

MINUTES
BOROUGH OF NEW MILFORD
7:00 PM WORK SESSION
Monday, June 14, 2010



Councilman Arthur Zeilner	Present
Councilman Keith Bachmann	Present (7:11)
Councilwoman Randi Duffie	Present
Councilman Howard Berner	Present
Councilwoman Ann Subrizi	Present
Council President Michael Putrino	Present
Mayor Frank DeBari	Present

Also present: S. G. Moscaritolo, Borough Attorney; Christine Demiris, Administrator/Clerk

Mayor DeBari read the Open Public Meeting and Mission Statements.

OPEN SESSION:

1. Arc Renewal Energy – 7:00 PM

The representative from Arc Renewal Energy did not attend the meeting.

2. Fire Co. #2 Feasibility Study Results – 7:15 PM

Fire Chief Terry Lawler introduced Rob Conley, of Robbie Conley Architects, who came to present the Needs Assessment and Deficiency Report for Fire Co. #2. Mr. Conley provided his credentials. Mr. Conley advised the current location is tight; however it is the best location in town for the station. He noted the building's structural and operational deficiencies on a slideshow presentation. Mr. Conley noted the new structure would meet all codes and outlined the benefits of a new structure. Mr. Conley showed a sample of what the firehouse could look like on the existing site. He advised the total cost of the construction and fees would be approximately \$2.5 million.

Councilman Bachmann questioned the height of the building; Mr. Conley advised it is 35 feet high. Councilman Bachmann asked how the building would affect the side yards; Mr. Conley advised the left side would remain the same, the right side would extend an additional five feet from the existing and added the back of the building would be right up to the property line.

Councilwoman Duffie asked how the second floor meeting room is accessed and if there are restrooms on both floors. Mr. Conley noted there is an elevator and restrooms on both floors. She asked why ambulance storage would be included. Fire Chief Lawler explained the current bus could be stored inside rather than outside, as it is currently.

Councilwoman Duffie questioned if the bunk rooms are required or a wish list. Fire Chief Lawler noted they are planning for the future, if there is a need for a paid crew; and currently it would serve during storm coverage. Angelo DeCarlo added there would always be a fresh crew waiting during those events when they work around the clock.

Councilman Berner asked if there are alternative sites more towards the southern side of town. Mr. Conley noted this location is best suited for the volunteers; if it is moved further south, it would take longer for the volunteers to get to the station. Councilman Berner asked if the Borough moves forward with the project, what the plan for temporary housing is. Fire Chief Lawler explained the trucks could be housed at the DPW and the volunteers would respond to the DPW.

Councilman Zeilner asked if the gable could be lowered; Mr. Conley noted it could be lowered, it is attic space used to hold the HVAC unit.

Mr. Conley noted three years ago, the cost would have been twice as much. Mayor DeBari requested copies of the plans; Mr. Conley will forward them to the Administrator.

3. Recreation – Draft Ordinance

The Council reviewed the draft ordinance provided by the Borough Attorney. After a lengthy discussion, the Council provided specific line by line revisions to the Borough Attorney and requested the final version for review. Councilman Bachmann again questioned the rush to introduce the ordinance; after going around the table the Council agreed to introduce the ordinance on June 28th. Mr. Moscaritolo will e-mail the final version prior to introduction. The ordinance will be placed on the June 28th agenda for introduction.

4. United Water Property

Mayor DeBari advised the Borough received the no further action letter regarding the United Water Property; he requested permission to move forward on the appraisal. Councilman Bachmann referenced page two, which notates offsite contamination; he questioned who would purchase a home that sits on top of ground water with contamination levels above quality standards. He noted the Council wanted to wait until the site was clean and the Borough received the no further action letter; the State says it is not clean. Councilman Berner noted pollution will certainly affect the fair market value of the property. Councilwoman Subrizi referenced the United Water letter dated May 27, 2010, which stated the Borough is no longer interested in the property for the use of affordable housing. She wondered how they got that impression; it was never discussed by the Council. Mayor DeBari stated the Board of Education may have given that information out mistakenly. Mayor DeBari advised the Borough needs an appraisal; Council President Putrino noted if the Borough is going to let United Water do whatever they want with the property, then the Borough does not need an appraisal. Councilman Berner said he would like to see what the property appraises for. Councilwoman Subrizi read a letter from United Water dated September 18, 2008 into the record; she would prefer to wait for a clean bill of health on the property before having it appraised. Mayor DeBari noted the letter from United Water stated the work is complete and they are looking to move forward. Councilwoman Subrizi noted United Water dragged their feet for five years and she is not going to jump into anything just because they are ready. Mr. Moscaritolo advised the State statute says the public utility must offer the municipality the first right of refusal. Mayor DeBari noted the Council must decide whether to purchase the property and have control or walk away and let a developer buy it.

