

JULY 28, 2008

MINUTES
BOROUGH OF NEW MILFORD
6:30 PM WORK SESSION
OPEN SESSION immediately following
Monday, May 12, 2008

Councilman Arthur Zeilner	Present
Councilman Keith Bachmann	Present
Councilman Joseph Murray	Absent
Council President Tina DeLucia	Present
Councilwoman Ann Subrizi	Present
Councilman Michael Putrino	Present
Mayor Frank DeBari	Absent

Council President DeLucia read the Open Public Meeting and Mission Statements.

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

Closed Session:

1. Risk Manager Presentation – Art Caughlan – 6:30 PM
2. Short Term Disability/Sick Bank

Councilman Bachmann made a motion to open the meeting to the public. Councilwoman Subrizi seconded the motion. All present in favor, none opposed.

Open Session:

1. Boswell – Building Height Verification 7:45 PM
2. Recreation Budget – 8:00 PM
3. Budget Reductions

Council President DeLucia read a letter from Councilman Joseph Murray resigning from the Council effective May 15, 2008.

Administrator Report

The Administrator stated the Borough received the second installment check from Green Acres in the amount of \$467,500 and deposited it in the Open Space Trust Fund Account. The Administrator gave a check to the Borough Attorney for deposit in his trust account for distribution of the second installment.

The Administrator stated she spoke with the Tax Collector regarding estimated tax bills. Ms. Amoroso stated a resolution must be done authorizing her to prepare the estimated tax bills. The Administrator stated she will have a draft of this resolution prior to the next meeting.

The Administrator and Councilman Putrino questioned what information the Council feels appropriate to be placed on the website. The Administrator asked if it should be strictly Borough business, as is the front lawn sign or should it be anything that takes place within the Borough.

Council President DeLucia suggested, for other levels of government information could be listed in Scrolling News with a reference to a website. The Administrator stated that would be more appropriate to list it under Upcoming Events with a link to another website.

The Council decided the website should be open to local events on a trial basis.

Councilwoman Subrizi stated the Council should trust the judgment of the Administrator; anything she is unsure of should be brought to the attention of the Council.

Councilman Bachmann suggested a written policy regarding use. The Borough Attorney will review the policy before it is posted on the website.

The Administrator stated all Open Space information for Carlton Place was provided to Bergen County in January. She contacted the county regarding the \$625,000 owed the Borough and was told on May 2, 2008 that the Borough's closing documents are under review by the County Counsel and that the Borough will be contacted regarding the trust fund disbursement after the review has been completed.

The Administrator stated she spoke with Mike Calamari, Asst. Superintendent of the DPW, regarding property maintenance. Mr. Calamari received notice from Jill Scarpa, Health Inspector regarding a property owner that has not responded to her notices and the property needed to be cleaned up. It was his understanding that the Borough will no longer be responsible for this, due to liability reasons. The Administrator questioned the Borough Attorney on this issue. Mr. Moscaritolo stated it has always been done by the DPW and a statement of expense has been forwarded to the Tax Collector to charge against the owner's property taxes. The Council has no intention of changing this policy; the Administrator will advise the DPW.

Boswell – Building Height Verification

Margita Batistic, of Boswell Engineering, addressed the Council on the proposed requirement of homeowners paying the Borough Engineer to verify building height during construction. Ms. Batistic stated that a signed and sealed as-built plan is sufficient; in her opinion, a professional would not intentionally misrepresent the information. Ms. Batistic stated the Borough should keep the as-built plan and if there are any doubts, the Borough Engineer could review it further, at the developer's expense. Ms. Batistic stated a surveyor would take 10-15 minutes to do it as part of their overall work, whereas Boswell would take 2-3 hours to go out on a separate call. She stated that if an engineer were to intentionally misrepresent, his/her license would be at stake.

Councilman Putrino stated he would prefer the proposed as part of a regular process, rather than selectively choosing those that seem suspicious.

Ms. Batistic stated New Milford residents do not have to go before a Board if there are no variances; therefore New Milford does not require site plans, only construction plans. Ms.

Batistic stated New Milford can require engineering plans, signed and sealed in an attempt to alleviate the perceived problem. Ms. Batistic referenced an example where the proposed grade differs from the original grade at the start of construction; an architect assumes they will fill to grade. She further stated the plans should have been certified by an engineer.

Councilman Zeilner asked the engineer, on a new construction, when is the building height shot. Ms. Batistic stated the height is calculated when it is completely done. Councilman Zeilner stated that new constructions are larger because of the grading. Ms. Batistic stated New Milford should change the ordinance to measure the height from the original grade.

Councilman Bachmann stated the Council should follow the advice of the engineer, noting that Ms. Batistic does not recommend charging the homeowner/developer for the Borough Engineer to verify the height. Ms. Batistic did recommend the requirement of engineering plans prior to construction.

Ms. Batistic stated the Council could revise the definition of height from average grade to original grade, to avoid excess grading.

