

March 24, 2008

**MINUTES**  
**BOROUGH OF NEW MILFORD**  
**7:00 PM WORK SESSION**  
**OPEN SESSION immediately following**  
**8:30 PM PUBLIC MEETING**  
**Monday, February 25, 2008**

Councilman Arthur Zeilner	Present
Councilman Keith Bachmann	Present
Councilman Joseph Murray	Present
Council President Tina DeLucia	Present – Arrived 7:06 PM
Councilwoman Ann Subrizi	Present
Councilman Michael Putrino	Present
Mayor Frank DeBari	Present

Mayor DeBari read the Open Public Meeting and Mission Statements.

Councilwoman Subrizi made a motion to close the work session to the public. Councilman Murray seconded the motion. All present in favor, none opposed.

**Closed Session:**

1. Tax Assessor

Upon conclusion of the closed session Councilwoman Subrizi made a motion to reopen the work session to the public. Council President DeLucia seconded the motion. All present in favor, none opposed.

**Open Session:**

1. Planning Board – Class II Member

The Mayor advised the Council that he would be appointing Art Castronova to fill the Class II position that was recently vacated as a result of Doug Baker's death. He noted that Art was already a member of the Planning Board and that it would just be an adjustment from Class IV to Class II. The Mayor added that he would appoint a Class IV member at a later date.

2. Other Matters

Councilman Putrino asked to invite Chief Papapietro to the next work session to discuss the Fire Department's proposed 5K run.

Councilman Putrino referenced the article and proposed bill for tax relief for flood victims and stated that he would like to research the matter further before asking the Mayor and Council to support the bill.

Councilman Putrino reported that Cynthia Forster has resigned from the Shade Tree Commission. He then distributed a CD to the Mayor and Council of the Historic Homes of New Milford.

Regarding the website, Councilman Putrino reported that it continues to be populated with information as it is supplied by the various departments and committees and referenced the demo site for anyone on the Council who wished to view it.

Councilwoman Subrizi asked about three bills from Servpro for sewer back-ups. Two of the three bills were pulled from the bill list and will be researched further.

Councilman Bachmann referenced the proposed revision to the salary ordinance and suggested that some of the salaries should be given further consideration. He specifically identified the salaries for the Judge and Prosecutor and asked the Council to consider increases for those two positions. The Council agreed and the salary ranges for those positions were revised as follows: Judge \$10,000 - \$20,000; Prosecutor \$4,000 - \$8,000. The ordinance will be introduced with those changes.

Councilwoman Subrizi asked about the Social Affairs Permit for the Hovnanian School. She was advised that it was for Hovnanian's own affair, not for a third party affair.

The Mayor asked to have the Tax Assessor provide an opinion on the practice of tax exempt properties renting space to third parties.

Councilman Zeilner asked if it would be necessary for the Environmental Commission to submit a letter to request the placement of their banner for Clean Communities Day. He was advised that a letter should be submitted providing the dates being requested.

The Council discussed a resolution provided by the Planning Board attorney providing for the release of a performance bond for work done by Solomon Schechter Day School. The Borough attorney explained that in the absence of a Developer's Agreement it would require a resolution from the Mayor and Council to release the bond. The Council agreed to add the resolution to the meeting agenda as resolution #2008:77.

The Administrator asked for the Council's feedback on the letter sent on behalf of Shibu Matthew of 165 Eagle Avenue. The Council agreed that all of Mr. Matthew's concerns had been addressed and suggested that a copy of the CD from the January 30<sup>th</sup> meeting be sent to Mr. Matthew's attorney.

The Council considered a request from a resident, representing a local group, to borrow the Sr. Van for transportation to an event. After discussion the Council agreed that this could precipitate numerous requests and result in a precedent they did not wish to set.

The Administrator reported that FEMA had come back to inspect both the Babe Ruth Field and the French Brook at Korfitsen. As a result FEMA has drafted an additional project worksheet for the Babe Ruth Field in the amount of \$74,400. The French Brook repair is still being reevaluated. It was additionally noted that the engineer had provided a revised estimate for the work on the French Brook in the amount of \$144,000.



The issues of lighting, safety, proximity to the river, impervious coverage and existing deed restrictions were discussed. Council President DeLucia specifically referenced the deed restrictions of the New Milford Woods, which allow passive recreation only.

A member of the public, Ms. Dolores Weisenbach, asked how the proposed walkway would affect the Police Department Firing Range. She was assured that, based upon the drawing presented, it would be unaffected.

Another member of the public asked if consideration had been given to the impact on local police and medical assistance. The County Executive stated that those types of things would absolutely be considered and that county services may be utilized.

Ms. Weisenbach asked if horse patrols would be utilized. The County Executive responded that it would be dependent upon a number of factors including the open space restrictions.

The County Executive additionally stated that if after everything was considered it was determined that the proposal was not feasible the project would not move forward.

