

**MINUTES
BOROUGH OF NEW MILFORD
6:30 JIF ELECTED OFFICIAL TRAINING
WORK SESSION IMMEDIATELY FOLLOWING
Monday, February 14, 2011**



JIF ELECTED OFFICIAL TRAINING:

David Grubb, Executive Director of the Municipal Excess Liability Joint Insurance Fund briefed the Mayor and Council on the increase in Worker's Compensation costs. He explained the concept of fee shifting noting there is no linkage between plaintiff awards and attorney fees. He noted that New Jersey is the only state without linkage; all forty-nine other states and the federal court have linkage.

He stated that lost time accident rates have decreased over the last twenty years but they have been plateaued for the last decade. Although the accident rates have stayed the same the cost per accident has increased seven percent each year, increasing the underlying costs. He said there needs to be a culture change to empower everyone; a grass roots effort from the bottom up to act in the interest of safety. He outlined best practices as they relate to the Safety Committee, the Risk Manager, Supervisors, Staff, and Employment Practices. He discussed a number of resolutions the JIF is asking each member municipality to consider, including one regarding Sick Leave Injury policies.

The Work Session was opened at 7:30 PM. Mayor Subrizi read the Open Public Meeting and Mission Statements.

Council President Keith Bachmann	Present
Councilwoman Randi Duffie	Absent (Work)
Councilman Diego Robalino	Present
Councilman Howard Berner	Present
Councilwoman Celeste Scavetta	Present
Councilman Dominic Colucci	Present
Mayor Ann Subrizi	Present

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

CLOSED SESSION:

Councilman Berner made a motion to go into closed session. Council President Bachmann seconded the motion. All present in favor, none opposed.

1. Personnel – DPW
2. Proposed Lease of Borough Property
3. Review of 7/26/10 Closed Session Minutes

At the conclusion of the closed session Council President Bachmann made a motion to back into open session. Councilman Robalino seconded the motion. All present in favor, none opposed.

OPEN SESSION:

1. Borough Vehicle Use

The Mayor stated she had been given a list of all of the employees that use borough vehicles but had not yet had the opportunity to speak with everyone on the list. She asked to table the matter until the next work session.

2. Mayor and Council Minutes

The Mayor stated there has been some discussion about the length of the Mayor and Council minutes and she listed what is required statutorily. She stated the minutes are very comprehensive and said perhaps they do not need to be as comprehensive. She suggested the Council discuss if going forward the minutes could be shortened. Mr. Madaio suggested it is better to have minutes that meet the statute and are done promptly rather than a verbatim transcript that is a long time out. He noted the Borough's minutes are far and above what the statute requires. He suggested there is a happy medium where we can get minutes done promptly without sacrificing the public's right to know how everyone voted and every action taken. The Council members present unanimously agreed that it would be better to work toward an abbreviated, but complete, version. Councilman Colucci stated it would be in the public's best interest because they would be available more quickly on the website.

3. NJ Clean Energy/Direct Install – 2011 Grant Opportunity

The Administrator explained the 2011 Grant Opportunity through the New Jersey Clean Energy Program reminding the Council of the energy efficient lighting and HVAC upgrades completed at the Borough Hall through the 2010 program. The audits for the DPW, Fire Co. #1, Fire Co. #2 and the Library were updated by the State's licensed contractor, Lime Energy. She stated that up to \$125,000 is available through the 2011 program through the combination of the grant and the State Direct Install Program, far and above the \$50,000 offered in 2010. The Administrator stated the lighting upgrades at the DPW are being completed through the PSE&G program authorized in the fall of 2010. Based upon the updated audits from Lime Energy the Administrator made a recommendation to move forward with upgrades, other than lighting, at the DPW, and the upgrades at Fire Co. #1 & 2, and the Recreation building. She noted that while there were upgrades possible at the Library all of the lighting had already been upgraded and the heating and air conditioning was relatively new. She asked to add a resolution authorizing the application for the work as outlined in the audits. It was agreed by all present to add resolution #2011:63

4. Brookchester Bar & Liquors

The Administrator explained that Brookchester Bar & Liquors holds a Plenary Retail Consumption License which is a #33. This means they can operate a bar and sell package goods from the barroom. She explained that there was at one time a #32 license which allowed for a separate room to sell liquor. She explained that Brookchester has been operating as a #32 for as long as anyone can remember despite the fact that this license no longer exists and in fact they hold a #33. She stated that while no new #32 licenses can be

issued, existing #32 licenses were allowed to continue, however no one has been able to produce any documentation confirming that Brookchester did in fact ever hold a #32 license. She noted that the current owner is considering the sale of the license and a potential buyer wants to confirm that they would be able to continue to operate as a #32. Chief Papapietro recommended giving the current owner the opportunity to prove that they were in fact licensed to operate as a #32 at some point in the past. He suggested the Borough Attorney write a letter asking them to provide proof to the municipality that they have the right to operate as a #32. The Borough Attorney agreed the burden of proof is on the licensee. The Council agreed to have the Borough Attorney follow up with the licensee.

