

**MINUTES**  
**BOROUGH OF NEW MILFORD**  
**6:30 PM WORK SESSION**  
**Thursday, July 14, 2011**



**WORK SESSION:**

Mayor Subrizi read the Open Public Meeting and Mission Statements.

|                                 |         |
|---------------------------------|---------|
| Council President Howard Berner | Present |
| Councilwoman Randi Duffie       | Present |
| Councilman Diego Robalino       | Present |
| Councilman Peter Rebsch         | Present |
| Councilwoman Celeste Scavetta   | Present |
| Councilman Dominic Colucci      | Present |
| Mayor Ann Subrizi               | Present |

Also present: Doug Doyle, Borough Labor Attorney; Mark Polito, CFO;  
Christine Demiris, Administrator/Clerk

**CLOSED SESSION:**

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

1. Personnel – DPW Appeal
2. Personnel – DPW – Hiring Recommendation

At the conclusion of the closed session Council President Berner made a motion to go back into open session. Councilwoman Duffie seconded the motion. All present in favor, none opposed. Mr. Polito returned to the meeting room.

**OPEN SESSION:**

1. Movie Permit Fee Waiver Request

The Council discussed the request from a resident to waive the permit fee for his independent film. The Administrator said she had spoken with Chief Papapietro and he has confirmed there will be no need to hire off-duty police. The Administrator explained the intent of the movie filming ordinance; it was established to discourage large scale productions from filming without the Borough's knowledge. A Hold Harmless Agreement has been submitted with the application. The Council had no objection to issuing the permit and waiving the fees.

The Administrator referenced the request from Gloria Dei Church to waive a building department permit fee. The Council had no objection

The Administrator referenced the request from the Environmental Commission regarding notice for Clean Communities Day. The Council had no objection.

The Mayor reported on a meeting that took place earlier in the day with representatives from the Hekemian Group. She said the Council would be getting some additional information from the Planner at the July 25<sup>th</sup> Mayor and Council meeting and the Council would then need to begin providing feedback on how they would like to proceed with the request to rezone. The Administrator outlined the options before the Council as they had been defined by the Borough Attorney at the earlier meeting: 1. Do nothing/leave the current residential zoning intact; 2. Rezone the property as requested; 3. Allow the Master Plan Analysis prevail – resulting in either mixed use (Master Plan) or high density housing (Fair Share Plan).

The Mayor pointed out that any decision other than a decision to rezone would result in the loss of the proposed gifted land and could set the Borough up for a long legal battle. If a decision is made to rezone the Borough's COAH obligation, earmarked for this site, would have to be relocated. Councilwoman Duffie asked to have the Planner address where the obligation could be relocated and to provide his feedback to the Council prior to the Council meeting on July 25<sup>th</sup>. Council President Berner asked to have the Assessor or the Planner provide information on anticipated tax revenue vs. cost of each of the three scenarios: single family residential, commercial, and high density residential.

The Mayor explained the necessity for the \$1.5 million tax anticipation note on the agenda for approval. Although the municipal budget was approved by the Council in March we are still waiting on the County and the State to strike the tax rate.

**COMMENTS FROM THE PUBLIC:**

Councilman Colucci made a motion to open the meeting for public comment. Councilwoman Scavetta seconded the motion. All present in favor, none opposed.

The record reflects no member of the public wished to comment. Councilwoman Duffie made a motion to close the meeting to the public. Councilwoman Scavetta seconded the motion. All present in favor, none opposed.

**RESOLUTIONS:**

2011:159 Closed Session

2011:160 Authorize Issuance of \$1,500,000 Tax Anticipation Note

**VOTE ON RESOLUTIONS:**

Councilman Colucci made a motion to approve resolution #2011:150. Councilwoman Duffie seconded the motion. All present in favor, none opposed.

Councilman Robalino made a motion to approve resolution #2011:160. Councilman Rebsch seconded the motion. The motion passed on a roll call vote as follows:

For the motion: Berner, Duffie, Robalino, Rebsch, Scavetta, Colucci

Against the motion: None

Abstain: None

**COUNCIL:**

Councilman Colucci referenced the quote from Boswell for the structural evaluation of Fire Company #2. It was noted the quote from Boswell was \$2,500; \$1,000 more than the quote provided by the engineer affiliated with the architect who did the feasibility study. The Council discussed getting additional quotes but acknowledged the fee would likely be higher than the one from the architect's engineer. Funding was discussed; it was determined there were sufficient funds in the general engineering account to cover the study. A resolution to authorize the study will be drafted for the Council's consideration at the next meeting.

**ADJOURNMENT:**

Councilwoman Duffie made a motion to adjourn. Council President Berner seconded the motion. All present in favor, none opposed. Time 7:36 PM.

Respectfully submitted,



Christine Demiris  
Borough Clerk