Councilman Zeilner suggested sending United Water a letter, stating the Borough is still interested and is moving forward with an appraisal. Councilman Berner has a couple of names of appraisers through work; he will provide the Administrator with said names to see if they are approved through Green Acres. Councilwoman Subrizi is not willing to say she is not interested without knowing what the property is worth. Councilman Zeilner made a motion to go forward with the appraisal not to exceed a cost of \$4,000. Councilwoman Duffie seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed. The Administrator will forward a letter to United Water advising the Borough is moving forward with hiring a Green Acres appraiser; when one is chosen they will need access to anything needed to complete said appraisal.

5. 2010 Municipal Budget – Final Revisions/Proposed Adoption Date

Councilwoman Subrizi noted there is not enough money in the recycling budget; the Council will have to make an amendment to the budget, prior to the adoption. The Administrator noted the additional funds can come from the medical reimbursement account. The Administrator advised that the amendment and adoption can all be done in one meeting. Councilwoman Subrizi explained the Recreation budget confusion is due to the Recreation Trust Fund. Councilwoman Subrizi stated another big question is legal fees; there has been no billing by the Borough Attorney for the first half of 2010. Mr. Moscaritolo noted his billing will not surprise anyone. Council President Putrino noted an additional \$4,000 must be added to the Clerk's miscellaneous line for the appraisal on the United Water property. Councilman Bachmann suggested keeping the remaining monies cut from the medical reimbursement account as a cushion in the budget. Mayor DeBari noted although the savings to the taxpayer would be approximately \$15 per household; at least it is something. The Borough did not have to furlough or layoff any employees. Council President Putrino suggested reducing the budget by \$50,000, representing a \$10 decrease for the average homeowner, and leave the remaining amount for leeway. Councilman Zeilner and Councilwoman Subrizi agree if the budget is going to be reduced, reduce by the full \$72,394.

The Administrator explained the Buildings and Grounds capital budget shortfall of \$9,000 dating back to 2005/2006. She noted the current capital budget down payment must be increased to \$41,250. Either the Council must decide to forego the remaining projects, some of which are to correct hazardous conditions, or the capital ordinance must be amended.

After further discussion, Councilwoman Duffie made a motion to reduce the budget by \$50,000 in the medical reimbursement line. Council President Putrino seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed. The amendment will be prepared for introduction and a hearing for the June 28th meeting.

COUNCIL

Council President Putrino requested Councilman Bachmann ask the Recreation Commission to remove the ice rink shed from the fenced area around the smokehouse. He then requested Councilman Zeilner speak with Chief Papapietro to remove the two vehicles being stored in the smokehouse area.

Councilwoman Subrizi referenced an article in the May 24th edition of The Record about attorneys being included in the salary ordinance with regards to pension credits; our salary ordinance does not reflect the Borough Attorney salary although he does draw a minimal one. She asked Mr. Moscaritolo to review said article and provide an opinion on whether or not the salary should be included in the ordinance. The Administrator will forward the opinion to the Council and put it on for discussion at the next meeting. Councilwoman Subrizi referenced the letters from Capital Alternatives regarding 2010 grant obligations; is there any thing else that needs to be done. The Administrator advised nothing further is needed, the Borough is on track.

Councilman Berner noted the terms of two members of the Board of Health will expire on June 30th; the Board is asking for Pat Coogan and Marlene Slavin to be reappointed. The Administrator will put the appointments on the June 28th agenda.

Councilman Zeilner questioned when the road resurfacing program will begin. The Administrator advised the master contract was just awarded by the Riverside Coop; New Milford's portion is scheduled for approval tonight by resolution. Councilwoman Subrizi asked if Main Street is included in that; the Administrator advised that Main Street is part of a separate project that is awaiting DEP approval. Councilman Zeilner referenced the energy savings letter regarding savings on natural gas and asked if the Borough would consider moving forward with it. The Administrator sent the preliminary information and is awaiting their response to see if it is an option the Borough would consider.

