

MINUTES
BOROUGH OF NEW MILFORD
7:00 PM WORK SESSION
Monday, May 14, 2012



WORK SESSION:

Mayor Subrizi reads 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; Avis Bishop-Thompson, Labor Attorney; Gary Higgins, Borough Auditor; Christine Demiris, Administrator/ Clerk

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

CLOSED SESSION:

1. Legal Advice – PBA Grievance

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

OPEN SESSION:

1. 2012 Budget Amendment – Public Hearing

Councilwoman Grant noted before the hearing, there is a point of order she wanted to address. She referenced the motion made and passed during the last session to use surplus to pay for the reassessment. She stated there are no provisions in either the Mayor and Council Bylaws or Roberts Rules of Order to allow an absent member to vote. Councilman Robalino was not in attendance at the April 9th meeting; however when he returned at the next meeting he made a motion to do the complete opposite. She believes that latter motion to be null and void; he should have made a motion to reconsider or rescind.

Mr. Madaio advised surplus funds cannot be earmarked for a specific purpose; the money simply goes into the general fund.

Councilwoman Grant wants to hear both motions as well as receive a written opinion from the Borough Attorney.

Mr. Higgins advised the Borough must continue with the public hearing on the budget amendment as advertised; however the budget does not have to be voted upon tonight.

Councilwoman Duffie asked if a vote can be undone because of someone's absence.

Mayor Subrizi noted the first motion was more conceptual as you cannot earmark money from surplus; whereas the second motion was to amend the budget.

Mr. Higgins advised the first vote was not on the budget amendment and therefore was not binding; however the second was a vote on the budget amendment and therefore is binding as a resolution and is the only one the State will recognize. Mr. Higgins stated the amendment is binding under law; Mr. Madaio stated as such it overrules the bylaws and Roberts Rules of Order. He stated in order to remediate the situation the Council can make another amendment to amend the current.

Councilwoman Grant noted an absentee member cannot ask to reconsider the previous vote; Councilman Robalino's motion was invalid and should not have resulted in a vote.

Councilman Colucci made a motion to open the meeting to the public on the budget amendment. Council President Berner seconded the motion. All present in favor, none opposed.

The record reflects no public wished to comment on the budget amendment.

Councilman Colucci made a motion to close the meeting to the public. Council President Berner seconded the motion. All present in favor, none opposed.

Mr. Higgins stated the next step is either amending the budget again or roll call to adopt the budget.

Councilman Ashley made a motion to amend the amendment passed on April 23rd whereby increase surplus utilization by \$143,000 and similarly decrease amount to be raised by taxation by \$143,000. Mr. Higgins noted for the record surplus numbers would change from \$130,088 to \$273,088; total amount for taxation would decrease from \$14,422,477 to \$14,379,477.

Councilwoman Grant seconded the motion. The motion failed on a roll call vote as follows:

For the motion: Duffie, Grant, Ashley

Against the motion: Colucci, Berner, Robalino, Subrizi

In casting her vote, Councilwoman Duffie noted she was procedurally unclear about the correctness on the vote taken April 23rd.

In casting her vote, Councilwoman Grant noted she is not convinced the vote on April 9th does not stand.

In casting his vote, Council President Berner noted rather than put \$21 back in his pocket, it is better to save the money for any catastrophes that may occur, thereby helping neighbors on Columbia Street.

In casting his vote, Councilman Ashley stated he believed it will not have a detrimental effect on services to pay for emergencies, it is misleading to say that.

In casting his vote, Councilman Robalino noted he found the statement regarding the change to the amendment being illegal or improper surprising; he voted no to keep the surplus healthy.

2. 2012 Budget Adoption – Resolution 2012:153 – Adopt 2012 Municipal Budget

Councilman Robalino made a motion to adopt the 2012 Municipal Budget. Council President Berner seconded the motion. The motion passed on a roll call vote as follows:

For the motion: Robalino, Colucci, Berner, Subrizi

Against the motion: Duffie, Ashley, Grant

In casting her vote, Councilwoman Duffie stated she was unhappy with the level of spending in this budget.

