

**MINUTES
BOROUGH OF NEW MILFORD
7:00 PM WORK SESSION
Monday, November 14, 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: Mark Madaio, Borough Attorney; Christine Demiris, Administrator/ Clerk

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

CLOSED SESSION:

1. Personnel – Deputy Tax Collector/Payroll Supervisor
2. Personnel – P/T Police Records Clerk*
3. Personnel – DPW – Settlement Agreement
4. Personnel – DPW – Final Disciplinary Action

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

OPEN SESSION:

1. JIF Renewal – Art Caughlan

Mr. Caughlan explained the JIF's Retro Rating system; highlighting it is imperative to minimize any claims we can. Bergen County used to be highly ranked; we are currently near the bottom. The rate will be based on the municipality's experience; and will be held more accountable. There is a modest increase for 2012; however if the claims go through the roof the Borough will be back charged in 2013, 2014 and 2015 for adverse claims. He advised an independent carrier will not match the coverage JIF affords the Borough. It was suggested bringing employees back on modified duty; a policy should become part of the union agreements. Mr. Caughlan noted the liaisons need to be more involved in their departments; the Council should also be made aware of the quarterly safety meetings.

2. IRC Section 125 – Cafeteria Plan Requirement

The Administrator explained the other requirements to be implemented in addition to the pension changes. She referred the Council to Local Finance Notice 2011-20 for a more detailed explanation; the notice may be found on the Division of Local Government Services website.

She referenced a chart of companies available to administer the cafeteria plans. The Administrator will forward said chart to the Council for their review; she will list it for a decision at the November 28th meeting for implementation on January 1st.

3. Letter Dated 10/22/11 – Regarding the Keeping of Poultry

Mayor Subrizi referenced the Board of Health ordinance prohibiting the keeping of poultry in New Milford. Mr. Madaio noted it is a very common ordinance; he reviewed the issues of noise and sanitation as well as the Health Inspector's response. The Administrator advised the ordinance falls under jurisdiction of the Board of Health; not the general ordinances. The Administrator noted it is not in the Mayor and Council's purview to change the ordinance. The homeowner was present and was referred to the Board of Health.

4. Overnight Parking

Mayor Subrizi reviewed the current overnight parking regulations; she then referenced the memo from Sgt. Jones. Mayor Subrizi noted the Council's options; allow overnight parking for emergencies only, eliminate overnight parking altogether or implement a sticker program. The Administrator noted the driveway width limitations; if a homeowner cannot widen their driveway to accommodate a growing family they have no option but to park on the street. The Administrator will request a two week sample of the overnight parking list from the police department. Councilwoman Duffie requested the Administrator arrange to have Chief Papapietro or Sgt. Jones attend a work session to further discuss.

5. Flood Debris Handout

The Administrator reviewed the previously distributed handout; she noted the types of debris that can and cannot be left curbside. After discussion, the Administrator will amend to make specific reference to paint cans, electronics and white ware.

ADOPT ORDINANCE #2012:23

AN ORDINANCE TO AMEND CHAPTER IX OF THE ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED "DRUG FREE ZONES," THEREBY AMENDING SECTION 9-1 ENTITLED "DRUG FREE SCHOOL ZONES"

Council President Berner made a motion to open to the public for comment on the adoption of this ordinance. Councilwoman Scavetta seconded the motion. All present in favor, none opposed.

Ms. Siefert, Bulger Avenue came forward to address the Council. Ms. Seifert asked for clarification on the ordinance; the Administrator provided an explanation.

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

Council President Berner made a motion to adopt this ordinance on its second and final reading. Councilwoman Duffie seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

RESOLUTIONS:

- 2011:230 Closed Session
- 2011:231 Payment of Bills and Vouchers
- 2011:232 Approve Raffle License #2011:17 – New Milford-Teaneck Lodge #2290 BPOE
- 2011:233 Approve Social Affairs Permit – French Academy of Bilingual Culture – 11/18/11
- 2011:234 Authorize Refund of Building Department Permit #1110-46 in the amount of \$47.00
- 2011:235 Oppose United Water Rate Increase
- 2011:236 Approve 2012 Holiday Schedule
- 2011:237 Approve 2012 Mayor and Council Meeting Dates
- 2011:238 Authorize Mayor to sign Bergen County Department of Health Services Agreement for 2012 Public Health Shared Services
- 2011:239 Authorize Issuance of Requests for Qualifications for Professional Services
- 2011:240 Approve 2011 Appropriation Budget Transfers
- 2011:241 Authorize Mayor to sign Interlocal Service Agreement with the Borough of Wyckoff
- 2011:242 Appoint Deputy Tax Collector/Payroll Supervisor – Anne Melikian
- 2011:243 Authorize Mayor to sign grant agreement with County of Bergen to use \$125,000 in 2010 Open Space Funds for Kennedy Memorial Field Lighting*

Council President Berner requested 2011:235 be pulled from the consent agenda for a separate vote.

Councilwoman Duffie referenced 2011:241 and noted sections “c” and “d” should note the location as New Milford Borough Hall, not town hall.

ADMINISTRATOR

The Administrator asked if the Council had any objections to her posting the Request for Qualifications only on the website; no objections noted.

