

**MINUTES  
BOROUGH OF NEW MILFORD  
7:00 PM WORK SESSION  
OPEN SESSION immediately following  
Monday, June 9, 2008**

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

Also present: Mark Polito, CFO; Steven Wielkotz, Borough Auditor – arrived 7:20 PM

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

**Closed Session:**

The record reflects that no closed session was held

**Open Session:**

1. 2008 Budget – Revenue

Councilman Putrino asked where the money collected for Shade Tree Commission fines appears in the budget. The CFO stated that he believed it is deposited into the general fund. Acknowledging a previous refusal, Councilman Putrino asked if we could again apply to the state for a trust fund for these fines. The Council agreed that there are no new circumstances that would merit another request.

Councilwoman Subrizi stated that she is interested in determining the anticipated revenue for items such as medical insurance and recreation fees. She asked, shouldn't the budget reflect how much we are spending on an item as well as how much we are taking in. Mr. Polito responded that money taken in for insurance is not considered revenue. He added that the amount appropriated for insurance would be less than the total expense as it would be offset by the money received.

Councilwoman Subrizi noted that reserve for uncollected taxes, in the amount of \$448,000, is indicated as anticipated revenue. She asked how the amount is calculated. Mr. Polito explained the process to determine the reserve for uncollected taxes. Mr. Wielkotz added that it is a statutory calculation based upon a percentage of collections from the previous year.

Councilwoman Subrizi asked how the number for anticipated surplus is calculated. Mr. Wielkotz stated that it is 100% of what actually exists in cash surplus. He added that the surplus was as a result of the emergency appropriations that were reduced and/or cancelled earlier in the year.

Councilwoman Subrizi asked Mr. Wielkotz why contributions toward medical insurance are not treated as revenue. Mr. Wielkotz stated that it is a budget offset, or a credit against expenditures. He added that the offsets are considered before they take place, thereby reducing the initial appropriation.

The Council discussed the Library co-pay for medical insurance. Council President DeLucia stated that the Mayor has discussed it with Library Board President, Dan Harmatz, and while they have yet to agree on the amount, it is expected to be at least \$40,000. Mr. Wielkotz stated that the cost for the Library employees is \$154,000. Council President DeLucia noted that this almost their entire operating budget of \$172,000. Councilwoman Subrizi stated that the true cost of running the Library is the \$706,000 in their budget plus the \$154,000 for medical insurance.

**PUBLIC HEARING: 2008 BUDGET AMENDMENT – 7:30 PM**

The Borough Auditor reviewed the budget amendment whereby \$115,000 was cut to make the introduced budget compliant with the cap law. He explained that given the amount of the amendment a public hearing is required.

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

The record reflects that there were no members of the public present at the meeting.

The meeting was closed to the public on a motion from Councilwoman Duffie, which was seconded by Councilman Bachmann. All present in favor, none opposed.

**PUBLIC HEARING: CARLTON PLACE – BCOS APPLICATION**

Council President DeLucia explained that the Borough would be applying to Bergen County Open Space for additional funding to offset the purchase of Carlton Place. She noted that a public hearing was one of the application requirements.

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.

The record reflects that there were no members of the public present at the meeting.

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

**Administrator**

The Administrator referenced the request from Sanzari's to hold an outdoor event on July 29<sup>th</sup>. She noted the individual departmental approvals, as well as the need for a special Alcoholic Beverage Control permit, and asked for the Council's consent to approve the request. The Council discussed the matter and agreed to approve the request provided that Old New Bridge Road was posted as "no parking" and that offsite parking be

provided. They suggested the Borough Hall parking lot for overflow parking provided the insurance requirements were met.

The Administrator referenced the request from the county for a letter of support for Phase 1 of the rehabilitation of the New Milford Plant of the Hackensack Water Company. Councilwoman Duffie suggested that the term "waterworks" should not be used as it is associated with the Waterworks Conservancy, which is an entirely different entity. Councilwoman Subrizi stated that she is not in favor of spending any money to stabilize the building, suggesting that smaller plans to save portions of the site would be more worthwhile. Council President DeLucia and Councilman Putrino expressed support. Councilwoman Duffie stated that in order to be listed on the national registry the entire site must be considered. A letter of support will be drafted and signed by the Mayor and the Council members who are in favor of the plan.

The Administrator referenced a letter from the President of Bergen Community College requesting the opportunity to speak during the public portion of the December 22<sup>nd</sup> meeting of the Mayor and Council. The Council approved the request.

The Administrator reported that the Borough Hall office workers have agreed to the proposed summer hour schedule and that the schedule will be outlined in the New Milford Nuggets section of the Twin Boro News and further posted on the Borough website, the lawn sign and at the entrance to the Borough Hall. She stated that the DPW has opted not to adopt a summer schedule.

## **Council**

Councilwoman Duffie reported on the Rent Leveling Board stating that prior to their meeting last week they had not met since February. She stated that there is a vacancy for a tenant alternate and that the homeowner alternate has not been attending the meetings. She added that they have had difficulty in obtaining a quorum. Councilwoman Duffie stated that the Board is exploring the role of the Rent Leveling Coordinator, noting that renewals, by ordinance, should be going through the Board but have been being processed solely by the Coordinator.

Councilwoman Duffie referenced the resident letter regarding Marty's VW and asked what was being done. The Administrator responded that the matter is being handled by the Property Maintenance Officer.

Councilwoman Duffie asked Councilwoman Subrizi about her attendance at Board of Education meetings. Councilwoman Subrizi explained that she is unable to attend because the Board of Education meets on the same night as the Mayor and Council. Councilwoman Subrizi asked that a letter be sent on her behalf to the Board of Education Business Administrator requesting that she be included at any future meetings regarding the proposal for artificial turf at the Middle School.

