGUST 16-31, 2012 PAYROLL	POLICE	1285
PAYROLL	145467.24	AUGUST 16-31, 2012 PAYROLL	POLICE	1285
PAYROLL	275.65	AUGUST 16-31, 2012 PAYROLL	POLICE	1285
PAYROLL	240.00	AUGUST 16-31, 2012 PAYROLL	UNIFORM	1285
PAYROLL	455.13	AUGUST 16-31, 2012 PAYROLL	UNIFORM	1285
PAYROLL	1553.31	AUGUST 16-31, 2012 PAYROLL	PUBLIC	1285
PAYROLL	51143.06	AUGUST 16-31, 2012 PAYROLL	PUBLIC	1285
PAYROLL	600.00	AUGUST 16-31, 2012 PAYROLL	PUBLIC	1285
PAYROLL	395.00	AUGUST 16-31, 2012 PAYROLL	PUBLIC	1285
PAYROLL	1502.55	AUGUST 16-31, 2012 PAYROLL	RECYCLING	1285
PAYROLL	3228.72	AUGUST 16-31, 2012 PAYROLL	PUBLIC	1285
PAYROLL	4487.14	AUGUST 16-31, 2012 PAYROLL	BOARD OF	1285
PAYROLL	2083.33	AUGUST 16-31, 2012 PAYROLL	RECREATION	1285
PAYROLL	770.00	AUGUST 16-31, 2012 PAYROLL	RECREATION	1285
PAYROLL	3346.29	AUGUST 16-31, 2012 PAYROLL	SENIOR	1285
PAYROLL	20554.32	AUGUST 16-31, 2012 PAYROLL	LIBRARY	1285
PAYROLL	1048.14	AUGUST 16-31, 2012 PAYROLL	D D E F -	1285
PAYROLL	5860.14	AUGUST 16-31, 2012 PAYROLL	MUNICIPAL	1285
PAYROLL	117.00	AUGUST 16-31, 2012 PAYROLL	POLICE	1285
PAYROLL	0.00	AUGUST 16-31, 2012 PAYROLL	TITLE III -	1285
PAYROLL	2755.48	AUGUST 16-31, 2012 PAYROLL	TITLE III -	1285
PAYROLL	7843.90	AUGUST 16-31, 2012 BORO SHARE	SOCIAL	1286
PAYROLL	4317.26	AUGUST 16-31, 2012 BORO SHARE	SOCIAL	1287

