

**MINUTES**  
**BOROUGH OF NEW MILFORD**  
**SPECIAL MEETING - 6:30 PM**  
**Monday, April 2, 2012**



**WORK SESSION:**

The Work Session was opened at 6:36 PM. Mayor Subrizi read the Open Public Meeting and Mission Statements.

Councilwoman Randi Duffie	Present
Councilman Austin Ashley	Present
Councilman Diego Robalino	Present
Councilman Dominic Colucci	Present
Councilwoman Hedy Grant	Present
Council President Howard Berner	Present
Mayor Ann Subrizi	Present

Also Present: Christine Demiris, Administrator/Clerk; Michael Calamari, Asst. Superintendent DPW

**OPEN SESSION:**

The Administrator reviewed the recent bid for the road program. The Council discussed the amount budgeted for the road program and decided to award the base bid, alternate bid #2 and alternate bid #3; totaling \$225,000 for roads and \$35,000 for curbs.

1. Budget Review

*Capital Budget*

Mr. Calamari quickly noted the budgeted amount for the chipper is incorrect; it should be \$65,000 not \$19,000. Mayor Subrizi asked if the DPW could make do with purchasing one dump truck rather than two; Mr. Calamari agreed and noted the one dump truck (Kermit) is completely broken-down. Councilman Ashley asked if the DPW could make due with a smaller mason dump truck; Mr. Calamari noted he could probably make due with a truck in between the mason and the larger dump truck.

Councilman Colucci noted Fire Company #1 is in need of concrete repair estimated at \$2,200; that will be added to Buildings and Grounds under Capital. Mayor Subrizi noted \$20,400 needs to be added to the Capital Budget to cover Phase I of the Hirschfeld Brook project.

Mayor Subrizi asked for a consensus on the proposed \$896,650 Capital Budget; Councilman Robalino made a motion to move forward with that amount.

Councilwoman Grant asked for a better explanation on the request for police radios; and would like the Fire Department to get two of the cheaper thermal imagers.

Mr. Calamari left the meeting at 8:07 PM.

Councilman Colucci explained the Capital Budget has always included estimates; departments cannot get exact figures until the projects/equipment are bid.

Councilman Ashley would like to remove the DPW requests for a chipper and dump truck from the Capital Budget.

The Mayor and Council decided to review the Capital Budget line by line again.

After much discussion, the Council decided to fund additional Capital money for Fire Department repairs, correct the amount for the chipper, reduce the amount for one dump truck, and eliminate the police radios and both alternate #2 and #3 from the road program.

The Administrator will advise the Bond Counsel to prepare the Capital Ordinance for introduction at the next meeting.

The Administrator updated the Council on the Hazard Mitigation Grant Program; noting the Borough has permission to move forward with the acquisition of the first five homes on the list. The Borough has three years to complete the project from start to finish.

### *Operating Budget*

The Administrator reviewed the additions to the operating budget; she noted the interest from the note on principal, FEMA revenue and the SRO money for the second half of the year from the Board of Education.

Councilwoman Grant believes the Tax Assessor's line can be reduced from the estimated \$203,000 to \$152,000. She referenced the reserve for expert testimony for the years 2013-2015; the Administrator will ask the Assessor if that can be removed from this year's budget.

Councilman Ashley suggested the reassessment be paid out of surplus as it is not a reoccurring cost. Council President Berner expressed concern about paying the entire amount out of surplus. Councilwoman Duffie asked what the average surplus maintained has been over the past five years; the Administrator noted she does not remember it ever being under \$200,000.

The Council reviewed the operating budget's revenue and appropriations line by line; they will leave the surplus decision for last.

Mayor Subrizi questioned the Library salary line; noting it was \$15,000 more than the 2% percent allowed. Councilwoman Grant noted librarians are brought in on an as needed basis to fill in for vacationing full-time staff; as well as a part-time children's room assistant was hired. Mayor Subrizi noted the Library's requested \$149,000 operating expense line does not include the \$34,000 contribution to medical insurance as it has in the past. The Administrator advised they are unable to fund it.

The Administrator will advise the Auditor to revise the budget document as discussed for the April 9<sup>th</sup> meeting.