Mr. Moscaritolo asked for the status on the cell tower at the DPW yard. The Administrator advised she has not received information on the completion; however the Borough has received revenue for the master lease and the currently placed co-locaters.

Council President Putrino noted Gaelic Communications should be responsible for replacing the barrier fence between the DPW and Fire Training site, which was removed during construction. He advised the fire horn situation has not been resolved; the Administrator will contact Mr. O'Scanlon.

ADMINISTRATOR

The Administrator made the Council aware of the recent insurance problems with Oxford. She highlighted the fact Oxford's Accumulator was not set correctly to recognize both doctor's visits and prescriptions toward the deductible. Although Oxford, Choice Care, Art Caughlan, Colleen Naumov and she have worked to try to identify and correct the problem, some employees are irate with the situation. The Borough invited representatives from all parties here on June 3rd to meet individually with the affected employees. She noted although the Borough is saving money with the program, it is certainly not running smoothly and is not well received by the employees.

The Administrator noted the shredding day, sponsored by the Bergen County Utilities Authority, is scheduled for September 11th.

The Administrator advised St. Joseph's wants to place signs on Borough property for the annual craft fair. The Council had no objections.

The Administrator noted volunteer week occurs in April. The Council may honor volunteers during that week in coming years; however it has already passed for 2010. The Council can choose to honor the volunteers in another fashion this year. The Council decided to hold the matter for discussion in July.

The Administrator advised the PSE&G audits have been received; through their green energy solutions program whereby they pay 80% of the upgrade and the Borough would be responsible for 20% payable over 24 months. They have since notified the Borough they have run out of funding. For this reason, the Administrator has advised Buildings and Grounds to move forward with replacing the boiler at Fire Co. #2 and the HVAC unit in the courtroom as budgeted in the 2009 capital budget.

The Administrator noted Congressman Rothman's office has requested the Council's personal or office numbers be provided to them. If the Council has no objections, please write the numbers on the sheet of paper being passed around.

Councilwoman Subrizi made a motion to go into closed session. Councilwoman Duffie seconded the motion. All present in favor, none opposed.

CLOSED SESSION:

1. Personnel – Chief Adm. Asst.
2. Retiree Grievance
3. Compensatory Time Buyback – PBA Response
4. PBA Wage Rate Calculation – Memo dated 6/9/10
5. Review of Closed Session Minutes – March 8th 2010

At the conclusion of the closed session Councilwoman Subrizi made a motion to go into open session. Councilwoman Duffie seconded the motion. All present in favor, none opposed.

Councilwoman Subrizi made a motion to approve the minutes from March 8, 2010 Closed Session. Council President Putrino seconded the motion. Councilman Bachmann abstained from the vote; all others present in favor.

- 2010:133 Closed Session
- 2010:134 Payment of Bills and Vouchers
- 2010:135 Approve amendments to 2010 Temporary Budget
- 2010:136 Boswell Engineering to prepare plans and specifications and the Borough Clerk to advertise for bids – Charles Street Drainage System
- 2010:137 Award 2010 Riverside Cooperative Road Improvement Program to Owl Contracting in the base amount of \$188,429.46; Alt. A - \$25,710.00; Alt. B - \$32,218.40; and Alt. E - \$48,750.00
- 2010:138 Award Handicap Curb Ramps – Various Locations to M. Sky Construction Corp. in the amount of \$54,760.50
- 2010:139 Award Reichelt Road Resurfacing to D & L Paving in the amount of \$84,287.38
- 2010:140 Award Upgrade of Borough Telephone System to Extel Communications Inc. under State Contract #A42291 in the amount of \$24,745.00
- 2010:141 Approve Social Affairs Permit for Church of the Ascension
- 2010:142 Approve Social Affairs Permit for Hovnanian School

- 2010:143 Approve Permit to Extend License Premise for Sanzari's New Bridge Inn on July 27, 2010
- 2010:144 Approve recommendation of Laura DeSena as Secretary to the Chief of Police effective July 1, 2010

VOTE ON RESOLUTIONS

Councilwoman Subrizi made a motion to approve the consent agenda, resolutions #2010:133 through #2010:144. Councilwoman Duffie seconded the motion. All present in favor, none opposed.

ADJOURNMENT

Councilwoman Subrizi made a motion to adjourn. Councilman Bachmann seconded the motion. All present in favor, none opposed. Time 12:02 am, June 15, 2010.

Respectfully submitted,



Colleen Naumov
Deputy Borough Clerk