Recreation Budget

John Bigger, Recreation Director, stated last year nearly half of the Recreation budget was money brought in by programs. Mr. Bigger stated for the last three years, the Recreation budget has been cut, yet they continue service at the same level without increasing fees and the programs are growing in numbers.

Hubert Klein, Recreation Chairman, stated that the Council is asking them to allocate the same amount of dollars to more participants.

Mr. Bigger stated another issue is maintaining safety. Mr. Bigger referenced an example of putting bushes by the park behind Borough Hall, which would cost approximately \$4,000 because sprinklers are also needed. These safety concerns were brought to their attention by the Borough's insurance carrier as potential liability. Mr. Bigger stated that Recreation is not only for children's sports; it includes parks, maintenance of parks/fields and senior citizen and adult programs. The Recreation Department is looking to renew programs such as movies in the park, concerts and Board of Education sponsored computer classes for seniors.

Mr. Klein stated there is a big void in programs for emergent teenagers; there is a tremendous drop-off in sports participation for this age group. Mr. Klein asked what could be done for this age group; possibly teen nights or Sunday pick-up games at the field. Mr. Klein stated these activities require resources and man-power.

Mr. Bigger stated what residents are paying per household for recreation, is minimal; cutting the recreation budget is not a great savings for the taxpayer.

Mr. Klein stated the Recreation budget is \$160,000 and there are about 6,200 households in New Milford, this amounts to approximately \$25 per year, per household in taxes. Mr. Klein further stated that according to demographics, age's 5-17 account for approximately three-quarters of

the New Milford population totaling approximately \$18 per person. Mr. Klein stated the cost per person equals \$9.54 in taxes per year.

Mr. Klein stated the Recreation budget was \$160,000, program fees in the amount of \$75,000 were collected, therefore the Borough only funded \$85,000.

Mr. Bigger stated background checks must be done on all coaches, which cost \$20-25 dollars each.

Councilwoman Subrizi stated that the quote regarding cuts to the Recreation budget was premature noting that no budget cuts had been made yet. Councilwoman Subrizi stated in the anticipated revenue schedule, Recreation is listed at \$60,700 not \$75,000 as stated this evening.

The Administrator asked how much money Recreation has taken in 2008 to date. Mr. Klein stated he would know more after soccer sign-up.

Councilwoman Subrizi stated the adjusted number actually spent by Recreation for salaries in 2007 is \$63,590; and that the 2008 salary line indicates a 4% increase. Councilwoman Subrizi stated a 4% increase of \$63,590 would be just under \$67,000 not \$78,520 as introduced.

Mr. Bigger stated at years end, any unused money could be put to other programs.

Councilwoman Subrizi stated that year end budget transfers are acceptable; however this year is a tight budget and the Council needs to remain fiscally responsible.

Councilman Bachmann announced that Howard Berner, a Recreation Commission member, is in the audience and may want to address the Council.

Mr. Berner stated he handles the safety element of the programs. Mr. Berner has reached out to the American Red Cross because coaches are given first aid kits, yet never shown how to use them properly. Mr. Berner stated the Recreation Commission is interested in purchasing defibrillators, but does not have the money to pursue it. Mr. Berner stated the Borough budget was approximately \$16 million last year; Recreation received about 1% of that amount, with the fees generated it actually amounts to about .6%. He stated some towns provide recreation programs throughout high school.

Councilwoman Subrizi stated the Council is not looking to cut programs, but maintain fiscal responsibility.

Budget Reductions

Council President DeLucia stated the budget amendment will be heard at the May 29, 2008 public meeting, whereby \$115,272 must be cut to make it legal. Council President DeLucia referenced the proposal from the Mayor to bring the Borough within legal limits.

Councilman Bachmann stated the Council should evaluate each department and compare with what was spent last year.

The Administrator stated that the Clerk's introduced budget was already significantly less than what was requested. She further stated that it would be impossible to keep the 2008 budget to the actual expenditures of 2007 given the added expenses of an additional election, postage rate increases, the creation and updating of the Borough website. She noted that none of these costs applied in 2007. She stated that she will certainly exceed her budget if these additional items are not considered.

The Council discussed Budget reductions at length.

The Administrator stated the total amount for both medical and dental insurance is expected to be \$2,090,320. However the Borough receives money that contras back into the account, last year \$148,543 was put back into the insurance line, \$40,000 of which was from the Library as a one-time reimbursement.

Councilwoman Subrizi questioned whether it was the actual intent for this to be a one-time reimbursement, noting that the state funding formula for libraries has only been in place for a few years.

Council President DeLucia stated that the funding formula for the Library has always been in place but that last year was the first time that it hurt the Borough and this was due to the Borough's reevaluation.

Councilwoman Subrizi stated the Library is the only entity that the Borough gives a percentage of the assessed value of all of the property in New Milford, as required by the State. Councilwoman Subrizi questioned if the Borough can assess the Library for the medical benefits.

The Administrator reported that the auditor had agreed that medical insurance expenses could most certainly be charged back to the Library. Council President DeLucia countered that the Library does not have it available in their budget.