Total fund: 01 Current**334549.56****Total Bill List: 334549.56**

BOROUGH OF NEW MILFORD**Bill list****SEPTEMBER 10, 2012**

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
NEW MILFORD BOARD	2331002.17	SEPTEMBER SCHOOL APPROPRIATION	SCHOOL	1289
BERGEN COUNTY	12793.38	6/5/12 PRIMARY ELECTION	MUNICIPAL	1290
BERGEN CTY	3000.00	APRIL-JUNE 2012 SEWER BACK UP	INSURANCE	1291
STATE OF NEW	322.50	2011 CATASTROPHIC ILLNESS FUND	SOCIAL	1292
NEW MILFORD PUBLIC	35000.00	PART OF 2012 BUDGET	LIBRARY	1293
NEW MILFORD FIRE	261.36	JULY & AUGUST EXPENSES FIRE CO.#2	FIRE O/E	1294
NEW MILFORD FIRE	23.97	JULY & AUGUST EXPENSES FIRE CO.#2	FIRE O/E	1294
NEW MILFORD FIRE	277.44	JULY & AUGUST EXPENSES FIRE CO.#2	FIRE O/E	1294
NEW MILFORD FIRE	0.00	JULY & AUGUST EXPENSES FIRE CO.#2	FIRE O/E	1294
NEW MILFORD FIRE	0.00	JULY & AUGUST EXPENSES FIRE CO.#2	FIRE O/E	1294
NEW MILFORD FIRE	0.00	2012 UNIFORM ALLOWANCE/DEPT.	FIRE O/E	1295
NEW MILFORD FIRE	5000.00	2012 UNIFORM ALLOWANCE/DEPT.	FIRE O/E	1295
NEW MILFORD FIRE	1750.00	2012 UNIFORM ALLOWANCE/DEPT.	FIRE O/E	1295
RELIANCE STANDARD	1360.40	SEPTEMBER STD 159044 PREMIUM	INSURANCE	1296
DELTA DENTAL OF	8961.54	SEPTEMBER . 2012	INSURANCE	1297
FLAGSHIP HEALTH	78.83	SEPTEMBER 2012 PREMIUM	INSURANCE	1298
MAIN STREET USA	1095.84	SEPTEMBER 2012 PREMIUM	INSURANCE	1299
CAESARS ATLANTIC	636.00	6 PEOPLE - LEAGUE CONF.	MUNICIPAL	1300
ESARS ATLANTIC	318.00	6 PEOPLE - LEAGUE CONF.	COLLECTION	1300
CAESARS ATLANTIC	0.00	6 PEOPLE - LEAGUE CONF.	CODE	1300
CAESARS ATLANTIC	318.00	6 PEOPLE - LEAGUE CONF.	CODE	1300
CAESARS ATLANTIC	318.00	6 PEOPLE - LEAGUE CONF.	POLICE	1300
CAESARS ATLANTIC	318.00	6 PEOPLE - LEAGUE CONF.	PUBLIC	1300
N.J. STATE LEAGUE	600.00	13 BADGES-LEAGUE CONFERENCE	MUNICIPAL	1301
KATHERINE M. VIGER	90.00	6/13 & 6/27/12 4.5HRS COURT	MUNICIPAL	1302
KATHERINE M. VIGER	70.00	7/23,8/3, 8/15 & 8/22/12 HRS	MUNICIPAL	1303
STEPHEN DEMAURO	50.00	REIMB. C4 SEWER LICENSE	PUBLIC	1304
MARK D. MADAIO,	125.00	JUNE CONFERENCE W/PLANNER HEKEMIAN	LEGAL	1305
MARK D. MADAIO,	2487.50	JULY SERVICES	LEGAL	1306
PHILLIPS PREISS	675.00	JULY INV.15983 J12063G-REZONING	MUNICIPAL	1307
MC NERNEY & ASSOC.	200.00	CANTERBURY VILLAGE VS. BORO OF	ASSESSMENT	1308
SCOTT G.	200.00	7/10, 8/14/12 MEETING ATTENDANCE	ZONING	1309
BERGEN COUNTY	115.00	2012 DUES-MAUREEN KAMAN	ASSESSMENT	1310
FORD MOTOR CREDIT	3456.30	PAYMENTS NO. 24 ACCT.5381015	POLICE	1311
CABLEVISION	0.00	AUGUST CABLE-REC,DPW,FIRE #1 & 2,	MUNICIPAL	1312
CABLEVISION	202.53	AUGUST CABLE-REC,DPW,FIRE #1 & 2,	MUNICIPAL	1312
CABLEVISION	74.90	AUGUST CABLE-REC,DPW,FIRE #1 & 2,	PUBLIC	1312
CABLEVISION	59.95	AUGUST CABLE-REC,DPW,FIRE #1 & 2,	RECREATION	1312
BERGEN CTY MUN.	50.00	9/28/12 BC COURT ADMIN. CONF.SUSAN	MUNICIPAL	1313
NORTH JERSEY MEDIA	122.34	AD.3335716 ORD 2012:13	MUNICIPAL	1314
PAYCHEX	874.09	INV.228586, 230185 AUGUST PAYROLL	MUNICIPAL	1315
LRTRIDGE WORLD	97.49	INV. 17965 REFILL CARTRIDGE	MUNICIPAL	1316
ANCHOR RUBBER	63.90	INV. 64022 C. NAUMOV & B. HIGGINS	MUNICIPAL	1317
STAPLES ADVANTAGE	119.96	INV.3179417097,7098,7099 8/3/12	MUNICIPAL	1318
HACKENSACK	100.00	INV. 67703 FITNESS FOR DUTY EXAM	MUNICIPAL	1319
REGIONAL	280.00	INV. 105491 20 MINITOR V BATTERIES	FIRE O/E	1320
NORTHEAST	183.50	INV. 7055 5 BLACK ELASTIC CORD	POLICE	1321

