

**MINUTES
BOROUGH OF NEW MILFORD
7:00 PM WORK SESSION
Monday, September 13, 2010**



Councilman Arthur Zeilner	Present
Councilman Keith Bachmann	Present
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.

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

CLOSED SESSION:

1. Personnel – Police Chief – 7:00
2. Personnel – Recreation – 7:15
3. Personnel – Administrator/Borough Clerk – 7:30

Councilman Zeilner made a motion to go back into open session. Council President Putrino seconded the motion. All present in favor, none opposed.

OPEN SESSION:

1. BCOS Application – Boswell – 7:45

Jim Fordham of Boswell Engineering and Bob Zoller of Musco Lighting are here at the Council's request, to discuss the possibility of lighting at Kennedy Field. Mr. Fordham noted Boswell had presented an estimate approximately 14 months ago. Councilman Bachmann expressed concern about poles along the first base line as there is a lot of activity in that area especially when children are sleigh riding. Mr. Zoller noted sufficient lighting is needed for safety reasons; he presented the Council with suggestions for placement of poles by the use of a diagram. Councilman Berner expressed concern over outfield lights and their effect on nearby residents. Mr. Zoller gave examples on how they would prevent light spillage; and provided names of towns and fields that use this technology. Musco Lighting will provide a lighting audit at no charge for the life of the lamp to guarantee lighting levels. Councilman Berner questioned if temporary lighting for the skating rink can be included in the project; Ms. Casey, Grants Consultant stated yes it could be included. Ms. Casey noted she is seeking a grant from Bergen County for half the cost; Mr. Fordham estimated the total cost at \$200,000-\$235,000. Ms. Casey

advised a decision has to be made tonight whether or not the Council wishes to pursue the project. Ms. Casey advised the Borough can apply to Green Acres for the balance; and the project can be completed in stages. The Council discussed their options at length.

Councilman Bachmann made a motion to allow Capital Alternatives to proceed with the grant application. Councilwoman Duffie seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

2. T-Mobile Letter – Dahlia Avenue – 8:00

Joe Binetti, T-Mobile representative explained the coverage map he provided the Council; they are looking to put a pole at the southwest corner of Williams Field or Warren Street Park. Council President Putrino questioned the need for so many poles; Mr. Binetti stated technology continues to expand and the need is constant. Councilman Bachmann questioned if there are other cooperative owners; Mr. Binetti noted the Teaneck Jewish center declined and Ascension is considering. He is doing his due diligence to give municipality the first right of refusal. Mr. Binetti left the meeting at 9:00 pm.

Mr. Moscaritolo advised the Borough cannot discriminate; if one company has insufficient coverage they cannot be denied. Councilman Bachmann noted the Williams Field area would be the least offensive by number of residents affected. The Administrator will ask Declan O'Scanlon of Gaelic Communications if the area is truly a dead zone.

3. New Milford Jewish Center – Meeting Report

Mayor DeBari recapped his recollections of the meeting with the Jewish Center; he noted the Trustees seemed very surprised when made aware of what was occurring at the school. Councilwoman Subrizi questioned the health and safety of the school; i.e. bathrooms, classroom sizes etc. Mayor DeBari advised the class presidents from both the Junior and Senior class were present at the meeting; those students were instructed to bring the discussion to the attention of the students. The Administrator confirmed the Tax Assessor has the information requested with regards to tax exemption. The school's Rabbi will contact the New Milford Superintendent of Schools regarding the use of school facilities. The Trustees asked Mr. and Mrs. Bell for time to prove they can be better neighbors.

4. Dental Insurance

The Administrator advised that without solicitation, a MetLife representative asked to quote for dental insurance with the Borough. The quote was provided at approximately \$7,500 per month, which is less than the Borough currently pays Delta. A copy was forward to Art Caughlan, Risk Manager for his review and recommendation. Art Caughlan provided his opinion in writing; he spoke with Delta regarding lowering their rates and they agreed. The Council discussed the matter and chose to follow Mr. Caughlan's recommendation and remain with Delta Dental.