5. 2011 Road Program – Riverside Cooperative

The Council reviewed the estimate from Boswell for the prioritized list of streets. The Administrator reported the first street on the list, Luhmann Drive, would be completed as an add-on to the 2010 Road Program. Referencing New Bridge Road, the Administrator stated that only one half of the road belongs to New Milford and she has contacted Teaneck to see if they would be willing to split the cost to resurface. She stated it is in very poor condition but New Milford would not proceed without a commitment from Teaneck. The Mayor said we generally budget \$200,000 for roads and \$50,000 for curbs each year but noted the Finance Committee has yet to address the 2011 Capital Budget. Council President Bachmann asked where Columbia Street fell in the list. The portion from River Edge Avenue to the dead end was prioritized at #12, the portion from Dilworth to the dead end was #14. Councilman Berner asked about Demarest which was #16. Councilman Colucci asked about Charles which was #8. The Council agreed to authorize up to \$200,000 for the streets as prioritized, excluding Luhmann and New Bridge. The streets to be included in the base bid are Plympton (Henley to Monmouth), Maple (River Lane to the Condos), Hirschfeld (Trensch to Webster), Martin (Boulevard to Allessandrini), Beech (Hoffman to Graphic), Holland (River Edge to River). It was agreed to forego Charles in 2011 as we are underway with a drainage project. The Council agreed to bid the next three streets as alternates: Morris (Sutton to Hirschfeld), Trotta (River Road to Oxford), Columbia (River Edge to dead end).

COUNCIL:

Councilman Robalino asked that everyone review the Creative Outdoor Advertising information so that it can be discussed at the next meeting. The Mr. Madaio stated he has reviewed the contract and sees no problem with it. Councilman Robalino stated the proposal had been for five sites but it is down to three. He noted it is not really a revenue source as it will bring in just \$10/month for each site, but may help to improve the appearance of the town. The Administrator noted her concern over the requested contract term of ten years. Mr. Madaio stated it is really just for the purposes of advertising, there is no significant benefit to the town in terms of recycling. Councilman Berner and Councilwoman Duffie asked if the Council really wanted to see more signs around town. Council President Bachmann suggested before asking the Mr. Madaio devote more time to this the Council should decide if it is something they wish to pursue. He noted he is not in favor of more signs. Councilman Berner, Councilman Colucci and Councilwoman Scavetta agreed. Mayor Subrizi stated that some of the units in other towns look awful and do not appear to be well maintained. Councilwoman Scavetta commented that

Councilwoman Duffie had not been in favor of the proposal. The Council unanimously agreed not to pursue this proposal any further.

Councilman Berner announced that there would be a celebration of George Washington's birthday at the Steuben House on February 20th from 1:00 PM – 5:00 PM.

Councilman Colucci reported Fire Company #1 is beginning to plan for the 5K and the coordinator, Dale Christensen, would like to come to a work session to address the Council. The Mayor asked if he could provide the Council with something in writing in lieu of an appearance. Council President Bachmann asked for a report on the amount of money spent in overtime for the 5K held in 2010. The Administrator will collect that information and forward it to the Council. Councilman Colucci will ask for the proposal in writing.

ADMINISTRATOR:

The Administrator referenced the packet of resolutions from the JIF and asked the Council to review and consider them for discussion at the next meeting.

The Administrator referenced the memo from the Fire Marshall requesting a resolution or ordinance from the Council to require homeowners to clear fire hydrants and to require commercial buildings to provide for rapid entry for the fire department through a key box. The request will be listed for discussion on the next agenda.

The Administrator reported there will be items on the next work session agenda that involve external presenters: the current owner of 1033 Steuben Avenue, which will be heard in closed session, the proposed developer of the water company property and Marlene Casey of Capital Alternatives who will be discussing grant opportunities.

The Administrator reported she is the midst of interviews for the receptionist/clerk position and planned to have a recommendation, in the form of a resolution, for the Council at the February 28th meeting. She noted the position was reduced from full to part-time.