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
STATE LINE	195.00	INV.84426 AUTO LIGHTS	VEHICLE	1322
STATE LINE	122.55	INV. 85529 FIRE EXT. REFILLS	POLICE	1323
GALL'S INC.	305.00	INV.512364780 12 BREAKAWAY VESTS	POLICE	1324
GALL'S INC.	56.00	INV.512364781-CLIP BOARD	POLICE	1325
ALL AMERICAN FORD	407.86	INV. 167772, 168091, 168856	VEHICLE	1326
FALASCA & SON	169.95	INV. 124551	VEHICLE	1327
GOODYEAR AUTO	1257.36	12 TIRES INV. 190811	VEHICLE	1328
AUTOMOTIVE BRAKE	89.54	INV. 127766 PARTS FOR REPAIRS	PUBLIC	1329
APP PRODUCTS	1324.43	INV. 95255,95255-01 PAPER	PUBLIC	1330
R & J CONTROL INC.	785.00	INV. 21204500 REPLACE BURNT OUT	PUBLIC	1331
EVERGREEN RECYCL.	278.00	TICKET #9924 ACCT.D0003-001	CLEAN	1332
METROPOLITAN	188.01	INV.64543 8/16/12	PUBLIC	1333
I.D.M. MEDICAL	223.50	INV. B1832 OXYGEN REFILLS (14)	POLICE	1334
PORTER LEE	709.00	INV. 11964 ANN. SUPPORT FEE (BEAST	POLICE	1335
MAIN AUTO SUPPLY	134.34	INV. 651681, 850938, 652583	FIRE O/E	1336
P & A AUTO PARTS	924.75	ROBIN AIR A/C RECYCLING & CHARGING	FIRE O/E	1337
P & A AUTO PARTS	0.00	ROBIN AIR A/C RECYCLING & CHARGING	PUBLIC	1337
P & A AUTO PARTS	924.75	ROBIN AIR A/C RECYCLING & CHARGING	PUBLIC	1337
P & A AUTO PARTS	924.75	ROBIN AIR A/C RECYCLING & CHARGING	VEHICLE	1337
P & A AUTO PARTS	924.75	ROBIN AIR A/C RECYCLING & CHARGING	CLEAN	1337
DUKES SEWER & ROOT	1375.00	INV. 12692 55 GAL DRUM DEGREASER	PUBLIC	1338
NORTHEAST GAS	33.68	INV.106312 WELDING SUPPLIES	PUBLIC	1339
FREMGEN'S POWER	805.99	INV. 53400	PUBLIC	1340
ADVANCED AIR	727.05	ANNUAL MAINT FOR SCOTT AIR	FIRE O/E	1341
RACHLES/MICHELE'S	3639.41	7/26-8/8/12 INV.145803 1150. GALS	O/E GAS &	1342
RACHLES/MICHELE'S	2733.54	INV. 155231 850.8 GALS DIESEL	O/E GAS &	1343
STE MANAGEMENT	29342.34	SEPT. 2012 RESIDENTIAL GARBAGE	GARBAGE &	1344
UNITED WATER NEW	3123.86	JUNE WATER CHARGES	O/E WATER	1345
BERGEN COUNTY	30540.04	434.61 TONS JULY RESIDENTIAL	GARBAGE &	1346
PUBLIC SERVICE	10194.63	JULY GAS/ELECTRIC CHARGES	O/E STREET	1347
PUBLIC SERVICE	0.00	JULY GAS/ELECTRIC CHARGES	O/E	1347
PUBLIC SERVICE	11526.68	JULY GAS/ELECTRIC CHARGES	O/E	1347
B.F. GIBBS SCHOOL	1100.00	RECYCLING PROGRAM FOR ELEMENTARY	CLEAN	1348
DUECO	1230.98	INV. 279832 REPLACE HOSE IN BOOM	PUBLIC	1349
S. ROTONDI & SONS,	192.00	32 CU YDS BRANCH DISPOSAL 7/26/12	RECYCLING	1350
S. ROTONDI & SONS,	360.00	60 YDS LOG DISPOSAL 7/26/12	RECYCLING	1351
S. ROTONDI & SONS,	2120.00	JULY212 CU YDS GRASS DISPOSAL	RECYCLNG	1352
APPRAISAL SYSTEMS,	25000.00	VOUCHER 1 -- RE-ASSESSMENT	ASSESSMENT	1353
CIGNA HEALTHCARE	125021.12	SEPTEMBER 2012 PREMIUM	INSURANCE	1354
NEW MILFORD FIRE	1750.00	2012 UNIFORM ALLOWANCE	FIRE O/E	1355
OFFICE BUSINESS	257.00	INV. 168625 MAINT. AGREEMENT FOR	MUNICIPAL	1356
OFFICE BUSINESS	257.00	INV. 168625 MAINT. AGREEMENT FOR	PLANNING	1356
OFFICE BUSINESS	0.00	INV. 168625 MAINT. AGREEMENT FOR	ZONING	1356
OFFICE BUSINESS	257.00	INV. 168625 MAINT. AGREEMENT FOR	ZONING	1356
UNITED STATES	2450.00	POSTAGE ACCT. 15447170	MUNICIPAL	1357
UNITED STATES	0.00	POSTAGE ACCT. 15447170	ASSESSMENT	1357
UNITED STATES	550.00	POSTAGE ACCT. 15447170	ASSESSMENT	1357
VERIZON WIRELESS	945.53	7/24-8/23/12 ACCT. 386516835-00001	O/E	1358
UNITED WATER NEW	15437.43	AUGUST 2012 HYDRANT CHARGES	O/E WATER	1359
ROTONDI & SONS,	1080.00	INV. 233742 JULY BRANCH DISPOSAL	RECYCLING	1360
CLEANING WORLD	1110.00	AUGUST CLEANING 5	PUBLIC	1361
CLEANING WORLD	0.00	AUGUST CLEANING 5	RECREATION	1361
CLEANING WORLD	70.00	AUGUST CLEANING 5	RECREATION	1361
CLEANING WORLD	550.00	AUGUST CLEANING 5	SENIOR	1361
WINZER CORPORATION	178.47	INV. 4385785 8/10/12 CUST. 300056	PUBLIC	1362