5. Recycling Aftermarket Contract

The Administrator advised that Greenstar, who is the Borough's current aftermarket vendor, requested another opportunity. She advised them if they came back with another price, she would forward it to the Council. The Administrator noted their new commingled and OCC numbers were favorable; however all other aspects were more favorable with Atlantic. Mr. Moscaritolo suggested the Administrator ask Atlantic to match Greenstar; regardless she should prepare a resolution to award the contract to Atlantic for the next meeting.

6. Shade Tree vs. Sidewalks

Council President Putrino stated the Shade Tree Commission has reached out to surrounding towns regarding their ordinances. Paramus ordinance states as long as the resident uses an approved vendor, the town will reimburse them. The Commission is awaiting a response from River Edge, Oradell and the State Forestry Management. The Shade Tree meets this coming Thursday; he hopes to have more information. Mr. Moscaritolo discussed sidewalk immunity for single family homes; the homeowner is immune for liability.

Mayor DeBari advised the DPW cracked the sidewalk at 201 Bergen Avenue while performing sewer work; he asked Mike Calamari to look into it. The Administrator will follow up with Mr. Calamari.

ADMINISTRATOR

The Administrator referenced the 7-11 grand opening invitation to the Mayor and Council to be held November 13th. The organization was looking for a non-profit in town to donate \$711 to; Councilwoman Subrizi suggested Health and Human Services for the food bank, the Council agreed.

The Administrator referenced the report from Boswell regarding the flood mitigation; Mr. Rossi of Boswell will attend the Sept 27th meeting. This will allow the questions to be directed to Boswell and not the Mayor and Council or Administrator. Councilman Bachmann stated the DEP believes the value of the work will not benefit enough people. The Administrator advised the Borough has spent approximately \$140,000 to date on the project.

The Administrator referenced the memo from Dino Speroni, Sr. Van Coordinator regarding the necessity of another vehicle and approval for more hours. She advised that there will be additional cars available when the new police vehicles come through; however her concern is manpower. Councilman Bachmann questioned the percentage of driving in town vs. out of town; he is concerned that Borough employees are assisting the elderly residents in walking to and from their destination. The Administrator advised the drivers were notified that is not part of their job. Councilman Bachmann requested a log of one week, showing destinations and number of people for each trip; the Administrator will request that of Mr. Speroni.

The Administrator asked if the Council had any objections to linking the League's property tax report to the Borough website; no objections noted.

The Administrator reported there has been much discussion about the Best Practice Checklist recently sent from the state; she will discuss it further at the Riverside Coop meeting this Wednesday. She received input from the Auditor and CFO; she will respond by the deadline however some things are just not possible in the short time frame provided. She will keep the Council aware of her findings.

The Administrator reported the resolutions to accept first year options for both residential garbage collection and vegetative waste will be on the September 27th meeting agenda.

The Administrator advised that the Borough Hall will be closed on January 3, 2011; does the Council want to have the Reorganization Meeting on January 4th instead? The Council opted to have the meeting on Wednesday, January 5th.

The Administrator questioned if the Sullivan property should be listed on a future agenda, as discussed at the August 23rd meeting. Councilman Bachmann suggested a written letter be sent asking how much the Sullivan's want for the property. The Administrator advised the homeowner provided the fair market value as part of the FEMA application. Councilwoman Duffie noted the homeowner's were not willing to provide important information to our Grants Consultant; she introduced the son to Ms. Casey tonight and they had a conversation. Councilwoman Duffie noted there are other homes on Pine and Eagle that flood just as badly.

BOROUGH ATTORNEY

Mr. Moscaritolo reported he has been in communication with Mr. O'Scanlon regarding the agreement to relocate the fire horn to the cell tower. Mr. O'Scanlon is now claiming it is a liability; Mr. O'Scanlon noted he requested a design but has not received one. Council President Putrino noted the Fire Chief has been unable to get in touch with Mr. O'Scanlon; multiple phone calls have gone unanswered and no return call, therefore the Fire Department was unaware of the need for a design. Council President Putrino will make the Fire Department aware and asked the Administrator to invite Mr. O'Scanlon to meet with the Department.