The Administrator referenced Ms. Fenske’s retirement at the end of November; and advised the buyout is approximately \$32,000 which was unanticipated in the budget. Council President Berner asked if the Council could put something in the budget to plan for unexpected retirements; Mayor Subrizi noted with the 2% cap, if unanticipated retirement payouts were budgeted for it would take away from the operating expenses.

The Administrator asked the Council liaisons to remind their committees/commissions to secure the building after any meeting; please be sure all windows and doors are locked.

The Administrator referenced the Drug Alliance’s request for use of the Borough field in August 2012 for a carnival. Mayor Subrizi noted it should be coordinated with Recreation and National Night Out.

COUNCIL

Councilwoman Scavetta noted Easter Seals will have a huge cut in their budget and will no longer be able to provide helpers to the Senior Center. In order to provide services needed, the Council needs to explore hiring a part-time employee. The Senior Center Director recommends hiring Joan Russo, a current Easter Seal trainee, for twenty hours per week beginning in 2012. Councilwoman Scavetta referenced the number of people who attend the Center daily as well as Saturday mornings.

Councilwoman Scavetta noted a manhole cover is loose near 356 Boulevard; the Administrator will notify the DPW. Councilwoman Scavetta noted a PSE&G pole near 356 Boulevard is cracked and needs to be removed; the Administrator will contact Mr. Hollenbeck.

Council President Berner noted the Historic New Bridge Landing Park Commission will not pursue a suit against the DEP; they have chosen to appeal to the Legislators to add a line item in the budget for the commission. There is discussion of putting food services along the parking lot; money generated will be used for park services. Governor Christie supports these types of ideas.

Councilman Colucci spoke with Fire Chief Leonardi regarding budget transfers that are needed. They are also requesting tablets for the Chief's vehicles; however the expense would be in the internet service.

Councilman Colucci asked if there is an ordinance limiting the number of cars parked in a driveway; the Administrator advised no.

Councilman Rebsch received complaints about vehicles speeding on Graphic Blvd. between River Road and Boulevard; the Administrator will forward the concern to Chief Papapietro.

Councilman Robalino asked what can be done about the geese problem. Mayor Subrizi advised she approached the Geese Police a few years ago; the cost at that time was \$30,000 plus \$100 each egg added. The Administrator was contacted earlier in the year by a gentleman who assists Dorchester Manor with their geese problem; she will speak to him.

Councilwoman Duffie noted the American Flag at the Library needs to be replaced. The Board of Health and Library Board wish to name the circle at the Library in honor of Dan Harmatz; as he has been the Chairman of both for an unprecedented number of years.

Councilwoman Duffie asked if Dr. Boswell will attend the November 28th meeting; the Administrator advised Ms. Batistic will attend, she will request Dr. Boswell attend as well.

Councilwoman Duffie referenced the repair shop memo from Sgt. Jones and she is unhappy with the fence suggestion; she asked where the Council stands. The Council does not agree with the fence option. The police continue to take action; Mayor Subrizi suggested waiting for the court's decision.

Councilwoman Duffie asked if the Council had any comments regarding the recent articles about the Borough's Moody rating or United Water.

Councilwoman Duffie asked what was done with the resident's bottle of brown water from home. Mayor Subrizi advised she brought it to United Water however they were unable to use it; the sample needs to be in glass, she was advised by United Water representatives they will look into it.

Councilwoman Duffie referenced a plaque honoring former Mayor Frank DeBari installed at Hardcastle Pond. The Administrator advised the improvements were not complete the last time she visited the site. Councilwoman Duffie hoped the former Mayor would be honored by the Council and others; she was advised that was always the intent.

Mayor Subrizi read a prepared statement regarding the Moody's rating.

Mayor Subrizi referenced the memorial street sign for the Sofia family on Howard Court and asked for permission to move forward; the Council had no objections.

COMMENTS FROM THE PUBLIC

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

Don Low, owner of Fresh & Fancy Farms on River Road came forward to address the Council. Mr. Low referenced the letter he received from the Bergen County Soil Conservation District approving his farm management plan. The Council confirmed the approval; the Administrator was provided a copy of the letter. Mr. Low advised he will go before the Zoning Board for a variance for the height of the barn greenhouse. Mayor Subrizi advised the Zoning Officer is the first stop for all matters regarding the easement.

Donna Colucci, 223 Bergen Avenue came forward to address the Council. Ms. Colucci requested clarification of the definition of the keeping of poultry and if it includes pigeons. Mayor Subrizi advised the ordinance allows for homing pigeons.

Gus Bachmann, 258 Stevens Court came forward to address the Council. Mr. Bachmann referenced the damaged PSE&G pole on River Road and noted another on Ridge that has been replaced but the old pole remains; the Administrator will contact the utility.

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

VOTE ON RESOLUTIONS

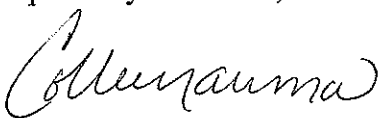
Council President Berner made a motion to approve the consent agenda less resolution 2011:235. Councilman Robalino seconded the motion. All present in favor, none opposed.

Councilman Robalino made a motion to approve resolution 2011:235. Councilwoman Duffie seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

ADJOURNMENT

Councilman Robalino made a motion to adjourn. Councilman Rebsch seconded the motion. All present in favor, none opposed. Time 9:35 PM.

Respectfully submitted,



Colleen Naumov
Deputy Borough Clerk