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
TILCON NEW YORK,	255.74	INV. 1617834 4.28 TONS ASPHALT	PUBLIC	1363
TECHNICAL FIRE	675.00	INV.1939 ANNUAL PUMP TESTING FOR	FIRE O/E	1364
J.E. RODGERS	125.00	INV. 808 5 12 X 18 SIGNS-PARKING-	FIRE O/E	1365
ERCH, VINCI &	0.00	INV. 22169 ELECTRONIC FILING OF	FINANCIAL	1366
ERCH, VINCI &	1000.00	INV. 22169 ELECTRONIC FILING OF	FINANCIAL	1366
LERCH, VINCI &	500.00	INV. 22169 ELECTRONIC FILING OF	AUDIT	1366
ROGUT MC CARTHY PC	2455.35	JAN-JUNE 2012 BOND COUNSEL-TAN &	LEGAL	1367
APP PRODUCTS	142.89	INV. 95586 SEAT COVERS,DISPENSER	PUBLIC	1368
STAPLES ADVANTAGE	301.92	INV.3180978889.890.891 COFFEE	PUBLIC	1369
UNITED WATER NEW	5133.68	JULY WATER CHARGES	O/E WATER	1370
FERRETTI CARTING,	4500.00	AUGUST APTS/NMHS/NMMS	RECYCLING	1371
FERRETTI CARTING,	12083.33	AUGUST RESIDENTIAL RECYCLING	RECYCLNG	1372

Total fund: 01 CURRENT 2724209.09

Total Bill List: 2724209.09

BOROUGH OF NEW MILFORD**Bill list****SEPTEMBER 10, 2012 CAPITAL**

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
NORTH JERSEY MEDIA	206.87	AD#3320888, 3335720 ACCT.1101720	2012	1050
MONTANA	64417.76	INV. RC-09 & RC-10 EMERGENCY -797	2010	1051
COSTA ENGINEERING	850.00	8/23/12 2012 RIVERSIDE CO-OP RD	2011	1052
ROGUT MC CARTHY PC	67.05	JAN-JUNE 2012 BOND COUNSEL 2012	2012	1053
ROGUT MC CARTHY PC	67.05	JAN-JUNE 2012 BOND COUNSEL 2012	2012	1053
ROGUT MC CARTHY PC	67.05	JAN-JUNE 2012 BOND COUNSEL 2012	2012	1053
ROGUT MC CARTHY PC	67.05	JAN-JUNE 2012 BOND COUNSEL 2012	2012	1053
ROGUT MC CARTHY PC	67.05	JAN-JUNE 2012 BOND COUNSEL 2012	2012	1053
ROGUT MC CARTHY PC	67.05	JAN-JUNE 2012 BOND COUNSEL 2012	2012	1053
ROGUT MC CARTHY PC	67.04	JAN-JUNE 2012 BOND COUNSEL 2012	2012	1053
ROGUT MC CARTHY PC	67.04	JAN-JUNE 2012 BOND COUNSEL 2012	2012	1053
ROGUT MC CARTHY PC	67.04	JAN-JUNE 2012 BOND COUNSEL 2012	2012	1053
ROGUT MC CARTHY PC	67.04	JAN-JUNE 2012 BOND COUNSEL 2012	2012	1053
ROGUT MC CARTHY PC	67.04	JAN-JUNE 2012 BOND COUNSEL 2012	2012	1053
ROGUT MC CARTHY PC	67.04	JAN-JUNE 2012 BOND COUNSEL 2012	2012	1053
ROGUT MC CARTHY PC	0.00	JAN-JUNE 2012 BOND COUNSEL 2012	2012	1053
ROGUT MC CARTHY PC	454.54	JAN-JUNE 2012 BOND COUNSEL 2012	2012	1053
ROGUT MC CARTHY PC	164.47	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2008-07	2008-07	1054
GUT MC CARTHY PC	54.83	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2009	2009	1054
ROGUT MC CARTHY PC	54.82	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2009	2009	1054
ROGUT MC CARTHY PC	54.82	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2009	2009	1054
ROGUT MC CARTHY PC	1.01	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2009	2009	1054
ROGUT MC CARTHY PC	20.56	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2009	2009	1054
ROGUT MC CARTHY PC	20.56	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2009	2009	1054
ROGUT MC CARTHY PC	20.56	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2009	2009	1054
ROGUT MC CARTHY PC	20.56	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2009	2009	1054
ROGUT MC CARTHY PC	20.56	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2009	2009	1054
ROGUT MC CARTHY PC	149.56	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2009	2009	1054
ROGUT MC CARTHY PC	20.56	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2009	2009	1054
ROGUT MC CARTHY PC	20.56	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2009	2009	1054
ROGUT MC CARTHY PC	20.56	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2009	2009	1054
ROGUT MC CARTHY PC	20.55	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2009	2009	1054
ROGUT MC CARTHY PC	82.23	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2010	2010	1054
ROGUT MC CARTHY PC	82.24	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2010	2010	1054
ROGUT MC CARTHY PC	41.12	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2010	2010	1054
ROGUT MC CARTHY PC	41.12	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2010	2010	1054
ROGUT MC CARTHY PC	41.12	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2010	2010	1054
ROGUT MC CARTHY PC	41.11	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2010	2010	1054
ROGUT MC CARTHY PC	27.41	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2010	2010	1054
ROGUT MC CARTHY PC	27.41	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2010	2010	1054
ROGUT MC CARTHY PC	27.41	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2010	2010	1054
ROGUT MC CARTHY PC	27.41	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2010	2010	1054
ROGUT MC CARTHY PC	27.41	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2010	2010	1054
ROGUT MC CARTHY PC	27.41	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2010	2010	1054
ROGUT MC CARTHY PC	27.42	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2010	2010	1054
ROGUT MC CARTHY PC	14.91	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2010	2010	1054
ROGUT MC CARTHY PC	164.47	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2011	2011	1054
ROGUT MC CARTHY PC	0.00	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2012	2012	1054
ROGUT MC CARTHY PC	164.47	JAN-JUNE 2012 BOND COUNSEL-VARIOUS 2012	2012	1054

