

MINUTES
BOROUGH OF NEW MILFORD
7:00 PM WORK SESSION
Wednesday, October 12, 2011



WORK SESSION:

Mayor Subrizi read the Open Public Meeting and Mission Statements.

Council President Howard Berner	Present
Councilwoman Randi Duffie	Present
Councilman Diego Robalino	Present
Councilman Peter Rebsch	Present
Councilwoman Celeste Scavetta	Present
Councilman Dominic Colucci	Present
Mayor Ann Subrizi	Present

Also Present: Arthur Neiss, for the Borough Attorney; Christine Demiris, Administrator/ Clerk

OPEN SESSION:

1. Revised Fire Hydrant Ordinance

The Administrator explained the revised ordinance requires the clearing of hydrants for commercial and multi-family dwellings. Councilman Colucci reviewed the proposed revised ordinance with the Fire Department; they had nothing to add. Councilwoman Duffie noted multi-family homes are considered three or more units; two-families are excluded. The Administrator will prepare the ordinance for introduction at the October 24th Public meeting.

2. Athletic Field Committee Report

Mr. Bigger reported George Adelung and Bill Wilde were added to the committee as members and the committee had their initial meeting last week. Mr. Bigger outlined the purpose of the committee; to research and provide recommendations to the Mayor and Council. Four possible sites have been identified for turf fields; DEO Middle School, Williams Field, the developer's gifted field and the High School Cafeteria Field. The Field Turf company provided two preliminary plans; the committee will meet again once they come back with additional and revised plans.

Council President Berner asked if provisions were made for bleachers, food stands, etc; Mr. Bigger asked the company to include what they can comfortably. Councilman Colucci asked if games may be held simultaneously; Mr. Bigger advised the field is large enough to accommodate.

Council President Berner expressed concern over the flooding at the High School Cafeteria Field; Councilwoman Duffie noted the Middle School Field has experienced drainage issues in the past.

Councilwoman Duffie suggested the Borough's Grants Consultant and the Board of Education's Grants Consultant work together to research funding opportunities.

Mr. Bigger advised the Turf Field Company is not charging for the preliminary plans.

3. FD#2 Structural Report – Boswell/FD Feedback

The Council decided to table the discussion until the November Work Session.

4. Memorial Street Sign Request – Sofia

Mayor Subrizi spoke of the recent death a 6½ year old girl from New Milford; she died of a rare disease called myocarditis. The family requested the street be memorialized by placing a small sign in her honor on the Howard Court street pole. Mayor Subrizi asked if the Council had any objections; Mayor Subrizi offered to pay for the sign personally. The Administrator expressed concern that it would open the door to many other requests.

Councilwoman Duffie noted years ago a family planted a tree on borough property in honor of a young mother who passed away. Mayor Subrizi will ask if the family is open to something similar.

5. After Action Meeting – Storm Preparation and Response

Mayor Subrizi noted the After Action meeting is scheduled for October 19th; at which the Mayor, Police Chief, Administrator and DPW Superintendent will discuss the details of the storm preparation, response and recovery. She asked if any of the Council members wish to attend; Councilmen Colucci and Rebsch as well as Councilwoman Duffie and Council President Berner would like to attend. The Administrator will sunshine notice the meeting; as it will have to be opened to the public.

6. Solomon Schecter Bike-a-Thon

The Administrator referenced the request and explained the comments received from the Borough's Risk Manager as well as Chief Papapietro. Chief Papapietro spoke with the coordinator today and was advised the event will be less intense than originally anticipated. The Administrator advised Solomon Schecter will be responsible for the police overtime as required by Chief Papapietro. Mayor Subrizi advised more notice is needed for any future events. Councilwoman Duffie suggested the Borough support the endeavor; however request the 25 mile run be eliminated. The Council agreed with Councilwoman Duffie's suggestion and had no other objections; provided the Risk Manager's requirements are satisfied. The Administrator will request a hold harmless agreement and a certificate of liability insurance.