Council President DeLucia suggested that the Mayor and the CFO speak with the Library, to see what portion of the medical insurance expense they can absorb.

Councilman Bachmann asked Council President DeLucia about the Library's salary line; he noted that a 4% increase would equal \$501,000, not \$519,000 as written. He questioned if someone new will be hired. Council President DeLucia stated she was unsure if someone new will be hired, or if the additional amount was for additional hours for current employees.

All present agreed to reductions to the introduced budget as follows:

Recycling - \$26,500; Legal - \$10,000; Assessment of Taxes - \$30,000; Vehicle Maintenance - \$12,000; Public Works - \$10,500; Buildings & Grounds - \$5,000; Recreation - \$4,000; Utilities - \$9,000; Health/Human Services - \$1,000; Planning Board - \$2,000; Zoning Board - \$500; Shade Tree - \$1,000; Seniors - \$500; Engineering - \$500; Public Events - \$3,000.

Total reductions to the 2008 introduced budget- \$115,500.

Councilman Putrino made a motion to appoint Christopher E. Kiene to the Jr. Fire Department, Councilman Bachmann seconded the motion. On roll call vote, all present in favor, none opposed.

Councilman Putrino asked to have the topic of donation boxes for the Fire Department listed on the May 29, 2008 agenda for discussion.

Councilman Putrino asked about the aerator control panel box at Hardcastle Pond. He and Mike Calamari are unhappy that it was removed without the Borough's permission. The Administrator stated a change order was approved, as well as a resolution to install a fence at the pond; if said box was still there, no fence could be installed.

Council President DeLucia stated Dan Lipinski, of Boswell Engineering, should be consulted and a report should be provided for the next meeting.

Councilman Putrino requested the reports from Property Maintenance Officer, Art Castronova, be typed and not handwritten.

Councilwoman Subrizi questioned Mark Polito on what the interfund return was on the bill list. Mr. Polito stated it was money borrowed from the capital fund, until money from the Tax Anticipation Note is received and can be replenished.

Councilwoman Subrizi stated there are a number of vouchers on the bill list that were signed by Art Castronova as a department head; he is not authorized to sign as such. The Administrator pulled vouchers 56115, 56114 and 56138 for James Taormina to sign as department head. Councilwoman Subrizi requested the revenue side of the budget be listed on the June 9, 2008 agenda for discussion.

Councilwoman Subrizi requested a list of the 2007 tax appeals and outcomes.

Councilman Bachmann had nothing to report.

Councilman Zeilner stated he spoke with Mike Calamari regarding debris on Columbia Street; the DPW took care of it.

Councilman Putrino asked where fine money for shade tree damage goes. Mark Polito stated it is placed into a general fund. The Administrator stated the money collected as a result of motor vehicle accidents involving a borough shade tree is a contra to the arborage account for future tree purchases.

Council President DeLucia had nothing to report.

COMMENTS FROM THE PUBLIC

Councilman Bachmann made a motion to open the meeting to the public. Councilman Putrino seconded the motion. All present in favor, none opposed.

Randi Duffie, 120 California Avenue, suggested the possibility of turning off every other street light on Main Street to save money on utilities. The Administrator will ask Mike Calamari to research.

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

RESOLUTIONS:

- 2008:120 Closed Session
- 2008:121 Payment of Bills and Vouchers
- 2008:122 Authorize Change Order #1 for Voorhis Avenue Drainage Improvements
- 2008:123 Authorize Mayor DeBari to enter agreement with the County of Bergen for Emergency Services Notification System
- 2008:124 Authorize Capital Alternatives Corp. to prepare grant application for aid under the New Jersey Trust Fund Authority Act for Boulevard Rehabilitation, Holland Avenue Drainage, and the Henley Avenue Commuter Lot
- 2008:125 Authorize Capital Alternatives Corp. to prepare grant application to Bergen County Open Space for the Warren Street Park Rehab and Sutton Place Tennis Courts and the Carlton Place Acquisition
- 2008:126 Authorize Boswell McClave Engineering to prepare plans and specifications and Borough Clerk to receive bids for resurfacing of the Boulevard from Fulton Street to the Oradell border
- 2008:127 Reauthorize inclusion in the Bergen County Community Development Block Grant Program
- 2008:128 Support Click it or Ticket seat belt mobilization May 19 – June 1, 2008
- 2008:129 Support Historic New Bridge Landing Park Commission in its plans and actions to preserve, promote and steward significant landmarks and relics of our past
- 2008:130 Approve Additional Emergency Repair to LaBarbera (Babe Ruth) Field

VOTE ON RESOLUTIONS

Councilwoman Subrizi made a motion to approve consent agenda, resolutions #2008:120 through #2008:130. Councilman Zeilner seconded the motion. All present in favor, none opposed.

ADJOURNMENT

Councilwoman Subrizi made a motion to adjourn. Councilman Putrino seconded the motion. All present in favor, none opposed. Time 10:42 PM.

Respectfully submitted,



Colleen Naumov
Deputy Borough Clerk