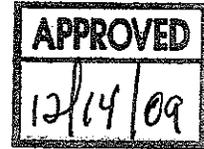


**MINUTES**  
**BOROUGH OF NEW MILFORD**  
**7:00 PM WORK SESSION**  
**Monday, September 14, 2009**



Councilman Arthur Zeilner	Present
Councilman Keith Bachmann	Present (7:33 pm)
Councilwoman Randi Duffie	Present
Council President Tina DeLucia	Present
Councilwoman Ann Subrizi	Absent
Councilman Michael Putrino	Present
Mayor Frank DeBari	Present

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

Mayor DeBari reads the Open Public Meeting and Mission Statements.

**CLOSED SESSION:**

The record reflects no closed session took place.

**OPEN SESSION:**

**PUBLIC HEARING: 2009 BUDGET AMENDMENT**

Mr. Wielkotz noted the Borough's tax levy waiver was approved at last weeks hearing in Trenton. Mr. Wielkotz stated if the Borough is under the same parameter again next year, and opts not to apply for extraordinary aid, it will not speed up the tax rate because the State will not release the tax levy to the county until the state budgeted is adopted. The estimated tax bills will still be necessary; they are a byproduct of the system, not of the application for extraordinary aid.

Councilman Putrino made a motion to open the 2009 budget amendment hearing to the public. Council President DeLucia seconded the motion. All present in favor, none opposed.

Mr. Wielkotz explained the 2009 budget amendments to the public; added grant money, reduced recycling revenue and adjusted some appropriation amounts. He reiterated he and Mayor DeBari went before the Local Finance Board at which time the Borough received approval for the tax levy cap waiver, increasing the municipal budget by 2.1%.

As there were no questions or comments from the public, Councilwoman Duffie made a motion to close the hearing to the public. Council President DeLucia seconded the motion. All present in favor, none opposed.

Councilman Putrino made a motion to approve resolution 2009:196 to adopt the 2009 budget. Councilman Zeilner seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

The Administrator referenced a check issued to United Water in 2002 that was never cashed, which the Borough recently canceled by resolution. She further noted United Water is claiming they were never paid; the Borough stands by the fact that they were paid however never cashed the check. Mr. Wielkocz stated the Borough has an obligation; if the check was canceled in 2009, it can be reissued and treated as a void. He noted if it was canceled in a previous year, then it cannot be paid until next year because it must be budgeted for. Mayor DeBari feels the Borough should not pay it; the Borough's accounting system reflects the bill has been paid. Mr. Moscaritolo believes the statute of limitations is six years, he will confirm.

**APPOINTMENTS:                    ANTHONY J. GOVERNALI – JR. FIRE DEPT.  
   ROBERT O'BRIEN – JR. FIRE DEPT.**

Councilman Putrino made a motion to appoint Anthony J. Governali and Robert O'Brien to the Jr. Fire Department. Council President DeLucia seconded the motion. All present in favor, none opposed.

1. Budget Committee Recommendations

Councilman Putrino distributed updated copies of the committee's recommendations as a result of the August 24<sup>th</sup> discussions. The committee requested bills for professional services be submitted monthly for budgeting reasons. Councilman Putrino noted some of the Borough's office equipment could be shared i.e.: printers, copy machines, etc., however the copy machine leases are not up until 2011. The Administrator disagrees; noting it would be less productive to have the constant disruptions.

Councilman Zeilner noted if a department wishes to change the designation of Capital Project money, approval must come from the Council.

Councilman Putrino noted Councilwoman Subrizi wished to discuss Borough revenues; the Council will revisit at a future meeting at which she is present. The Council discussed revenues; and will request revenue reports be forwarded to Council on a quarterly or six month basis. The Administrator asked the committee to specify which departments are needed. Councilman Bachmann noted Recreation has limited resources for preparing such reports.

Councilman Putrino discussed the Auditing of Utilities with the Council; he noted there are companies who will perform an audit on water, electric and telephone in the attempt to save the Borough money. Mayor DeBari will inquire to Mayor DeRienzo as to the status of their group audit and what it entails.

Councilman Zeilner noted the cleaning service contract for the Borough buildings is high and believes some of it could be performed in house. The Administrator believes the idea

of Borough employees performing cleaning duties is nonsensical. The Administrator will review the contract annually for the best prices.

Councilman Zeilner questioned the cost of the current lawn service and if it would be beneficial for a DPW employee to get a pesticide license. The Administrator will speak with Michael Calamari.

The Council discussed maintenance contracts, i.e. elevator, alarm, a/c, and agreed all should be reviewed annually for the best price.

The Council discussed the salaries of the secretaries to the Boards and Commissions; and realized it would not be a big savings to omit.

Councilman Putrino asked for recommendations with regards to the list of Trust Accounts; the Administrator noted they are available for the Council to review at their request.

Councilwoman Duffie recommended the Administrator prepare a reading file of requested information that can be brought to meetings for the Council's review; rather than copying every member.