The Mayor stated that it would be a long and tedious process but that it is something worthwhile that should be considered.

**APPOINTMENTS:                   LYNN TORPIE – ENVIRONMENTAL COMMISSION  
  JOSEPH RICCIARDELLI – RECREATION COMMISSION  
  ARTHUR CASTRONOVA – PLANNING BOARD – CLASS II**

Council President DeLucia made a motion to approve the appointments to the Environmental Commission, the Recreation Commission and the Planning Board. Councilman Bachmann seconded the motion. All present in favor, none opposed.

**PROCLAMATIONS:            READ ACROSS AMERICA**

**COUNCIL COMMITTEE REPORTS:**

**Councilman Arthur Zeilner**

Building and Grounds, Environmental, Police/Police Aux., Public Works

Councilman Zeilner reported on a new office built at the Borough Hall to accommodate the new Emergency Management Coordinator. He additionally reported on fiberglass ductwork that had been removed and replaced as well as new panic alarms that had been installed on the exit door of the Courtroom and the front entrance of the Borough Hall. He further reported that new sound proof panels had been installed on the ceiling in the dining room at the Senior Center.

Councilman Zeilner commended the DPW on their quick and efficient clearing of the snow during the last storm. He reported on sewer maintenance and general cleaning of catch basins. He further reported on the removal and trimming of the trees in town.

Councilman Zeilner stated that he had been unable to attend the last meeting of the Police Auxiliary and that there had been no meeting of the Environmental Commission during the previous month.

Councilman Zeilner summarized the calls for the Police Department for the previous month.

**Councilman Keith Bachmann**

Ambulance Corps, Drug Alliance, Recreation

Councilman Bachmann stated that he had attended the February 18<sup>th</sup> meeting of the Ambulance Corps and that he was pleased to report that they have two new members.

Councilman Bachmann stated that he had been unable to attend the February 4<sup>th</sup> meeting of the Recreation Commission, but that he had attended the meeting on February 20<sup>th</sup> at which upgrades to LaBarbera Field were discussed. He noted that serious consideration is being given to upgrading the field with outside funding.

Councilman Bachmann reported that the Drug Alliance has a dance scheduled for March 28<sup>th</sup> and the Fishing Derby has been scheduled for June 14<sup>th</sup>. He further reported that the Drug Alliance had recently donated a smart board computer to the school district, which will be used for among other things, drug awareness. He additionally reported that since the membership has dwindled to approximately six members, they will be unable to man the summer carnival with the VFW.

**Councilman Joseph Murray**

Health & Human Services, Rent Leveling/Tenants Association, Senior Advisory

Councilman Murray stated that his reports would be filed with the Borough Clerk.

**Council President Tina DeLucia**

Chamber of Commerce, Planning Board, Library Board

Council President DeLucia stated that the next meeting of the Chamber of Commerce is scheduled for February 27<sup>th</sup>. She noted that the Recreation Director would be speaking at the meeting.

Council President DeLucia reported that the Planning Board would be meeting on February 26<sup>th</sup> at 7:30 PM.

Council President DeLucia reported that National Library Week would be held April 13<sup>th</sup> – 20<sup>th</sup> and the New Milford Library Director, Terrie McColl, had been chosen to co-chair the Public Relations Committee for the Bergen County Cooperative Library System (BCCLS).

**Councilwoman Ann Subrizi**

Board of Education, Historic New Bridge Landing, Public Events

Councilwoman Subrizi acknowledged the winners of the Holiday Decorating Contest and noted that the Public Events Committee is in the process of soliciting participants for the Memorial Day Parade.

Councilwoman Subrizi stated that she had no Board of Education report as she had not received any minutes and is unable to attend the meetings as they are held on the same night as the Mayor and Council meetings.

Councilwoman Subrizi read portions of the January 3<sup>rd</sup> minutes from the Historic New Bridge Landing Commission as they pertain to New Milford. She additionally noted that she would be filing the minutes, in their entirety, with the Borough Clerk. She reported that \$50,000 had been set aside for the demolition of the saw shop. Councilwoman Subrizi closed by reporting that Kevin Wright had been appointed as the official historian for the Historic New Bridge Landing Commission.

**Councilman Michael Putrino**

Fire Department, Garbage/Recycling, Historic Preservation, Shade Tree

Councilman Putrino reported that the Historic Preservation Commission had completed making copies of their CD presentation of the Historic Homes of New Milford from New Bridge to Peetsburg. Copies will be given to each of the schools and the library. He further reported that they continuing to work on the Peetsburg project with plans to place banners delineating the area. He added that cookbooks are still available and noted that the next meeting is scheduled for March 11<sup>th</sup>.

Councilman Putrino reported on the call activity for the Fire Department for the month of January. He referenced the department website and stated that the next meeting is scheduled for March 17<sup>th</sup>.