7. NVE Request

Mayor Subrizi referenced the request for NVE to come in to offer free banking to Borough employees; she felt it is a captive audience and recommended the Borough respectfully decline, the Council agreed. Mr. Neiss advised they can make their services known by posting information on employee bulletin boards.

8. 1113/1115 Boulevard Water Complaint – Follow-Up

The Administrator explained the complaint of water run-off from construction on Allesandrini Avenue; she noted the Building and Health Inspectors visited the site. There is no evidence of the water draining from the neighboring property. The Health Inspector noted it is not the Borough's responsibility to advise the complainants on how to resolve the issue; they must do it on their own in a legal manner. As there is a standing water issue, the Health Department should pursue the matter; the Administrator will advise the complainants in writing that the new construction met all the requirements and there is no evidence of intentional draining.

9. Weatherization Program

Mayor Subrizi explained the Bergen County Community Action Partnership program; she highlighted the program is intended to help lower heating and electric bills, it is income based. The partnership has identified 764 clients in New Milford that are 4.5% below poverty level. The weatherization packet will be made available in the Clerk's office; and advertised via a press release and the Borough website. Councilwoman Duffie suggested the information should be sent to landlords/rental offices in the Borough as well as the Social Services Director.

10. Swim Club – Jay McNulty/Mary Ayoub

Mayor Subrizi read the letter received from the Swim Club dated July 14th regarding their request for concessions. Ms. Ayoub advised the club currently has vending machines; but they would like to expand to retain membership. The Swim Club is requesting the clause in their lease be removed thereby allowing them to have catered food brought in; there will be no cooking of food on premises. Mayor Subrizi read paragraph 16 of the current lease into the record, regarding concessions. Ms. Ayoub requested the Council allow for catered and/or vending machines. Membership is currently down; there are 550 bondholder slots and only 403 are filled. Ms. Ayoub noted some of the new things being offered to keep and promote membership.

Ms. Ayoub noted a waiver was requested on a year-to-year basis to allow for out-of-town members; she asked the Council to modify the lease to allow for said members.

Councilwoman Duffie expressed concern about garbage; Ms. Ayoub advised it is in a contained, fenced in area. Councilwoman Duffie asked if the club recycles; Ms. Ayoub advised they do not. Councilwoman Duffie asked that they please institute a policy.

Mr. Neiss advised what is needed for the lease amendment; the Swim Club will prepare a proposed amendment for the Council's review.

Ms. Ayoub noted oil drums floated from the DPW yard to the Swim Club during the recent hurricane; the Administrator will follow up with the DPW Asst. Superintendent.

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

CLOSED SESSION:

1. Review of Closed Session Minutes

2. Contract Negotiation
3. Personnel – P/T Violations Clerk
4. Personnel – Police Records
5. Personnel – Settlement Agreement

At the conclusion of the closed session Council President Berner made a motion to return to open session. Councilman Colucci seconded the motion. All present in favor, none opposed.

OPEN SESSION:

ADMINISTRATOR

The Administrator advised the Democratic Club and Shaaron Klinger wish to purchase benches to be placed at Hardcastle Pond in honor of former Councilman Joseph Murray and Bill Klinger; she asked if the Council had any objections. The Council had no objections; Mayor Subrizi asked that the Mayor and Council be included in the dedication.

The Administrator noted New Milford Junior Football requested a message on the LED sign asking for support at their home games. The teams have been unable to play at home due to the field damage; however they are having a great season. Generally the sign is for Borough business, but a High School event was advertised. Mayor Subrizi stated she has no problem with community events being posted.

The Administrator referenced Chief Papapietro's memo on a vehicle donation request from the Homeland Security Mobile Trauma Unit. Decommissioned vehicles are generally auctioned for very little return; the Borough's Risk Manger has no issue with our vehicle being donated as long as the Borough is released from any liability for the vehicle. The Council agreed; the Administrator will advise Chief Papapietro he may move forward with the donation.