The Council will table conversations regarding Recreation and Library for a future meeting since they were at Councilwoman Subrizi's request.

Councilman Putrino noted the cell phone discussion shall be postponed, as the Borough has recently changed plans.

Councilman Zeilner asked for recommendations on how to reduce overtime. The Council will discuss the overtime matter with Chief Papapietro. Councilman Zeilner noted the Police Department prepares overtime reports twice monthly; he noted the DPW should provide the Council with an overtime report as well.

Councilman Putrino questioned how raises are handled for non-union employees. The Administrator noted they traditionally receive equal to the unions. She further noted statutorily the Borough cannot deny the Tax Collector, Tax Assessor, CFO or Borough Clerk raises equal to that of other Borough employees. Mayor DeBari noted the contracts prohibit employees from receiving merit raises for exceptional work, unfortunately there is no incentive. The Council discussed the matter and it was decided nothing could be done to save money.

Councilman Zeilner questioned if there was a definitive need for the number of crossing guards the Borough currently has. He made clear there is no need to get rid of any positions; however once they quit or retire could the locations be relocated. Chief Papapietro stated they currently have 14, however are looking to get down to eight, after attrition.

Councilman Zeilner questioned if motion detector lights could be installed wherever possible on Borough buildings. The Council discussed energy saving opportunities the Borough may have.

Council President DeLucia and Councilwoman Duffie thanked the Committee for all their hard work.

2. No Parking on West Street – Sgt. Jones Memo 8/20/09

Chief Papapietro has received many complaints from residents regarding parking on West Street; residents understand any change will apply to them as well.

Councilman Bachmann questioned if the problem was parking overflow from the High School; Chief Papapietro stated yes. Councilman Bachmann noted if there is no parking allowed on West Street, they will park on the next street.

Councilwoman Duffie questioned if the Board of Education is aware of the current parking problem. Chief Papapietro said he spoke with Acting Superintendent Picardo.

Chief Papapietro feels no parking on West Street from 7:30 am to 3:30 pm is reasonable.

Councilman Bachmann questioned how many cars would be displaced; Chief Papapietro noted approximately ten.

Council President DeLucia noted it is a narrow, dead end street, requiring a three-point turn to get out. She has no objection to prohibiting parking on West Street from 7:30 am to 3:30 pm.

Councilwoman Duffie has no objection; however she feels the Board of Education should be notified to communicate to students to be more responsible when parking their vehicles.

Council President DeLucia requested the Administrator write a letter of response to the Board of Education with regard to Madison Plaza; explaining any further correspondence and/or complaints should be addressed to the County, as it was their decision.

Councilman Zeilner, Councilman Bachmann and Councilman Putrino agree with prohibiting parking on West Street during the times noted.

3. LOSAP – Ambulance Corps – Liquidation of Account

The Administrator explained the current LOSAP ordinance does not specifically identify that qualifying service is required for vesting and therefore needs to be adjusted.

Mr. Moscaritolo reviewed the current ordinance. His opinion is the individual in question has satisfied the requirements of the current ordinance and therefore is entitled to the

credit. Mr. Moscaritolo further noted the ordinance must match the LOSAP requirements and must be amended. The Administrator requested the Borough Attorney's opinion in writing.

As the Council Liaison to the Ambulance Corps, Councilman Bachmann stated the Ambulance Corps' official position is whatever the ordinance states should be followed.

The Council discussed the matter and was in agreement to follow the advice of the Borough Attorney.

The Administrator will prepare an authorizing resolution for the Borough to replace the funds into the individual's VALIC/LOSAP account.

#### 4. LOSAP – Proposed Plan Change

The Administrator stated the law changed regarding LOSAP and if the Borough wishes to adopt the updated plan document, then a resolution must be passed. Mr. Moscaritolo was not prepared to discuss and requested the topic be tabled for discussion at the September 28<sup>th</sup> meeting.

#### 5. Proposed COAH Opposition Resolution

The matter was tabled for discussion at later date.

### **ADMINISTRATOR**

The Administrator noted she spoke with Ms. Silva, an office worker at Beth Tikvah, regarding the meeting date scheduled for Yom Kippur. Ms. Silva stated it officially ends at 7:29 pm, therefore as a courtesy the meeting should be rescheduled or begin later. The Council discussed the matter and came to a consensus to begin at 7:30 pm. The Administrator will notice the newspapers.

The Administrator noted the joint auction with Oradell is scheduled for October 3<sup>rd</sup> beginning 9 am at the Oradell DPW.

The Administrator stated the bid openings for the Sanitary Sewer Rehab and Warren Street T-Ball are both scheduled for September 16<sup>th</sup>; the joint bid opening with River Edge for Leaves and Vegetative Waste is scheduled September 22<sup>nd</sup>.

The Administrator stated significant progress has been made with regards to 282 Ridge Street. Ms. Peggy Saslow approached the Administrator this afternoon requesting she make the Council aware of how pleased the neighbors are with the progress.