Councilman Putrino reported that the Shade Tree Commission is preparing for the Spring 2008 tree planting. He stated that they hoped to make up for the lack of plantings in 2007 which was as a result of the April Nor'easter. Next meeting March 27<sup>th</sup>.

Councilman Putrino summarized the recycling activity for the previous month.

**Mayor Frank DeBari**

Community Development

The Mayor announced that he had been appointed as the new Northern Valley Chair for Community Development. He reported that the Borough had been awarded \$100,000 for sewer de-rooting on Faller, Reichelt and Bulger. He noted that the award was less than what was applied for, which will result in the project scope being reduced.

**NEW BUSINESS:**

**INTRODUCE ORDINANCE 2008:02**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF NEW MILFORD SALARY ADOPTED AS ORDINANCE 91:01 AND AMENDED BY ORDINANCE 91:21, 92:07, 93:01, 94:13, 95:07, 96:05, 97:11, 98:05, 99:04, 2000:07, 2001:11, 2002:15, 2003:10, 2004:13, 2004:15, 2005:16, 2006:09 AND 2007:12.

Council President DeLucia made a motion to introduce and approve this ordinance on its first reading. Councilman Murray seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

The ordinance will be published in the Ridgewood News and a public hearing will be held on March 24, 2008 at 8:30 PM.

## **RESOLUTIONS:**

- 2008:69 Closed Session
- 2008:70 Payment of Bills and Vouchers
- 2008:71 Approve promotion of PO Brian Long to Detective
- 2008:72 Approve Raffle License for Solomon Schechter Off-Premise Merchandise Raffle
- 2008:73 Approve Social Affairs Permit for the Dinner Dance at Hovnanian School to be held June 14, 2008
- 2008:74 Approve Raffle License for Church of the Ascension Off-Premise 50/50
- 2008:75 Extend temporary appointments for Construction Official, Fire Subcode Official, Zoning Officer
- 2008:76 Approve Appropriation Transfers from Reserves for Budget Year 2007
- 2008:77 Approve Discharge of Performance Bond B98801017551 for Solomon Schechter Day School

## **COMMENTS FROM THE PUBLIC**

The meeting was opened to the public on a motion from Councilman Putrino, which was seconded by Councilwoman Subrizi. All present in favor, none opposed.

Mr. Nicholas D'Amelio, 349 Trench Drive, came forward to address the Council. Mr. D'Amelio stated that it had been a year and a half since he first came to the Council regarding the water issues on Trench Drive and asked if any progress had been made.

The Administrator stated that the project has been broken down into three phases, the first of which was funded in the amount of \$100,000 in the 2007 Capital budget. She additionally stated that the proposed work on Trench is being reviewed to determine how it will be affected by the Hirschfeld Brook Flood Mitigation project, noting that she was awaiting further information from the Borough Engineer. The Mayor stated that he would touch base with the engineer at a meeting he had scheduled for the following day.

Ms. Hedy Grant, 175 Boulevard, came forward to address the Council. Ms. Grant stated that she had seen people on the Carlton Place property and asked if they were connected with the Hirschfeld Brook flood mitigation work. She also stated that at the January 30<sup>th</sup> meeting the Borough Engineer had agreed to come out to look at her property, but that she has yet to hear from him. The Mayor stated that he would speak with the engineer.

Ms. Grant then asked about the cancellation of New Milford's sponsorship of the Little League Tournament.

The Mayor responded, that much to the dismay of the Mayor and Council, the Little League Board had decided that they couldn't accomplish what they needed to in time so they forfeited the opportunity.

Mr. Russ Schwartz, 260 Ridge Street, came forward to address the Council. Mr. Schwartz identified himself as the President of the Little League. Mr. Schwartz stated that the Little League liaisons that had come before the Council, never shared the information from the Council with the Little League Board. He additionally stated that the fundraising burden became too much of a risk for New Milford Little League to take on.

Council President DeLucia stated that the liaisons presented themselves as a united front with the Little League Board and stated her surprise to find out that this was not the case. The Council, as a whole, agreed with Council President DeLucia's sentiment.

Mr. Schwartz commented that there was no direction, no commitment and no plan of action on the part of the people who came before the Council. He personally apologized to the Council for anyone who felt slighted by the way the matter had been handled.

As there were no further comments from the public, the meeting was closed on a motion from Council President DeLucia. Councilwoman Subrizi seconded the motion. All present in favor, none opposed.

#### **VOTE ON RESOLUTIONS**

Council President DeLucia made a motion to approve resolutions #2008:69 through #2008:70 and resolutions #2008:72 through #2008:77. Councilwoman Subrizi seconded the motion. All present in favor, none opposed.

#### **ADJOURNMENT**

Councilman Zeilner made a motion to adjourn. Council President DeLucia seconded the motion. All present in favor, none opposed. Time 9:55 PM.

Respectfully submitted,



Christine Demiris  
Borough Clerk