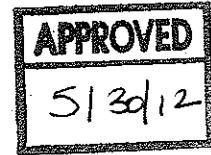


MINUTES
BOROUGH OF NEW MILFORD
6:30 JIF ELECTED OFFICIAL TRAINING
WORK SESSION IMMEDIATELY FOLLOWING
Monday, February 13, 2012



JIF ELECTED OFFICIAL TRAINING

David Grubb, Executive Director of the Municipal Excess Liability Joint Insurance Fund conducted the JIF Elected Official Training for the Mayor and Council.

WORK SESSION:

The Work Session was opened at 7:41 PM. Mayor Subrizi read the Open Public Meeting and Mission Statements.

Councilwoman Randi Duffie	Absent	(Work - Excused)
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

The Council decided to start the meeting in open session to cover the first item to accommodate the Tax Assessor's appearance.

OPEN SESSION:

1. Tax Assessor Recommendation for Reassessment

Ms. Kaman began by advising the Council of a letter that has been going out from a company named Value Appeal offering services to homeowners for tax appeals. She asked that if the Council were to receive questions from homeowners they refer them to her. She said homeowners can appeal on their own; they do not need to pay someone to do it on their behalf.

The Assessor stated the revaluation was done in 2004 for the 2005 tax year; the peak of the real estate market. She said the market bottomed out in 2007 and has yet to stabilize and the town's assessments are out of line. She said there were 123 tax appeals at the county in 2011 and she had to settle every single one. There are only three options available to the municipality: a full blown revaluation, a compliance plan, and a reassessment. She said in order to do a revaluation the State would need to approve it and the tax maps would need to be approved; this is an expensive approach. A compliance plan allows you to adjust the values of up to 50% of the town but it is discriminatory and creates dissention. Ms. Kaman said her suggestion to create some stability in the tax base and reduce appeals would be to do a hybrid reassessment. She

said she has sent an informal application to the county to get a feel for whether or not they would approve this approach. She would hire a company to do the inspections, create the work product, put all the data into the computer and do the valuations but the assessor would represent the town, not the appraisal company. She said if nothing is done we will continue to see appeals in the coming years and the municipality does not get any money back from the Board of Education on successful appeals – all of the refunded money comes from the town. She said a reassessment should lessen the appeals for 2013 and beyond.

Mr. Madaio asked for the current ratio. Ms. Kaman said it is 100%. Council President Berner asked to confirm the equalization ratio is at 100%. Ms. Kaman said the ratio is determined by the useable sales and a lot of sales are being thrown out – estate sales, short sales, pre-foreclosures.

Ms. Kaman explained that she reviewed 284 properties that had suffered flood damage which reduced the ratable base by \$11,000,000 or \$250,000 in tax revenue that will not be realized as a result of these reductions. She explained she removed this amount to avoid appeals from these homeowners in 2012 which could have resulted in greater losses in revenue.

If the reassessment proposal is approved she suggests a letter to homeowners in May/June with inspections taking place in June/July with a letter going out to the homeowner in December with the adjusted value and property record card. In order to proceed it would require a resolution of the Mayor and Council be passed tonight. It would not require public bidding, just a request for proposal.

She explained this will provide for uniformity in the assessment; noting that many who have already appealed will see lesser reductions in value than those that have not appealed. This will provide for a stable tax base for budgeting.

Mr. Madaio asked how much was refunded last year. Ms. Kaman said she is not sure but it was a lot. Mr. Madaio asked if it was more than the estimated \$203,000 cost of the reassessment. Ms. Kaman said it was definitely more with 123 appeals.

Ms. Kaman said a resolution to start the process does not obligate the town financially at this point; a contract will be presented for the Council's vote at a future meeting and the Council can opt out at that point.

It was noted that although a revaluation is significantly more expensive it can be bonded over a period of five years; a reassessment must be paid for within the year, it cannot be bonded. Ms. Kaman noted however that you can only bond the expense for a revaluation if you are ordered to perform it by the Division of Taxation, not if it is undertaken voluntarily. A revaluation would never be ordered with a ratio of 100%.