In casting his vote, Councilman Ashley believed the current level of debt was too high; the tax increase is too high and could have been avoided if 48% of the Police Department were not promoted.

In casting his vote, Councilman Robalino noted he was a member of the budget committee; stating they went line by line and cut where they could and still be responsible.

In casting his vote, Councilman Colucci he did not want to cut services to the town; for \$21 additional per year he believed the townspeople would be more upset with the loss of services.

In casting her vote, Councilwoman Grant stated she was not happy with the process and believes the budget is overly large and not in the best interest of New Milford; she was upset at the belittling of \$21 for some that is a large amount of money.

In casting her vote, Mayor Subrizi stated she served on the budget committee and believed this is a responsible budget with an average tax increase of \$82; she is sorry some council members do not understand the process.

3. Capital Alternatives – Grants Review

Ms. Casey advised Bergen County Open Space will soon announce the 2012 round; applications are due August 31st. She noted a phased field project may be considered; the average grant this year is between \$100,000 and \$125,000 with the matching portion coming from New Milford's Open Space. She advised this year's Green Acres grants were moved to Blue Acres to provide FEMA matching funds to acquire flooded properties. Green Acres advised that New Milford could request as much as \$500,000 during the next round beginning March 2013. Ms. Casey explained the Green Acres procedure.

Ms. Casey discussed the DOT grants available and the timeframe. The program is no longer called streetscape; it is MAP, Moving Ahead for Progress in the 21st century. The Borough just completed Phase V; the next option is northern River Road, to the Post Office. The application needs support letters from the Council, local businesses and civic organizations. The DOT Municipal Aid application, for road improvements, is due in August; she noted sections of Boulevard and Monmouth Avenue will be completed. She noted DOT grants for drainage and

culverts and asked if the Council had anything in mind; Mayor Subrizi noted Martin Place has an undersized culvert.

Mayor Subrizi noted the Borough is interested in a new senior van, when the CDBG grants become available. Ms. Casey advised the grant will not pay for buses; however the Borough may get partial money if willing to pay the balance. Ms. Casey advised NJ Transit may be giving out buses using alternative fuel.

Ms. Casey advised there is a small historic grant available through NJ Historic Trust for planning management; letter of intent must be submitted by July 12th.

The American Firefighter Grant applications will come out June 15th. Ms. Casey is trying to qualify the Borough's need for a new horn; more likely to get the grant if the Borough applied for an early warning system. She noted River Edge needs a horn as well; it is possible to apply for a dual Borough warning system. The Fire Department, Police Chief and Capital Alternatives need to collaborate to write the narrative. Councilman Colucci asked if construction or trucks could be applied for; Ms. Casey advised they are all part of the same grant, the Borough must prioritize its' requests.

Councilwoman Grant asked if there is a grant for asbestos cleanup for the Van Eck property; Ms. Casey advised there is none. However, Bergen County Open Space still has \$40,000 still not appropriated; the Borough could amend their application and go directly to the Freeholders with their request.

Len Carney made a presentation regarding solar panels and provided copies to the Mayor and Council. Mr. Carney highlighted the benefits of both, third party provisions and Borough owned. He noted the anticipated life of the panels is fifteen years; panels get more sophisticated everyday.

4. Fire Department Co. #2 – Renovation Proposal

Angelo DeCarlo has been spearheading the effort to upgrade the Trenton Street firehouse. Mr. DeCarlo advised the driving force is the age of the building and the fact new equipment will not fit in the structure as it stands now. A truck replacement committee has been established; the current vehicle is 25 years old. He noted funding needs to be considered now to replace the vehicle in the next few years; he was advised by our Grants Consultant that AFG grants are not for buildings. Mr. DeCarlo offered another tour to refresh the Council's memory.

Councilman Colucci noted the original plan was for a complete teardown; an engineer was brought in last year for options on what may be salvaged.

Councilwoman Duffie asked if the plans have been changed from the original proposal. Mr. DeCarlo advised he contacted the architect in November; the Borough would be charged an additional \$4,000 to revise the plan. Councilman Colucci questioned whether or not that amount could be used toward a deposit for future plans. Council President Berner asked if there is a cost comparison for knockdown and rebuild versus renovation.