Vendor

ROGUT MC CARTHY PC

Amount Description

163.46 JAN-JUNE 2012 BOND COUNSEL-VARIOUS

Account

SEWER REHAB

Check #

1054

Total fund: 04 CAPITAL

68378.41

Total Bill List:

68378.41

Bill list

Vendor

NJ STATE DEPT. OF

[illegible]

14.40 AUGUST 2012 MONTHLY DOG LICENSE

Account

RES'V FOR

Check #

1005

Total fund: 13 ANIMAL

14.40

Total Bill List:

14.40

BILL LIST FOR MEETING OF:

**SEPTEMBER 10, 2012
DEVELOPER'S ESCROW**

VENDOR	ACCOUNT	CHECK NO.	AMOUNT
NORTH JERSEY MEDIA GROUP	FRESH & FANCY	1163	\$48.63
NORTH JERSEY MEDIA GROUP	S. HEKEMIAN GROUP	1164	\$33.48
SCOTT SPROVIERO, ESQ.	S. HEKEMIAN GROUP	1165	\$100.00
BOROUGH OF NEW MILFORD CURRENT ACCOUNT	S. HEKEMIAN GROUP	1166	\$205.04
BOROUGH OF NEW MILFORD CURRENT ACCOUNT	S. HEKEMIAN GROUP	1167	\$241.65
BOSWELL MC CLAVE ENGINEERING	JONES	1168	\$264.00
BOSWELL MC CLAVE ENGINEERING	15 WAKELEE DRIVE	1169	\$233.00
BOSWELL MC CLAVE ENGINEERING	GOSPEL FELLOWSHIP	1170	\$264.00
BOSWELL MC CLAVE ENGINEERING	S. HEKEMIAN GROUP	1171	\$704.00
PHILLIPS PREISS GRYGIEL, LLC	S. HEKEMIAN GROUP	1172	\$1,113.75
BOSWELL MC CLAVE ENGINEERING	SANZARI'S	1173	\$88.00
		TOTAL	\$3,295.55

BOROUGH OF NEW MILFORD

Bill list

SEPTEMBER 10, 2012

Combined TRUST FUND 12

Vendor

NEW MEADOWLANDS

Amount Description

1008.00 TOUR OF STADIUM 6/26/12 INV.3806

Account

RESERVE JR.

Check #

1005

Total fund: 2803 RESERVE JR. POLICE ACADEMY

1008.00

Total Bill List:

1008.00

BOROUGH OF NEW MILFORD

Bill list

SEPTEMBER 10, 2012

Combined OPEN SPACE TRUST 16

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
ROGUT MC CARTHY PC	216.24	JAN-JUNE BOND COUNSEL-KENNEDY	ORD 12-08	146
Total fund: 2180 RES'V-ORD 12-08 KENNEDY FIELD				216.24
ROGUT MC CARTHY PC	216.24	JAN-JUNE BOND COUNSEL-KENNEDY	RES'V ORD	146
Total fund: 2930 RES'V OPEN SPACE TRUST				216.24
Total Bill List:		432.48		

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012: 241

Offered by: [Signature]

Seconded by: [Signature]

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

RESOLUTION: CHANGE IN CUSTODIAN OF PETTY CASH FUND

WHEREAS, Michael Burns was custodian of the Police/Detective Petty Cash Fund, and

WHEREAS, in accordance with N.J.S.A 40:5-21, the Mayor and Council of the Borough of New Milford is changing custodians to Frank Ramaci; and

WHEREAS, Frank Ramaci is bonded under the Borough of New Milford's Municipal Excess Liability Joint Insurance Fund; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough Clerk of New Milford, County of Bergen, hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

SEAL

[Signature]

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:242

Offered by: *[Signature]*

Seconded by: *[Signature]*

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

RESOLUTION: CHANGE IN CUSTODIAN OF PETTY CASH FUND

WHEREAS, Michael Giambrone was custodian of the Department of Public Works Petty Cash Fund, and

WHEREAS, in accordance with N.J.S.A 40:5-21, the Mayor and Council of the Borough of New Milford is changing custodians to Michael Calamari; and

WHEREAS, Michael Calamari is bonded under the Borough of New Milford's Municipal Excess Liability Joint Insurance Fund; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough Clerk of New Milford, County of Bergen, hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

SEAL

[Signature: Christine Bernis]

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:243

Offered by: [Signature]

Seconded by: [Signature]

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

RESOLUTION: RESCINDING PETTY CASH FUND

WHEREAS, it is the desire of the Mayor & Council of the Borough of New Milford, County of Bergen that the petty cash fund for the Senior Advisory Board be rescinded.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Clerk of New Milford, County of Bergen, hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

SEAL

[Signature]

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:244

Offered by: *[Signature]*

Seconded by: *[Signature]*

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

RESOLUTION: RESCINDING PETTY CASH FUND

WHEREAS, it is the desire of the Mayor & Council of the Borough of New Milford, County of Bergen that the petty cash fund for the Clerk be rescinded.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Clerk of New Milford, County of Bergen, hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

SEAL

Cristine Remus

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No.