A resolution was added to the agenda to authorize the assessor to file a reassessment plan with the county and to go out with a request for proposal. It will additionally authorize the Mayor to sign the agreement with the appraisal company and the Borough Clerk to attest to the same.

At this time, Councilwoman Grant made a motion to go into closed session. Council President Berner seconded the motion. All present in favor, none opposed.

CLOSED SESSION:

1. Personnel – DPW Seasonal Employee
2. Legal – New Milford Redevelopment Associates, LLC Correspondence

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

OPEN SESSION: (continued) 9:20 PM

2. Relay for Life – Field Use Request

The Administrator referenced the request from Relay for Life for the use of Kennedy Field for their event scheduled for May 18th through 19th. She advised that they had already received approval from the Recreation Commission given certain conditions which included Mayor and Council approval. The Mayor said it was a great event at Gibbs last year and she feels it would be more successful to repeat it at Gibbs rather than reinventing it at a new location. She asked if anyone would object to her speaking to the Principal at Gibbs prior to giving approval for use of the Recreation field. There was no objection. The Recreation Director, John Bigger, stated he had also contacted the American Cancer Society representative to see if they would be interested in using the High School field.

3. Field Committee – Status Report

Mr. Bigger reported on behalf of the Field Committee. He said that after the August flood the committee was created to look at options in town to locate a turf field. He said they were not charged with determining the funding, just identifying the options for a field. The committee considered locations at Berkley, the High School, the Middle School, and the land offering at the United Water Company property for the installation of a multi-purpose field for the entire town. After careful review, the committee unanimously agreed the best location would be at the Middle School. He explained that they worked with a representative from Field Turf to develop an estimated cost; at \$8 per square foot it would be approximately \$1.5 million. He explained that Field Turf is a subcontractor – they would supply the turf and drainage system but that the job would be bid and installed by a contractor. The lifetime of the turf is about ten to twelve years at which time the turf would need to be replaced. The committee is also recommending the field to be lit, the cost of which is not included in the previous estimate.

Council President Berner asked how it would work for the field to be located on Board of Education property but be funded by the Borough. An agreement would be drafted between the two entities. He asked if it would be eligible for Green Acres funding. He was advised it would be and may also be eligible for Bergen County Open Space funding.

Councilman Robalino noted the BOE Superintendent wanted a running track as well. He was advised that the Field Committee opted out on the track because it was not the best use of the field and the High School track is sufficient.

Mr. Bigger said with the estimate of \$1.5 million for the field, \$250,000 for the lights and additional money for the stands it would be a total of approximately \$1.9 million. He said it will take approximately four to six weeks to build just the field. The Mayor said she would ask to the grants writer to begin exploring the funding opportunities.

4. Sr. Center Program Staff

The Administrator reported a long time member of the Senior Center Program Staff resigned. She noted the Center was short staffed before the resignation and noted the urgency with which she and the Director hoped to fill the position as they have been relying on volunteers in addition to the other staff members to pick up the slack. The Director spoke with a former kitchen aide who had worked their previously through the Easter Seals program as well as another volunteer; neither of these individuals are interested in the position. She noted it is a difficult position to fill as it is part-time, requires a degree of physicality and pays very little. The Director is hoping to possibly find someone through referrals. The Council agreed to advertise the position on the bulletin board at the Senior Center and Borough Hall and on the Borough website. If the Director has no success filling the position it will then be advertised.

5. Trench Drainage – Status Review

The Administrator read from the email from Ms. Batistic of Boswell Engineering, dated January 13, 2012. The email was in response to the Council's question regarding whether or not the first two phases that had been completed had achieved the anticipated outcome originally contemplated by the entire three phases of work.

The email response noted the town's existing drainage system is over 50 years old; houses were much smaller and there was less impervious area so the storm system may have been adequate. Today houses are bigger, driveways are wider and we have recently had storms with higher intensities than ever before. She also referenced the NJDEP's requirement of grates on all catch basin openings which result in a reduction on the inlet's flow capacity. All of these factors contribute to local flooding.