Mr. DeCarlo would like the architect to come back to the firehouse to discuss the plans further with the Mayor and Council; he will get possible dates for the Council's consideration. Councilwoman Duffie requested different scenarios for consideration.

Councilman Ashley asked what the timeline is for a construction project such as this. Mr. DeCarlo noted the project could be budgeted for and bid in the spring and be done by the fall.

Mayor Subrizi asked the approximate price of a new truck; Mr. DeCarlo noted in the range of \$850,000 to \$1.2 million. Fire Chief James Tufaro advised the truck is regulated by insurance; it cannot be kept beyond 25 years.

Mayor Subrizi requested resolution 2012:159 be pulled from the consent agenda to discuss now, before the hour gets too late. She noted the resolution represents a request from the governing body to the Planner to examine rezoning the property located next to the High School. She advised last year's Planner presented a rezoning study; this request is furtherance to the request made to the planner last year. Councilwoman Grant asked what the new report would detail; Mayor Subrizi advised the Borough's COAH obligation and other locations in town where obligation could be met. Mayor Subrizi would like the Planner to advise the Borough what could be done at the property in terms of a less intensive use and still meet the COAH obligation. Councilwoman Grant asked Mayor Subrizi to be more specific; Mayor Subrizi advised she is only asking the Council to request a rezoning study. Councilwoman Grant noted no services are listed in the resolution; the Administrator advised she constructed the resolution based upon the information in the advertisement for the Planner.

Mr. Madaio clarified the resolution should be broad to authorize the Planner to undertake a study of all elements of potential rezoning of the property in question.

Councilwoman Grant advised the applicant is currently before the Zoning Board; rezoning would have no effect. Mr. Madaio advised that is not necessarily the case, the applicant could decide whether to withdraw or continue with their application. Councilwoman Grant asked the cost of the study; Mayor Subrizi stated the resolution should include the fee may be paid from the Planning Board professional services line, not to exceed \$5,000.

The Administrator will amend the resolution as per the Council and Borough Attorney's comments.

Councilman Ashley asked the Borough Attorney if he should recuse himself from this vote; Mr. Madaio's legal opinion was in the affirmative.

Councilwoman Duffie asked if the fee can be charged to the developer's escrow; Mr. Madaio requested the applicant post additional escrow in a separate account, however he has had no response to date.

Councilman Robalino made a motion to approve resolution #2012:159 as amended. Councilman Colucci seconded the motion. The Administrator read the amended resolution into the record. The motion passed on a roll call vote as follows:

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

Against the motion: none

Abstain: Ashley

In casting her vote, Councilwoman Grant is conflicted and expressed concern; however she stated more information is never a problem.

5. Proposed Ordinance Revision – Certificate of Occupancy for Resale of Homes

The Administrator explained the BCUA has found illegal hookups to the storm system and noted homeowners with such hookups must fix the problem for compliance. She asked if there were any comments or can she prepare the ordinance as is for introduction. Mayor Subrizi has made attempts to contact the BCUA to ask questions, to no avail. She is uncomfortable passing and ordinance without answers for homeowners. Mayor Subrizi noted the BCUA has granted amnesty through the end of this year; after that the homeowner will be in violation. The Administrator advised she has a letter reviewed by the attorney to be included in the tax bills; every homeowner must be notified. The Council agreed the letter should be included in the tax bills; the Administrator will copy the Council on the letter. Mayor Subrizi will gather more information; the topic will be relisted for discussion at the June Work Session.

Councilman Ashley asked how the BCUA tax exempt amount is calculated; the Administrator will inquire and advise.

6. Proposed Shared Services Agreement with BOE – Athletic Field Improvements and Use of Middle School Field

Mr. Madaio advised he was contacted by the Board of Education attorney for feedback on an email sent in April. The Council advised the email was not received; the Administrator will forward again tomorrow. Mr. Madaio asked that the Council forward any questions or comments to him directly; he will then forward to the BOE attorney. Mayor Subrizi noted it is not critical to have an agreement prior to the results of the PERC test.