The Administrator referenced a letter from Mr. Belle of 305 River Road with regards to littering and damage to property; she provided Chief Papapietro's feedback. She will follow up with PSE&G. Mayor Subrizi referenced the Board of Education's request to make them aware of issues of students littering.

The Administrator referenced a phone call she received today from Sgt. Gallagher of the NJ State Police regarding acquiring repetitive loss properties through FEMA. He noted at least fifteen properties are classified as severe repetitive losses; he will provide her the list via email. However reimbursable, the town must pay up front and then be reimbursed. She stated the Borough must provide a letter of intent by this coming Friday. Councilwoman Duffie expressed concern over the Borough spending time and money and ultimately the fund dries up. The Administrator will request an extension for the letter of intent.

The Administrator referenced a memo from Chief Papapietro regarding the repair shops; Mayor Subrizi noted it is not for discussion, it for informational purposes; she requested the Council receive updates when available.

COUNCIL

Councilman Colucci noted Fire Awareness Day is October 13th; the rain date is October 20th.

Councilman Colucci referenced a discussion with a homeowner regarding the Main Street bumpouts; Councilman Colucci suggested landscaping companies adopt and maintain said bumpouts. Councilwoman Duffie suggested a beautification committee. Council President Berner will bring the suggestion to the Chamber of Commerce and report back the names of registered landscapers.

Councilwoman Scavetta referenced Veteran's Day and asked what songs may or may not be sung; the Administrator noted the licensing fee has been paid; therefore any song may be used. Councilwoman Scavetta stated the citations will go out, however not name specific. Mayor Subrizi will distribute at the Veteran's Day Ceremony.

Councilwoman Duffie noted the sign ordinance review committee has been formed and will meet on October 20th at the Borough Hall. She confirmed they will review coverage and types of lighting; not the entire ordinance.

Councilwoman Duffie referenced the large amount of garbage piling up on the bridge on River Edge Road. Mayor Subrizi acknowledged garbage is being put out well in advance of pick up day. The Administrator will put information on the website as to what can and cannot be placed curbside and when pick up is.

Councilwoman Duffie referenced the boxes stacked in the Tax Collector office and Building Department; she asked about reconnoitering. The Administrator advised that Ms. Sapuppo, in the Building Department has met with several vendors to discuss scanning and saving plans; however there is a large cost involved. The Administrator will forward the Council's concern to the Tax Collector upon her return.

Councilman Robalino asked if the Council will speak about the pending United Water/Developer property at the next meeting. Mayor Subrizi advised the discussion was tabled due to the hurricane; she does not wish to proceed with any discussion of rezoning until everyone is clear on our expectations.

Councilman Robalino referenced the Governor's recent declaration of New Jersey as a disaster area; more funds are now available for the Blue and Green Acres programs. He requested the grants consultant speak to the Council about new opportunities. The Administrator will discuss the Borough's options with Capital Alternatives; if there are any opportunities she will have them attend the next meeting. Councilwoman Duffie noted the bonding can be financed over a number of years.

Council President Berner noted residential rentals offer the best return on investments; he believes the developer will make application for high density housing.

Councilwoman Duffie asked if the Borough refused their right to purchase the property in writing; the Administrator noted never in writing, however there was only a window of opportunity. She will look for the letter from the Developer advising the Borough of such.

Councilwoman Duffie asked Mr. Neiss for his opinion. Mr. Neiss noted the Borough had an opportunity to weigh-in once the environmental work was complete; but was unable to do so. Therefore, United Water chose to move forward with the Developer.

Council President Berner does not want this property to end up like Carlton Place; the Borough paid three times the value to avoid a builder's remedy lawsuit.

Councilwoman Scavetta expressed concern about opening the Borough up to a litigious situation with the Developer.

Mr. Neiss spoke with Tom Burten about donating the section that is non-developable to the Borough when he came before the Planning Board, yet he showed no interest.