When the project was originally discussed in 2006 the conclusion was that the system simply has no capacity to handle the amount of runoff generated in that area. The proposed improvements would increase the capacity three to four times. The decision was to improve the downstream receiving system prior to replacing the pipes in the back of homes on Webster and Trench. The situation improved with the first two phases. She noted the storm systems are designed for twenty-five year storms. Even if we were able to install pipes capable of handling a twenty-five year storm, flooding would occur with a larger storm. She noted there would be no 100% solution without tremendous improvements and a large sum of money and asked how much money the Borough is willing to spend to eliminate occasional street and back yard flooding for a small group of people.

The Council asked the Administrator to compose a letter to Mr. D'Amelio to let him know that based upon the information received by the Borough engineer they believe the Borough has achieved what was intended and to include a copy of the engineer's email with the letter.

6. Proposed DOT Application – Boulevard/Monmouth

The Administrator reported the Grants Consultant has made a recommendation to add a section of Monmouth Avenue to the proposed DOT application for the paving of the Boulevard. She has suggested adding Monmouth Avenue from Plympton to the Boulevard. The Council agreed with the recommendation. The Administrator will notify the Grants Consultant.

7. Carnival Requests – Drug Alliance/Gooney Birds

The Administrator advised that there are now two requests to use Kennedy Field for a Carnival in August; one from the New Milford Drug Alliance and one from the Gooney Birds. She has notified both organizations that the field is not available during the week of August 6th due to National Night Out. The Drug Alliance is not certain they would be able to reschedule and suggested the Babe Ruth field could be used for either the carnival or National Night Out. It was agreed that the Babe Ruth field would not be appropriate for either. Mayor Subrizi suggested a September date might lend itself to use of the Swim Club parking lot but the Swim Club has been less than responsive to the idea. Councilman Robalino said that was not the decision of the Board or a Trustee, just a member of the club. He said they would be meeting and should be able to provide an official response by the end of the week. Councilman Colucci said the VFW has an interest in working with the Drug Alliance as well.

8. United Water Property – Rezoning/Planner Review

The Mayor said this topic would be carried on the agenda until it is no longer on the agenda. She said she had nothing specific to report at this time. Councilman Robalino said the Borough cannot push the field on the Middle School until the door on rezoning closes. Councilman Colucci added the advantage to a field on the water company property is that it would be prepped for drainage which should bring the cost down to about \$3 per square foot.

COUNCIL:

Councilwoman Grant referenced the waterworks project at Van Buskirk Island. She said Bergen County Open Space authorized \$500,000 in 2010 and is now considering a reallocation of the funds to Saddle River. She said if the \$500,000 is lost the project stands to lose an additional \$1.9 million in matching funds. She said there is a County Freeholder meeting on March 21st and she hopes people will attend.

Councilwoman Grant referenced Klinger Farm and said it is her understanding that they are not living up to the deed restrictions or farm management plan. She said she was of the understanding that an employee or owner live on the property. She was advised that the restrictions prohibit anyone but an owner or employee to live there; it does not require someone live there. Copies of the deed and farm management plan will be forwarded to Councilwoman Grant and Councilman Ashley for their review. Council President Berner commented that they need better markings on the easement.

Council President Berner referenced resolution 2012:69 which was pulled from the agenda at the last meeting. Council President Berner said he had spoken with the CFO and the Administrator over the last two weeks to address the concerns he had raised. He has confirmed that transfers can only be made between Borough accounts and that they require two signatures. The resolution has been revised and is on the agenda for the Council's consideration.

PUBLIC HEARING:

**GREEN ACRES LOCAL GOVERNMENT ASSISTANCE APPLICATION –
LAND ACQUISITION AND PARK DEVELOPMENT 2011**

The Administrator outlined the details of the Green Acres application explaining this application is for the 25% funding balance to the FEMA HMG Property Acquisition application. One of the requirements of the Green Acres application is to hold a public hearing. She advised that notice of the public hearing had been advertised as required.