7. Proposed Zoning Permit Fees

Councilman Colucci advised other towns charge for zoning application review, whereas New Milford does not. Mayor Subrizi asked if there were any other changes that need to be made in the ordinance; it would be beneficial to make all the changes at once. Councilman Colucci will consult with the Zoning Officer. The Council decided on a nominal fee of \$40 for a zoning application review; Mr. Madaio will draft an ordinance.

8. Free For All – RX Card

The Administrator advised there are many programs available; does the Borough wish to attach itself to one. Council President Berner does not want it to appear the Borough endorses one over another. Mayor Subrizi agreed; the Borough has nothing to gain by endorsing one program.

9. Resolution in support of Off-Leash Dog Park at Van Saun Park

Mayor Subrizi referenced the sample resolution and asked if the Council had any objections to approving a similar resolution; no objections noted. The Administrator will prepare a similar resolution for the next meeting.

ADMINISTRATOR

The Administrator noted the Chamber of Commerce's request to use the Borough seal to create a letterhead; she asked if the Council agreed to permit the use. The Council does not wish to permit its use; the Chamber of Commerce is not a Borough entity.

The Administrator advised the Borough currently has a 1999 Ford Expedition previously used for Property Maintenance; and is currently used as a back up vehicle for some departments. The vehicle is in need of a \$1,400 repair and needs a quart of oil every time the gas tank is filled; the Building Department does not wish to pay for its repair. She asked for permission to auction the vehicle; the Council agreed to auction.

COUNCIL

Mayor Subrizi noted the next meeting is the same night as the Girl Scout awards dinner; Council President Berner will represent the Mayor and Council and join the meeting later.

Mayor Subrizi asked if the Council wished to establish a policy of sending estimated tax bills; the CFO recommended them because the State and County timelines are out the Mayor and Council's control. She does not want a decision tonight; however it is a policy she would like to see moving forward as it will avoid confusion in the future.

Mayor Subrizi has been in contact with River Edge and Oradell; the DEP has offered to meet with the three towns on June 25th. This meeting is not open to the public; only Borough agencies may be in attendance.

Mayor Subrizi referenced the culvert at Main/Boulevard/Shea; Councilwoman Grant advised the County was there today. Council President Berner was advised a makeshift dam is being made in the stream near the Sutton Place tennis Courts; the Administrator will advise the DPW to check it out.

Council President Berner referenced the earlier DEP conversation; he met with Stefan Becker who has a background in water management. Mr. Becker provided an analysis; Council President Berner asked if said analysis can be forwarded to the Engineer. Mayor Subrizi found the report interesting however the analysis is completely missing the tidal effect and noted the Engineer's review would come at a price. Council President Berner believed United Water should have some input. Mayor Subrizi will forward to Cindy Randazzo of the DEP; no Engineer review at this time.

Council President Berner referenced the last Historic New Bridge Landing Parks Commission meeting; New Milford borders the area, however has nothing identifying itself as a member. He referenced the land where Old New Bridge Road and New Bridge Road meet; he asked that the Council consider that land be designated as the Historic District.

Councilwoman Grant advised June 10th has been designated Dan Harmatz Day, from 2-4 PM at the Library; there will be a proclamation at the next Mayor and Council meeting.

Councilwoman Duffie referenced the letter received from Mr. DeVecchio regarding the keeping of poultry; she forwarded said letter to the Health Department.

Councilman Ashley advised the Memorial Day Parade will be Monday, May 28th; the Grand Marshall is Mike Perrone.

Councilwoman Grant noted the Environmental Commission requested a "no dumping" sign at the end of Terrace Place; however the sign placed was for no dog waste. The Administrator will advise the DPW.

OLD BUSINESS:

ADOPT ORDINANCE 2012:07

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF NEW MILFORD IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$925,450 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION, TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS AND TO AMEND BOND ORDINANCE NO. 2009:13 ADOPTED ON AUGUST 24, 2009.