2012:245

Offered by: 

Seconded by: 

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

WHEREAS, N.J.S.A 40A:5-14 mandates that the governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate a cash management plan enumerating depositories for its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state;

WHEREAS, N.J.S.A. 40A 5-15.1 permits investments in New Jersey Cash Management Fund and Certificates of Deposits; and

WHEREAS, N.J.S.A. 40A 5-14 charges the Chief Financial Officer with the administration of the cash management plan; and

WHEREAS, N.J.S.A. 40A 5-14f where funds are deposited or invested as designated or authorized by the cash management plan relieves the Chief Financial Officer of any liability for any loss of such monies due to insolvency or closing of any depository designated by or for the decrease in value of any investment authorized by the cash management plan.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Clerk of the Borough of New Milford, County of Bergen, State of New Jersey authorizes the Chief Financial Officer to deposit funds in the New Jersey Cash Management Fund, certificates of deposit or any local bank institution that is GUDPA certified.

BE IT FURTHER RESOLVED, on the 10th day of September 2012 by the Borough Clerk of the Borough of New Milford, County of Bergen, State of New Jersey, that:

1. NVE Bank
Wells Fargo
New Jersey Cash Management Fund P.L. 1977, C. 281
(C.52:18A-90, 4)
First Union

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. **2012:245**

Offered by:.....

Seconded by: *Randolph*

Be and are hereby designated as depositories for the Borough of New Milford for the year 2012.

2. Prior to the deposit of any municipal funds in the above mentioned depositories, said bank shall file with the Chief Financial Officer a statement indicating that the bank is covered under the Government Unit Deposit Protection Act (R.S. 17:9-41).

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

SEAL

Christine Dennis

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012: 246

Offered by: Randolph

Seconded by: [Signature]

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

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION
BY RIDER FOR YOUTH SAFETY AND AWARENESS PROGRAM
(JR. POLICE ACADEMY)
REQUIRED BY 40A:5-29 DONATIONS**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, 40A:5-29 provides for receipt of donations by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Youth Safety and Awareness Program (Jr. Police Academy) are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to administer and pay expenditures of Youth Safety and Awareness Program (Jr. Police Academy).
2. The Clerk of the Borough of New Milford, County of Bergen, is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

SEAL

Christine Demaris

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No.

2012:247

Offered by:...

Randy...

Seconded by:...

[Signature]

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

September 10, 2012

WHEREAS, a Total Property Tax Exemption for a Disabled Veteran has been granted by the assessor to Silvio Leon residing at 210 Bergen Avenue, also known as Block 1112 Lot 5 as of August 17, 2012.

WHEREAS, fourth quarter 2012 in the amount of \$2,031.04, first quarter 2013 in the amount of \$1,978.52 and second quarter 2013 in the amount of \$1,978.52 property taxes had already been levied against property; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of New Milford that the fourth quarter 2012, 1st quarter 2013 and 2nd quarter 2013 levied against Block 1112 Lot 5 be cancelled.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012

Christine Bernini

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:248

Offered by: *Randy...*

Seconded by: *...*

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

CONSTRUCTION DESIGN IMMUNITY

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

WHEREAS, the following improvement to public property has been designed by Costa Engineering Corporation; and

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

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

1. Plans and specifications entitled 2012 Riverside Cooperative Road Improvement Program and prepared by Costa Engineering Corporation dated April 2012.
2. Upon the completion of the improvements described herein above, Boswell McClave Engineering Corporation shall inspect said improvement and certify to the Mayor and Council, before final payment is made for same that said improvement has been constructed in accordance with the above referenced design.
3. The Borough Clerk shall archive the Resolution in a manner consistent with the purpose of perpetually documenting governmental immunity in the event of any claim based upon the plan, design or construction of the improvement.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

SEAL

Christine Bernick

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No.

2012-249

Offered by:

Ranetta Duffie

Seconded by:

DeDe Form

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

WHEREAS, the Mayor and Council of the Borough of New Milford have received funding from the New Jersey Department of Transportation for FY 2012 Municipal Aid Program in the amount of \$146,500; and

WHEREAS, the Mayor and Council wish to advertise to receive bids for the Center Street Project; and

WHEREAS, the Mayor and Council hereby authorize Boswell Engineering to prepare plans and specifications the Center Street Project at a fee not to exceed \$14,000; and

WHEREAS, the Borough Clerk is hereby authorized to advertise to receive bids in Borough Hall;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of New Milford hereby authorize the Borough Engineer to prepare plans and specifications for the Center Street Project and authorize the Borough Clerk to receive bids.