Mr. Moscaritolo questioned who owns the fence between the Fire Training site and the DPW; the Administrator advised the DPW owns and removed it. Mr. Calamari informed her it will be reinstalled.

COUNCIL

Council President Putrino asked if the Council will attend the Fire House tour on September 29th; Councilwoman Subrizi is unable to attend, Councilman Bachmann will be late and all others will attend.

Councilwoman Subrizi asked if there is news of any of the apartment complexes being sold or are some just under new management. The Administrator advised Brookchester and Dorchester have a new management companies. Councilwoman Subrizi heard people are being evicted; she

asked if there is any truth to that. Councilwoman Duffie stated according to the Rent Leveling Board, there were a high number of vacancies, the new management companies were brought in to keep the current tenants.

Mayor DeBari asked that Councilwoman Duffie bring Donna Oettinger's issue to the attention of the Rent Leveling Board. Ms. Oettinger fell and was injured; she asked her complex for a handicap ramp and they denied her one as it is not their responsibility. The Administrator will provide Councilwoman Duffie with Ms. Oettinger's address.

Councilwoman Subrizi referenced the bill list and Caesar's Hotel listing for employees to attend the League of Municipalities convention; is it included in employees' contract. The Administrator advised the Finance Committee agreed to fund an education line; it should be up to the department head to decide if there is money available in their budget. Councilwoman Subrizi questioned why Sal Cuocci and Mike Calamari would both need to attend; Mr. Cuocci does not go for education. Mayor DeBari advised they go for separate classes; Mr. Cuocci goes for facilities management and Mr. Calamari looks at vehicles and other DPW machinery.

Councilman Bachmann advised the Ambulance Drill will occur; however the date is not to be made public.

Councilman Berner attended the Armenian Food Festival; he met the Principal and Vice Principal of the Hovnanian School. He noted they are looking toward more community involvement; he will provide their contact information to Public Events.

Councilwoman Subrizi noted there is another water company charette on September 15th.

RESOLUTIONS:

- 2010:196 Closed Session
- 2010:197 Payment of Bills and Vouchers
- 2010:198 Authorize the Execution and Delivery of the Loan Agreements for the 2010 NJ Environmental Infrastructure Trust Financing Program
- 2010:199 Authorize Combination of two bond authorizations for the 2010 NJ Environmental Infrastructure Trust Financing Program
- 2010:200 Endorse Bergen County Community Development grant application 12 of \$93,000 for Reichelt Road Resurfacing – Section 2
- 2010:201 Authorize Capital Alternatives to Prepare Grant Application for the Reichelt Road Resurfacing – Section 2
- 2010:202 Approve Raffle License for Cross Cultural International Institute (AKA New Hope for Children) for Off-Premise 50/50 on November 7, 2010
- 2010:203 Approve Amendment of Raffle License #2010:10 for Hovnanian School
- 2010:204 Oppose transfer of funds from the EMT Training Fund

COMMENTS FROM THE PUBLIC

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

Charlie Siefert, 53 Bulger Avenue came forward to address the Council. Mr. Siefert questioned if the children of the Jewish School come under the Borough or Board of Education insurance policy; Mayor DeBari advised they are not, the school must provide proof of their own insurance.

Jody Seifert, 53 Bulger Avenue came forward to address the Council. Ms. Siefert questioned the outcome of the School Resource Officers. Mayor DeBari advised the matter is still up in the air. Councilwoman Subrizi again suggested Mayor DeBari be the Board of Education liaison.

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

VOTE ON RESOLUTIONS

Councilman Bachmann made a motion to approve the consent agenda resolutions #2010:196 through #2010:204. Council President Putrino seconded the motion. All present in favor, none opposed.

ADJOURNMENT

Council President Putrino made a motion to adjourn. Councilwoman Subrizi seconded the motion. All present in favor, none opposed. Time 10:34 pm.

Respectfully submitted,



Colleen Naumov
Deputy Borough Clerk