Council President Berner made a motion to open to the public for comment on the adoption of this ordinance. Councilwoman Grant seconded the motion. All present in favor, none opposed.

The record reflects that no member of the public wished to comment on this ordinance.

Councilwoman Grant made a motion to close to the public. Councilman Colucci seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

Councilman Colucci made a motion to adopt this ordinance on its second and final reading. Councilman Robalino seconded the motion. The motion passed on a roll call vote as follows:
For the motion: Duffie, Robalino, Colucci, Grant, Berner
Against the motion: Ashley

ADOPT ORDINANCE 2012:08

CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$325,000 FOR THE INSTALLATION OF LIGHTING AT KENNEDY FIELD IN, BY AND FOR THE BOROUGH OF NEW MILFORD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM A COUNTY GRANT AND FROM THE OPEN SPACE TRUST FUND OF THE BOROUGH.

Councilwoman Duffie made a motion to open to the public for comment on the adoption of this ordinance. Councilwoman Grant seconded the motion. All present in favor, none opposed.

George Adelung, 723 Berkley Street came forward to address the Mayor and Council. Mr. Adelung had thought the Borough already had the money; the Administrator advised this allows the Borough

to spend it. Mr. Adelung asked the difference between grant monies that can or cannot be carried over; the Administrator advised this money has to be spent within a certain time period.

Jose Camacho, 265 Eagle Avenue came forward to address the Mayor and Council. Mr. Camacho referenced the matching grant; he asked if New Milford has money. Mayor Subrizi explained the dedicated Open Space trust fund.

Councilwoman Grant made a motion to close to the public. Council President Berner seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

Councilwoman Duffie made a motion to adopt this ordinance on its second and final reading. Councilman Colucci seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

ADOPT ORDINANCE 2012:09

AN ORDINANCE TO AMEND CHAPTER II OF THE ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED "ADMINISTRATION," THEREBY AMENDING SECTION 2-52 ENTITLED "OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND."

Councilwoman Duffie made a motion to open to the public for comment on the adoption of this ordinance. Councilwoman Grant seconded the motion. All present in favor, none opposed.

John DeSantis, 190 Powell Drive came forward to address the Mayor and Council. Mr. DeSantis asked how much money is in the trust fund; he was advised \$594,000. Mr. DeSantis asked how much money is acquired each year; the Administrator explained the formula.

Ulises Cabrera, 659 Columbia Street came forward to address the Mayor and Council. Mr. Cabrera asked what home is being purchased with these funds; Mayor Subrizi explained the purchase of the Van Eck property, it will be added to the Borough's open space inventory.

Councilman Ashley noted \$98,000 was collected in 2011 for Open Space.

Councilwoman Duffie made a motion to close to the public. Councilwoman Grant seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

Councilman Colucci made a motion to adopt this ordinance on its second and final reading. Councilwoman Duffie seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

ADOPT ORDINANCE 2012:10

AN ORDINANCE TO AMEND CHAPTER VIII OF THE ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED "PARKING AND PARKING LOTS" THEREBY AMENDING SECTION 8-3 ENTITLED "HANDICAPPED PARKING ON PUBLIC STREETS"

Councilman Robalino made a motion to open to the public for comment on the adoption of this ordinance. Council President Berner seconded the motion. All present in favor, none opposed.

The record reflects that no member of the public wished to comment on this ordinance.

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

Council President Berner made a motion to adopt this ordinance on its second and final reading. Councilman Colucci seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

NEW BUSINESS:

INTRODUCE ORDINANCE 2012:11

AN ORDINANCE CREATING CHAPTER XXXIII OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED "BEAUTIFICATION COMMITTEE"

Councilwoman Grant noted she would like some wording changed and apologized for bringing it forward at the scheduled introduction. Mayor Subrizi would like to entertain a motion to table the ordinance and asked Councilwoman Grant to forward her changes to the Borough Attorney. Councilwoman Grant made a motion to table the ordinance introduction until the changes are made. Councilman Robalino seconded the motion. The motion passed on a roll call vote as follows:
For the motion: Ashley, Grant, Robalino, Colucci, Berner
Against the motion: Duffie