The Administrator distributed and explained the Council expense requisitions and asked to have them returned to her.

The Administrator reported on a recent meeting with Aflac. They offer supplemental insurance to employees at no cost to the Borough. She noted it is done as a pre-tax payroll deduction. She asked if the Council had any objection to allowing Aflac to come in with a presentation for employees. There was no objection.

The Mayor reported on her attendance at the Ambulance Corps dinner and the presentation of a plaque from the Ambulance Corps to the Borough.

APPOINTMENTS: BRENTON PRISENDORF – JR. FIRE DEPARTMENT

The Council agreed to hold the appointment to the Public Meeting so Brenton could be present for the appointment.

The Mayor stated she received approximately twenty applications for the Recreation Commission for the nine available positions. She noted there are two five year terms, two four year terms, one three year term, one two year term, and one one year term. She advised this was different than when it was first announced but is what is required by state statute. She stated there are two alternate appointments as well.

RECREATION COMMISSION	TERM
JOSEPH RICCIARDELLI	12/31/16
JOHN O'GRADY	12/31/16
NEIL GOULDSBURY	12/31/15
MAURA HENYECZ	12/31/15
SYED AMEEN	12/31/14
TOM SCHRECK	12/31/13
JOE ALBANESE	12/31/12
PATRICK MATTHEWS – ALT. 1	12/31/16
CESAR A. GALVIS – ALT. 2	12/31/15

Council President Bachmann made a motion to approve the Recreation Commission appointments as presented. Councilman Colucci seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

Mayor Subrizi announced that John O'Grady, as the senior member, would be the pro-tempt chairman. The Administrator will notify all of the appointees so that they could meet on the regularly scheduled meeting date of February 16th.

The Mayor announced that resolution #2011:54 would require a separate vote and as such would be pulled out from the consent agenda.

RESOLUTIONS:

- 2011:52 Closed Session
- 2011:53 Payment of Bills and Vouchers
- 2011:54 Approve emergency appropriations to the 2011 temporary budget
- 2011:55 Approve Appropriation Transfers from Reserves for Budget Year 2010
- 2011:56 Approve Social Affairs Permit – Church of the Ascension for March 5, 2011
- 2011:57 Authorize One-Year Option for the Collection, Removal and Disposal of Recycling Materials from 1-4 Family Residences with Ferretti Carting, Inc.
- 2011:58 Authorize One-Year Option for the Collection, Removal and Disposal of Recycling Materials from the Apartment Complexes and New Milford High School and the DEO Middle School with Ferretti Carting, Inc.
- 2011:59 Authorize base amount for LOSAP for 2010 Service
- 2011:60 Endorse submission of recycling tonnage grant application to the NJ DEP
- 2011:61 Authorize Participation in Cooperative Pricing Agreement with the County of Bergen
- 2011:62 Authorize Purchasing through the State's Division of Purchase and Property
- 2011:63 Authorize 2011 Application to NJ Clean Energy (NJCEP) – Direct Install Program and the Energy Efficiency and Conservation Block Grant (EECBG)

COMMENTS FROM THE PUBLIC

Council President Bachmann made a motion to open to the public. The motion was seconded by Councilman Colucci. All present in favor, none opposed.

Ms. Hedy Grant addressed the Council. She asked for the status for the Hirschfeld Brook flood mitigation project and asked if the holdout was being approached. The Administrator stated there is more than one person who has not responded. She said she is waiting for the actual drawings from the engineer before sending a follow-up letter. She expects to have the drawings within the next few days and the letters should be going out within a week.

Ms. Grant questioned the terms of the Recreation Commission noting that two people have been appointed for six year terms. The Administrator acknowledged that a mistake had been made in calculating the terms. Mr. Madaio said it will be modified on the final copy. All terms will be reduced by one year. Ms. Grant asked why more people were appointed for the longer terms. She was advised that the statute was not specific on how many people were to be appointed for each term just that the terms were to be staggered.

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

VOTE ON RESOLUTIONS

Council President Bachmann made a motion to approve the consent agenda #2011:52 through 2011:63 with the exception of #2011:54. Councilwoman Scavetta seconded the motion. All present in favor, none opposed.

Councilman Colucci made a motion to approve resolution #2011:54. Councilman Berner seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

ADJOURNMENT

Councilwoman Scavetta made a motion to adjourn. Council President Bachmann seconded the motion. All present in favor, none opposed. Time 9:31 PM.

Respectfully submitted,



Christine Demiris
Borough Clerk