Council President Berner advised the Borough should keep an eye out on the remediation of the old DPW yard in Dumont as it is so close to the Hirschfeld Brook. Mayor Subrizi noted the Borough Engineer has reviewed the plans and assured the Borough will not be affected.

Council President Berner referenced the Historic New Bridge Landing Park Commission; and noted when their Master Plan is filed with and accepted by the DEP it becomes an autonomous board, separate from the parks service. The parks service has continued to maintain the property despite the accepted master plan. The commission has discussed suing the DEP to segregate funds said to belong to the commission. New Milford is a part of the commission and could be adversely affected down the road.

Councilwoman Duffie questioned if the Borough is legally bound by any decision made by the commission; Council President Berner responded no.

Council President Berner is not yet a commissioner; his appointment must be confirmed by the Governor.

Mayor Subrizi noted the Borough has no financial responsibility to the commission; only historical.

Mayor Subrizi noted the BPU meeting scheduled for tomorrow was canceled; there was not yet enough information to share about flood preparedness and response.

Mayor Subrizi stated United Water requested time at the November 28th public meeting to allow the public an opportunity to view the presentation previously viewed by the Mayor and Council. This will allow for a question and answer period.

Mayor Subrizi noted contract negotiations are ongoing; as all union contracts are up on December 31, 2011.

Councilwoman Duffie made a motion to open the meeting to the public. The motion was seconded by Councilman Rebsch. All present in favor, none opposed.

Jody Siefert, Bulger Avenue came forward to address the public. Ms. Siefert referenced the no parking ordinance and noted it is not being enforced on Luhmann Drive and Bulger Avenue. She was advised by the police department that cars may be parked overnight as long as the owner notifies the police department. She was advised by an officer to bring her concerns to the Mayor and Council. The Administrator referenced a memo from Sgt. Jones; she will redistribute said memo for consideration at a future work session meeting. The Administrator will confirm with Chief Papapietro whether or not a reason is required when the vehicle is called in.

Ms. Siefert referenced a letter she received from a nearby homeowner, notifying her of proposed demolition. She asked how zero runoff is determined if there is no need to appear before a board; she

expressed concern over how to prove whether or not her home gets additional water once the new home is complete. Mr. Neiss advised she must speak to an attorney.

As there were no other members of the public wishing to comment Councilman Colucci made a motion to close the meeting to the public. Councilwoman Scavetta seconded the motion. All present in favor, none opposed.

RESOLUTIONS:

- 2011:209 Closed Session
- 2011:210 Payment of Bills and Vouchers
- 2011:211 Authorize purchases through the State's Division of Purchase and Property – Additional Approved Vendors
- 2011:212 Approve sharing percentage with Borough of River Edge for third year of a five year agreement for the Complete Solid Waste Collection Service from 1-4 Family Residences
- 2011:213 Authorize Emergency Appropriation in Accordance with N.J.S.A. 40A:4-46 – Various Budget Line Items
- 2011:214 Authorize Refund of Building Department Permit #1109-56 in the amount of \$64.00
- 2011:215 Approve Bingo License #2011:01 – New Milford Junior Football
- 2011:216 Authorize Mayor to sign Grant Agreement with County of Bergen – Reichelt Road Resurfacing – Phase 2
- 2011:217 Award Base Bid and Alternate Bid for Barrier Free Curb Ramps to P.A. Contractors in the amount \$99,616.75
- 2011:218 Approve recommendation for full-time employment of Patricia Supino
- 2011:219 Approve Settlement Agreement – As per DeCotiis, Fitzpatrick & Cole Letter dated October 7, 2011

VOTE ON RESOLUTIONS

Councilwoman Duffie made a motion to approve the consent agenda 2011:209 through 2011:219. Councilman Robalino seconded the motion. All present in favor, none opposed.

ADJOURNMENT

Councilwoman Scavetta made a motion to adjourn. Councilman Robalino seconded the motion. All present in favor, none opposed. Time 10:44 PM.

Respectfully submitted,



Colleen Naumov
Deputy Borough Clerk