RESOLUTIONS:

- 2012:154 Resolution to go into Closed Session
- 2012:155 Payment of Bills and Vouchers
- 2012:156 Approve Raffle License #2012:13 – Church of the Ascension
- 2012:157 Approve Social Affairs Permit – Church of the Ascension – September 16, 2012
- 2012:158 Approve Social Affairs Permit – St Matthew's Evangelical Lutheran Church – June 23, 2012
- 2012:159 Authorize Phillips Preiss Grygiel, LLC to proceed with rezoning study of the property designated as Block 1309, Lot 1.02
- 2012:160 Request Director of DLGS to approve insertion of revenue and like appropriation for Hazard Mitigation Grant Program in the amount of \$1,612,301

COMMENTS FROM THE PUBLIC

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

Donna Colucci, 223 Bergen Avenue came forward to address the Mayor and Council. Ms. Colucci is here on behalf of the Girl Scouts; she referenced Councilwoman Duffie's comments at the April 23rd Mayor and Council meeting regarding Beautification Committee and the decorating done at the Merschrod Bridge not being up to par. Ms. Colucci reminded the Council what the Girl Scouts do and are about; she requested the bridge decorating remain with the Girl Scouts to continue learn and honor. She referenced Ms. Aab sitting next to her and noted the bridge is named after her uncle.

Councilwoman Duffie received an email from Ms. Aab; she responded and relayed to the Mayor and Council tonight. The intent of the Beautification Committee is to beautify the town, not to take over. She drives over the bridge everyday; it reminds her of her days as a scout and learning to honor the flag. Councilwoman Duffie referenced the torn flag on the bridge last year; it was an issue. She noted her comments were misunderstood and for that she is sorry.

Nick D'Amelio, 349 Trench Drive came forward to address the Mayor and Council. Mr. D'Amelio noted the Mayor has the right idea to get information from other towns. He spoke with the DPW and was advised he can connect to the storm drain. He noted the ordinance should be specific in what can and cannot be done. He expressed concern that sump pump water pumped to the backyard will cause neighbor conflicts.

John DeSantis, 190 Powell Drive came forward to address the Mayor and Council. Mr. DeSantis asked if the professor's report, referenced earlier by Council President Berner can be made public on the website. Mayor Subrizi noted that would imply the Borough agrees with its contents. The Borough Attorney advised it is a public document and is available through OPRA. Mr. DeSantis questioned if the Council has revisited the idea of purchasing the United Water property. Mayor Subrizi advised the Council spent the better part of last year examining issues; it was determined the Borough could not afford or get the funds. Mr. Madaio advised if someone wished to give the Borough \$10 - \$15 million, no one at the table would disagree.

Council President Berner noted Mr. Becker did not deliver the document to Borough Hall; it was given to him and Ira Grotzky. The Administrator noted the document was given to her by Councilwoman Duffie. Councilwoman Duffie stated he seemed very interested in sharing his knowledge, when she spoke with him last year. Council President Berner noted Mr. Becker may not be aware his report was distributed to the Council and is concerned about Mr. Becker's rights. He will contact Mr. Becker regarding distribution.

Jose Camacho, 265 Eagle Avenue came forward to address the Mayor and Council. Mr. Camacho believes keeping the United Water property as open space is desirable. He noted there have been errors from the beginning; the suggestion of rezoning should never have been made. Ratables would not be inherently beneficial; he asked that the Council not rezone the property, let them go to court. Mayor Subrizi appreciates his opinion, but at this time the Council must consider facts. Council President Berner stated the Borough has \$10 million in debt. He stated to purchase and develop the property could cost another \$15 million and asked if anyone wanted to go to \$25 million in debt; that is why we did not want to burden the taxpayers.

Mary McElroy, 297 Greve Drive came forward to address the Mayor and Council. Ms. McElroy referenced the surplus discussion heard on three different occasions; and noted it seems more about politics than making a decision in the best interest of the town. As a business owner she knows a buffer is needed; the Borough needs to have enough in surplus. Leaving money in surplus for emergencies is in the best interest of the town. Councilman Ashley stated his decision was not about politics, when he campaigned the two biggest issues were the United Water property and taxes.