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

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

Christine Amis

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:250

Offered by: 

Seconded by: 

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

WHEREAS, there exists outstanding checks on the cash reconciliation of the Borough of New Milford Current Account; and

WHEREAS, the checks have been reviewed and a determination has been made to cancel said checks; and

WHEREAS, it is necessary to formally cancel said checks;

NOW THEREFORE BE IT RESOLVED that the following old outstanding checks be cancelled and restored to the respective fund cash balance:

<u>Fund</u>	<u>Number</u>	<u>Date</u>	<u>Amount</u>
Wells Fargo Bank	51690	08/23/10	\$2,560.66
Current Account	52967	02/28/11	30.00
#2082340035188	53728	07/25/11	50.00
	54540	11/28/11	91.49
	54559	11/28/11	338.67
	54589	11/28/11	1,254.51
Total			\$4,325.33

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.



SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:251

Offered by: [Signature]

Seconded by: [Signature]

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

WHEREAS, the Borough of New Milford advertised for and received bids on August 31, 2012 in the New Milford Borough Hall at 11:00 AM for a 2013 Dump Truck with Dump Body, Spreader & Snow Plow; and

WHEREAS, the following bids were received:

	<u>4 x 2 Chassis</u>	<u>4 x 4 Chassis</u>
Beyer CDJR Morristown, NJ	\$71,336.00	\$74,428.00
Deluxe International Trucks, Inc. Hackensack, NJ	\$75,963.00	

WHEREAS, the bid was reviewed by the Borough Attorney and found to be responsive to the request and funding was allocated via Bond Ordinance 2012:07 in the amount of \$80,000.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of New Milford hereby award the contract for a 4 x 4 Chassis 2013 Dump Truck with Dump Body, Spreader & Snow Plow to the lowest qualified bidder, Beyer CDJR in the amount of \$74,428.00.

BE IT FURTHER RESOLVED that this award is contingent upon the execution of an Agreement by both parties in a form acceptable to the Municipal Attorney; and

BE IT FURTHER RESOLVED that Mayor Subrizi is authorized to sign said Agreement and the Borough Clerk is authorized to attest to the same.

BE IT FURTHER RESOLVED that a certified copy of this resolution be mailed to Beyer CDJR, 200 Ridgedale Avenue, Morristown, NJ 07962 and forwarded to the Superintendant of the DPW.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

SEAL

[Signature: Christine Bernice]

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:252

Offered by:

Seconded by:

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

WHEREAS, a vacancy has occurred in the position of part-time position Senior Van Coordinator/Rent Leveling Coordinator due to the retirement of the former Senior Van Coordinator/Rent Leveling Coordinator Dino Speroni; and

WHEREAS, the former Senior Van Coordinator/Rent Leveling Coordinator has recommended Jeffrey Hill for the position; and

WHEREAS, Jeffrey Hill has been employed as a part-time senior van driver with the Borough of New Milford since May 13, 2010 and

WHEREAS, Jeffrey Hill has been trained by the former Senior Van Coordinator/Rent Leveling Coordinator and has served in both capacities on a temporary basis during extended periods of absence of the former Coordinator; and

WHEREAS, Jeffrey Hill has agreed to accept this part-time position, five days per week, not to exceed twenty (20) hours per week, at a salary of \$13.80 per hour.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of New Milford hereby approve the recommendation of Jeffrey Hill as the part-time Senior Van Coordinator/Rent Leveling Coordinator effective September 11, 2012.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded, with a letter of employment, to Jeffrey Hill, 294 Hirschfeld Place, New Milford, NJ 07646.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

SEAL

Christine Demisei

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012: 253

Offered by: [Signature]

Seconded by: [Signature]

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

WHEREAS, the Mayor and Council of the Borough of New Milford wish to enter into a Grant Agreement with the County of Bergen for the purpose of using \$127,000 in 2012-2013 Community Development funds for the Senior Center Rehabilitation; and

WHEREAS, the Mayor and Council hereby authorizes Mayor Ann Subrizi to sign said grant agreement and further authorizes the Borough Clerk to attest to the same; and

WHEREAS, the Mayor and Council hereby authorizes the Borough Administrator to sign all county vouchers submitted in conjunction with the aforesaid project; and

WHEREAS, the Mayor and Council recognizes that the Borough of New Milford is liable for funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements;

NOW THEREFORE BE IT RESOLVED that this resolution was adopted by the Mayor and Council of the Borough of New Milford at a meeting held on September 10, 2012, a copy of which shall be forwarded to County of Bergen, Division of Community Development, One Bergen County Plaza 4th Floor, Hackensack, NJ 07601.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

SEAL

[Signature]

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:254

Offered by: [Signature]

Seconded by: [Signature]

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

WHEREAS, the Mayor and Council of the Borough of New Milford have been approved for a grant from the County of Bergen 2012 Community Development Block Grant for the Senior Center Rehabilitation in the amount of \$127,000; and