Mayor DeBari updated Councilman Bachmann on the budget numbers as discussed earlier with the Auditor; the budget resolution was pulled out and approved thereby adopting the budget.

## **RESOLUTIONS:**

- 2009:191 Closed Session
- 2009:192 Payment of Bills and Vouchers
- 2009:193 Authorize Refund of Duplicate Tax Payments, Various Blocks and Lots
- 2009:194 Approve Raffle License #2009:20 for NMHS PTO – Calendar Raffle
- 2009:195 Reappoint Deputy Clerk/Deputy Registrar – Colleen Naumov
- 2009:196 Adopt 2009 Municipal Budget
- 2009:197 Authorize Robbie Conley Architect to Complete Fire Co. #2 Feasibility Study
- 2009:198 Authorize Mayor to sign Landlord's Agreement and Consent to Leasehold Mortgage, Fixture Filing and Security Agreement with TD Bank, N.A.
- 2009:199 Authorize Mayor to sign Shared Services Agreement with the Borough of River Edge for the Collection and Disposal of Solid Waste
- 2009:200 Authorize Mayor to sign grant agreement with County of Bergen to use \$87,000 in 2009 Community Development funds for Reichelt Road Resurfacing

## **COMMENTS FROM THE PUBLIC**

Council President DeLucia made a motion to open the meeting to the public. Councilwoman Duffie seconded the motion. All present in favor, none opposed.

Jody Siefert, Bulger Avenue came forward to address the Council. Ms. Siefert thanked the Borough for notifying the neighborhood of the recent robberies.

Hedy Grant, Boulevard came forward to address the Council. Ms. Grant requested an update on the DEP permits. The Administrator read the August 31<sup>st</sup> Boswell letter into the record. Ms. Grant expressed displeasure with the further delay; the engineers should have had the preliminary information prior to this.

Ms. Grant expressed concern with the Crossing Guards allowing children to cross while the light is green, as opposed to waiting for the light to turn red. Councilman Zeilner will forward Ms. Grant's concern to Chief Papapietro.

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

## **VOTE ON RESOLUTIONS**

Councilman Putrino made a motion to approve resolutions 2009:191 through 2009:195 and 2009:197 through 2009:200. Councilman Zeilner seconded the motion. All present in favor, none opposed.

## **COUNCIL**

Council President DeLucia referenced the letter forwarded by the Library Director regarding the BCCLS. She stated the Library will hold a model demonstration on September 30<sup>th</sup> at 10 am to exhibit how the transfers are done.

Council President DeLucia referenced the letter regarding the Countywide Master Plan and Analysis and questioned where said plan could be viewed. Mayor DeBari noted she should check the County website for more information. Councilman Putrino suggested a liaison should be chosen to represent the Borough at any Countywide Master Plan meetings; he suggested Councilwoman Duffie as she has the most experience with the Borough's Master Plan. Councilwoman Duffie graciously accepted and would be happy to attend on behalf of the Borough.

Councilwoman Duffie noted the Flu Clinic is scheduled for September 23<sup>rd</sup> from 10 am to 2 pm at the Elks Club. She further stated the H1N1 vaccine should arrive sometime in October; the Board of Education will provide the vaccine to students and the Board of Health will provide it to residents.

Councilman Zeilner reported Clean Communities Day will be on Saturday, October 3<sup>rd</sup> beginning at 9 am; afterward will be the dedication of the tree farm to Diane Cardinali.

Councilman Bachmann requested clarification of the October meeting dates; the Administrator stated Wednesday, October 14<sup>th</sup> and Monday, October 26<sup>th</sup>.

Council President DeLucia acknowledged the passing of former Mayor, Mario LaBarbera; noting he was Mayor when she first moved to New Milford. He will be missed.

Councilman Putrino referenced the updated placemats with percentages; and requested the Administrator contact the departments who are over their budget, to provide their projections through the end of the year.

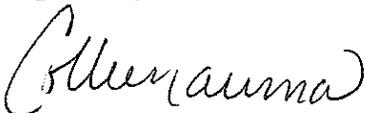
Councilman Putrino noted the Fire Department held elections this evening and requested Mayor DeBari visit the firehouse after tonight's meeting to administer the oaths to Lt. Matt Calan and Captain Tony Castella.

Mayor DeBari noted there are ten Israeli firefighters visiting the training academy; he offered New Milford's assistance to Chief Larry Rausch. Mayor DeBari was very displeased to find out upon contacting the NMF, Chief Rausch was informed New Milford would not assist because they will be in Wildwood. Councilman Putrino will forward the complaint to the Fire Department.

## **ADJOURNMENT**

Councilman Zeilner made a motion to adjourn. Councilman Bachmann seconded the motion. All present in favor, none opposed. Time 10:05 PM.

Respectfully submitted,



Colleen Naumov  
Deputy Borough Clerk