Councilman Bachmann stated that the Recreation Commission will consider the request to install the soccer posts at Williams Field upon a written request. He added that the request could not be honored until after the close of the softball season.

Councilman Bachmann referenced resolution #2008:155, which appoints a hearing officer, and stated that he would only agree if it did not include mileage or travel time. The Council agreed and the resolution was revised. The Council additionally agreed that they would like to appoint someone locally as well.

Councilman Putrino reported that the basketball nets are missing at Prospect Park.

Councilman Putrino reported that he and Councilman Bachmann had reviewed the locations of the clothing drop boxes in town and have agreed that a box could be added at the Babe Ruth field and another inside the fence at the DPW yard. The Council agreed and a letter will be sent to Alan Silverman granting permission for the NY/NJ Fireman's Association to locate a box at the Babe Ruth field and to John Walsh granting permission for the D.A.R.E. to locate a box inside the fence at the DPW yard.

Councilman Putrino stated that he had obtained a list of items that cannot be brought to the recycling yard and asked to have them added to the Borough website.

Council President DeLucia referenced previous discussions regarding the Borough parking lot behind the Post Office. She noted that "No Parking" signs had not been posted. It was noted that the Post Office had raised some concerns and that the Council had agreed to look for a compromise to total prohibition. A number of suggestions were discussed and the Council agreed to ask Sgt. Jones to review the matter and make a recommendation on the best way to post and enforce the restrictions.

Council President DeLucia referenced the COAH letter from the state and asked Mr. Moscaritolo to comment on the resolution proposed by the letter. Mr. Moscaritolo stated that in order to create the fund referenced in the letter the Council would need to pass an ordinance. He added that the Planner, Mr. Kauker, was developing the ordinance as part of the plan.

### **Borough Attorney**

Mr. Moscaritolo stated that he had completed the Tort Claim form and forwarded to Administrator to disseminate to the Council.

Mr. Moscaritolo stated that he is drafting the ordinances regarding temporary utilities and temporary storage.

Councilwoman Subrizi asked about the reimbursement for damage to an employee's car. The Administrator explained that the employee was attending a class for the Borough. Mr. Moscaritolo stated that it should be covered under the employee's comprehensive coverage, which would not affect the insurance premium. The Administrator will obtain a copy of the employee's insurance declaration and the Borough will pay the deductible to the comprehensive coverage. The purchase order was pulled from the bill list until the additional information can be obtained.

Councilwoman Subrizi asked why there was a bill for nameplates for the entire slate of Planning Board and Zoning Board members. The Administrator stated that when she questioned the Planning Board Secretary she was told that only brass nameplates were available for a new member and it was decided that all of the nameplates needed to

match. As the purchase was already encumbered, approved, and ordered the purchase order was returned to the bill list.

## **RESOLUTIONS:**

- 2008:147 Closed Session
- 2008:148 Payment of Bills and Vouchers
- 2008:149 Approve Social Affairs Permit for the Parish Festival at Church of the Ascension to be held June 29, 2008
- 2008:150 Approve amendment to Borough of New Milford Personnel Policies and Procedures Manual
- 2008:151 Authorize Mayor to sign grant agreement with Bergen County Open Space for Acquisition of six (6) parcels of land
- 2008:152 Oppose Senate Bill No. 1137 which would expand the scope of negotiations
- 2008:153 Approve refunds of duplicate tax payments – various Blocks and Lots
- 2008:154 Authorize submission of an electronic grant application to the New Jersey Department of Transportation on behalf of the Borough of New Milford
- 2008:155 Appoint Special Hearing Officers: Robert M. Czech, Esq., Allan Roth, Esq.

## **COMMENTS FROM THE PUBLIC**

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

Ms. Hedy Grant addressed the Council. Ms. Grant stated that the two goodwill boxes at Madison Plaza had not been removed but rather relocated to the other side of the parking lot. Council President DeLucia responded that the Mayor stated, at a Planning Board meeting, that the town would arrange to have them taken away. The Administrator will follow-up with the Planning Board Secretary.

Mr. Gus Bachmann addressed the Council. Mr. Bachmann stated that a lot of baseball games are being played at Gibbs School and parking is a problem because the west side of Hirschfield is posted as “no parking.” Mr. Bachmann asked if there was any reason why the parking restriction could not be lifted when school is not in session. The Administrator will ask Sgt. Jones to review the matter and make a recommendation. Mr. Bachmann stated that if the parking restrictions are not lifted the middle sign between James and Elizabeth should be replaced as it is difficult to read.

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

Councilwoman Subrizi asked if Council President DeLucia would lose her right to vote as she was presiding over the meeting as Acting Mayor. Council President DeLucia stated that the Council By-Laws provide that she is still entitled to vote.

## **VOTE ON RESOLUTIONS**

Councilman Putrino asked that resolution 2008:155 be pulled from the consent agenda for a separate vote.

Councilman Bachmann made a motion to approve resolutions #2008:147 through #2008:154 with the amendment to the bill list to remove P.O. #57127. Councilwoman Subrizi seconded the motion. All present in favor, none opposed.

Councilman Bachmann made a motion to approve resolution #2008:155, as amended to exclude mileage and travel time. Councilwoman Duffie seconded the motion. The motion passed on a roll call vote as follows:

For the motion: Bachmann, Duffie, DeLucia, Subrizi

Abstain: Putrino

#### **ADJOURNMENT**

Councilman Putrino made a motion to adjourn. Councilman Bachmann seconded the motion. All present in favor, none opposed. Time 8:58 PM.

Respectfully submitted,



Christine Demiris  
Borough Clerk