WHEREAS, under the direction of Boswell McClave Engineering, Daniel Dressel, RA conducted a field visit and prepared a construction cost estimate as part of the application to the County of Bergen; and

WHEREAS, Daniel Dressel, RA has provided a proposal for architectural and engineering services including the preparation of plans and specifications for the Senior Center Rehabilitation at a fee not to exceed \$9,650.00; and

WHEREAS, the Mayor and Council wish to advertise to receive bids for the Senior Center Rehabilitation; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of New Milford hereby authorize Mayor Subrizi to sign the agreement with Daniel Dressel, R.A. for architectural and engineering services for the Senior Center Rehabilitation as a professional service pursuant to N.J.S.A. 40A:11-2(6);

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of New Milford the Borough Clerk is authorized to advertise and receive bids for the Senior Center Rehabilitation.

BE IT FURTHER RESOLVED, a copy of this resolution be forwarded with the signed agreement to Daniel Dressel, RA, 19 Edstan Drive, Moonachie, NJ 07074.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

SEAL

Christine Dennis

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:255

Offered by: [Signature]

Seconded by: [Signature]

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

RAFFLE/BINGO LICENSE

WHEREAS, the following applicant has filed an application for a raffle/bingo license, and

WHEREAS, a routine police investigation fails to reveal any reason for not granting this license,

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

APPLICANT: Hovnanian School
LICENSE TYPE: Off-Premise 50/50 Raffle
DATE: March 8, 2013
TIME: 9:00 PM
PLACE: 817 River Road, New Milford, NJ
LICENSE #: 2012:18

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

SEAL

[Signature: Christine Demaris]

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:256

Offered by: [Signature]

Seconded by: [Signature]

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

RAFFLE/BINGO LICENSE

WHEREAS, the following applicant has filed an application for a raffle/bingo license, and

WHEREAS, a routine police investigation fails to reveal any reason for not granting this license,

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

APPLICANT: Crohn's and Colitis Foundation of America

LICENSE TYPE: On-Premise Merchandise Raffle

DATE: October 13, 2012

TIME: 7 PM -11 PM

PLACE: 267 Madison Avenue, New Milford, NJ

LICENSE #: 2012:19

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

SEAL

[Signature]

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:257

Offered by: Dr

Seconded by: Hedger

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

RAFFLE/BINGO LICENSE

WHEREAS, the following applicant has filed an application for a raffle/bingo license, and

WHEREAS, a routine police investigation fails to reveal any reason for not granting this license,

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

APPLICANT: New Milford High School PTO
LICENSE TYPE: Calendar Raffle
DATE: December 1, 2012 – February 28, 2013
TIME: Each Thursday, 10:30 AM
PLACE: One Snyder Circle, New Milford, NJ
LICENSE #: 2012:20

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

SEAL

Christine Bernier's

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012: 258

Offered by: Councilman Robalino

Seconded by: Council President Berner

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

WHEREAS, there exists a need in the Department of Public Works in the Borough of New Milford for a Laborer; and

WHEREAS, the Mayor and Council of the Borough of New Milford wish to fill this position effective October 1, 2012; and

WHEREAS, Mark Hettinger, Jr. has been employed as seasonal employee with the New Milford Department of Public Works since August 1, 2011; and

WHEREAS, the Assistant Superintendent, Michael Calamari, has recommended Mark Hettinger, Jr. for full-time employment; and

WHEREAS, Mark Hettinger, Jr. has agreed to accept this full-time, 40 hours per week position at a salary of \$42,292, and will be entitled to the same benefits as afforded to the Department of Public Works employees;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of New Milford hereby appoint Mark Hettinger, Jr. as a Laborer effective October 1, 2012 at a salary of \$42,292 with a one year probationary period, retroactive to the date of employment as a seasonal employee.

BE IT FURTHER RESOLVED, that this appointment will be subject to a customary employment physical, drug screening, and a psychiatric evaluation.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

SEAL

Christine Berner

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:259

Offered by: Councilman Colucci

Seconded by: Councilman Robalino

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

WHEREAS, the Mayor and Council of the Borough of New Milford have appointed Phillips Preiss Grygiel, LLC as the Licensed Professional Planner with regard to the property identified as Block 1309, Lot 1.02; and

WHEREAS, Paul Grygiel has provided a Rezoning Study for the property designated as Block 1309, Lot 1.02; and

WHEREAS, the Mayor and Council wish to have the Paul Grygiel draft a zoning ordinance for their consideration;

NOW THEREFORE BE IT RESOLVED the Mayor and Council of the Borough of New Milford hereby authorize Paul Grygiel to undertake the drafting of a zoning ordinance, in addition to identifying any necessary revisions to the Master Plan, for the property known as Block 1309, Lot 1.02.

BE IT FURTHER RESOLVED that a copy of this resolution be provided to the Paul Grygiel, Phillips Preiss Grygiel, LLC, 33-41 Newark Street, Third Floor, Suite D, Hoboken, NJ 07030.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on September 10, 2012.

SEAL

Christine Bernis