Councilman Colucci made a motion to open to the public for comment on this application. Councilwoman Grant seconded the motion. All present in favor, none opposed.

The record reflects that no member of the public or of the Mayor and Council had any questions or comments with regard to this application.

The meeting was closed to public on a motion from Councilman Robalino. Council President Berner seconded the motion. All present in favor, none opposed.

COUNCIL:

The Mayor reported she attended the Bergen County Flood Advisory meeting on February 6th. Cindy Randazzo of the DEP was in attendance. The DEP's opposition to releasing water prior to a predicted storm was discussed. The Mayor reported this position has apparently changed somewhat as Ms. Randazzo indicated the DEP is looking at the matter and will be issuing a "white paper" on it.

The Mayor reported the Bergen County Mosquito Commission has been in town and has been working with the DPW to de-slug some of the area waterways. She asked to have the DPW provide a list of what areas have been addressed.

Councilman Colucci reported the resident complaint regarding the debris at the dead end of Columbia Street has already been addressed. Councilman Colucci reported on a memo from the Fire Department on issues in need of repair. It was given to the Administrator who will follow up with Buildings and Grounds and the DPW. Councilman Colucci mentioned the installation of solar panels and noted his belief that there are many more homes with solar panels than have been reported. He will be working with the Building Department to complete the list.

Councilwoman Grant referenced the JIF Elected Official's Training held earlier in the evening and commented that she felt disturbed by the presenter's perspective; she felt that it was one sided favoring the insurer.

The Mayor noted the Capital Budget will be discussed at the March Work Session and asked the Administrator to provide a spreadsheet draft of all of the requests.

RESOLUTIONS:

2012:62 Closed Session
2012:63 Payment of Bills and Vouchers

- 2012:64 Denounce all forms of anti-Semitism and hateful acts against any religion or ethnic group
2012:65 Authorize Mayor to execute Joint Contract Joinder Agreement to Join New Jersey Sustainable Joint Meeting
2012:66 Endorse submission of recycling tonnage grant application to the NJ DEP
2012:67 Approve 2011 Veteran's credits – Block 1523, Lot 1
2012:68 Approve Tax Refund – Block 401, Lot 22 as a result of State of NJ Tax Court Judgment
2012:69 Authorize CFO to transfer funds and have online account access for the purpose of meeting Borough expenses
2012:70 Approve Social Affairs Permit – PBA Local #309 – April 14, 2012
2012:71 Authorize Reassessment for Year 2013

COMMENTS FROM THE PUBLIC

Councilwoman Grant made a motion to open the meeting to the public. The motion was seconded by Council President Berner. All present in favor, none opposed.

Ms. Jody Siefert addressed the Mayor and Council. She asked for the outcome to the overnight parking questions she had raised previously. She was advised that after a lengthy discussion the Council had opted to keep the current policy; allowing residents to call in for emergencies which would be allowed at the discretion of the police desk. Ms. Siefert said there is still repetitive parking in her neighborhood and in addition, she has witnessed repetitive parking on the Borough easement on Oxford Lane despite the recently installed "no parking" signs. The Mayor said she would speak to the Police Chief about both issues.

Mr. Gus Bachmann addressed the Mayor and Council. Mr. Bachmann asked for a timetable on when the work will begin on the brook; he would like to know when and where the work will begin. The Mayor said it will have to be considered for the capital budget and that it will have to take place in phases. She also indicated that the Borough would be speaking with the Grant's Consultant in pursuit of grant money for the work.

As there were no other members of the public wishing to comment Councilwoman Grant made a motion to close the meeting to the public. Councilman Robalino seconded the motion. All present in favor, none opposed.


VOTE ON RESOLUTIONS

Councilman Robalino made a motion to approve the consent agenda #2012:62 through #2012:71. Council President Berner seconded the motion. All present in favor, none opposed.

ADJOURNMENT

Council President Berner made a motion to adjourn. Councilman Robalino seconded the motion. All present in favor, none opposed. Time 10:43 PM.

Respectfully submitted,



Christine Demiris
Borough Clerk