Mayor Subrizi reminded the Council the public has a right to comment, there is no need for debate.

George Adelung, 723 Berkley Street came forward to address the Mayor and Council. Mr. Adelung publicly thanked the Administrator for her actions; she is always quick to respond. Mr. Adelung

questioned when the drilling will begin; the Administrator advised we are awaiting their schedule. Mr. Adelung offered his services regarding the solar panel discussion earlier; he would sit in the interest of the town.

Ulises Cabrera, 659 Columbia Street came forward to address the Mayor and Council. Mr. Cabrera expressed concern about the use of the shooting range during Little League; Mayor Subrizi will contact the Police Chief. Mr. Cabrera asked if the Environmental Commission can team up with River Edge on May 20th to clean the river bank. He suggested a fence for the DPW along the river; perhaps it can assist in catching things during a flood and prohibit anyone from accessing the property. The Administrator advised most fences along the river have gates; they are opened during floods to prevent the fence from being pulled down. Mr. Cabrera referenced an article on Patch regarding possible Green or Blue Acres funds to purchase United Water property. Council President Berner noted Blue Acres funds are strictly for acquisition of residential properties in a flood zone. Mr. Cabrera referenced the new siren; he asked if there are different tones for different events. Councilman Colucci stated yes, it is for multiple uses.

John Rutledge, 335 River Road came forward to address the Mayor and Council. Mr. Rutledge is a 35 year resident. He asked what the mitigation plan is for the water being diverted from the property no longer permeable. Mr. Rutledge cited statistics from the United States geological survey. The proposed Shop-Rite will draw 27,000 individuals in one week's time; meaning a very large increase in traffic. It is abominable to subject the town to this infrastructure; he feels threatened by this scenario as it will affect his quality of life and will tax emergency services.

Anna Leone, 505 Boulevard came forward to address the Mayor and Council. Ms. Leone asked Mayor Subrizi who, at the DEP she will meet with; she was advised Cindy Randazzo is her contact however she does not know who will come to the meeting. Ms. Leone asked what Ms. Randazzo's position is; she was advised she works under Bob Martin who works with communities. Ms. Leone asked if the flood plain mapping will be redone; Mayor Subrizi was advised by the Governor's Office that is being worked on however there is no proposed date of completion.

Mr. Rutledge referenced the figure of \$12 million to \$15 million for the purchase of the property; earlier conversations stated \$7 million, now it has doubled. He asked if the Mayor and Council would meet with a group who may be able to put together a proposition to fund the purchase. Mr. Madaio advised the \$7 million was to purchase the property; the second number is to develop the property. Mr. Rutledge asked what about leaving it as open space; Mr. Madaio advised the number would be in the \$7 million range. Mr. Madaio advised the application is before the Zoning Board; the governing body has no say.

Mr. DeSantis stated regardless of the amount, there are people out there willing to help.

Carol DeSantis, 190 Powell Drive came forward to address the Mayor and Council. Ms. DeSantis stated children are stepping out onto River Road from behind the trees located in front of the High School, while texting. Councilman Robalino will make the Board of Education and Superintendent aware.

As there were no further comments from the public, Councilwoman Grant motioned to close the meeting to the public. Council President Berner seconded the motion. All present in favor, none opposed.

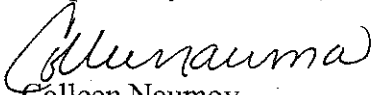
VOTE ON RESOLUTIONS

Councilman Robalino made a motion to approve the consent agenda resolutions 2012:154 through 2012:158 and 2012:160. Councilwoman Grant seconded the motion. All present in favor, none opposed.

ADJOURNMENT

Councilwoman Grant made a motion to adjourn. Councilwoman Duffie seconded the motion. All present in favor, none opposed. Time 11:34 PM.

Respectfully submitted,



Colleen Naumov
Deputy Borough Clerk