Mayor Subrizi expressed concern over lowering the surplus too much in case of an emergency.

Councilman Robalino will not be attending the April 9<sup>th</sup> meeting; he would like to maintain \$250,000 in surplus allowing the use of \$65,000.

### COMMENTS FROM THE PUBLIC

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

Jody Seifert, Bulger Avenue came forward to address the Mayor and Council. Ms. Seifert asked who does not contribute to medical coverage; Mayor Subrizi advised as of 2012, everyone contributes.

As there were no further comments from the public, Councilman Colucci made a motion to close the meeting. Council President Berner seconded the motion. All present in favor, none opposed.

### RESOLUTIONS:

2012:122 Authorize Issuance of \$2,500,000 Tax Anticipation Note

2012:123 Authorize Mayor to sign State-Local Grant Agreement Hazard Mitigation Grant Program with State of New Jersey Office of Emergency Management

\* 2012:124 Authorize Mayor to sign Contract for Providing a Re-Assessment of All Real Property for Tax Equalization Purposes

Councilman Robalino made a motion to approve resolution 2012:122. Council President Berner seconded the motion. The motion passed on a roll call vote; all present in favor, none opposed.

Councilwoman Duffie made a motion to approve resolution 2012:123 through 2012:124. Councilwoman Grant seconded the motion. All present in favor, none opposed.

### COUNCIL


Councilman Robalino questioned the status of the free for all prescription plan; Mayor Subrizi noted the County has a program GSPOPS which provides no revenue to the Borough, however we can ask Art Caughlan for his opinion.

Councilman Colucci advised that Fire Company #2 would like the Council to revisit their renovation discussion. The Administrator will request Angelo DeCarlo to attend the May Work Session.

### ADJOURNMENT

Councilwoman Grant made a motion to adjourn the meeting. Councilman Robalino seconded the motion. All present in favor, none opposed. Time 10:50 PM.

Respectfully submitted,

  
Colleen Naumov  
Deputy Borough Clerk

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION**

No. 2012:122

Offered by: 

Seconded by: 

Member	Aye	No	Abstain	Absent
DUFFIE	✓			
ASHLEY	✓			
ROBALINO	✓			
COLUCCI	✓			
GRANT	✓			
BERNER	✓			
MAYOR (tie)				

RESOLUTION AUTHORIZING THE ISSUANCE OF  
\$2,500,000 TAX ANTICIPATION NOTES OF  
2012 OF THE BOROUGH OF NEW MILFORD,  
IN THE COUNTY OF BERGEN, NEW JERSEY  
AND PROVIDING FOR OTHER MATTERS  
IN CONNECTION THEREWITH.

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BE IT RESOLVED by the Borough Council of the Borough of New Milford, in the County of Bergen (the "Borough"), as follows:

Section 1. The Borough Council of the Borough has ascertained and hereby determines and declares that the Chief Financial Officer has, by direction of the Borough Council, made and filed in the office of the Borough Clerk a certificate reading as follows:

"CERTIFICATE OF THE CHIEF FINANCIAL OFFICER SHOWING GROSS BORROWING POWER OF THE BOROUGH WITH RESPECT TO TAX ANTICIPATION NOTES OF 2012 OF THE BOROUGH OF NEW MILFORD, IN THE COUNTY OF BERGEN, NEW JERSEY.

The undersigned Chief Financial Officer of the Borough of New Milford, in the County of Bergen, hereby certifies pursuant to the provisions of Section 66 of the Local Budget Law as follows:

(a) The gross borrowing power of the Borough in respect to tax anticipation notes of the fiscal year beginning January 1, 2012, being 30% of the tax levy of the next preceding fiscal year, which ended December 31, 2011, for all purposes, plus 30% of the amount of miscellaneous revenues realized by the Borough in cash during such next preceding fiscal year, is \$14,856,862.

(b) The amount of notes of the Borough outstanding in anticipation of the collection of taxes of such fiscal year beginning January 1, 2012, except such notes as will be renewed by or paid from the proceeds of the notes to be issued, is \$-0-.

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION**

No. 2012:122

Offered by:..... Seconded by:.....

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(c) The net borrowing power of the Borough, being the excess of the first over the second of the two above amounts, is \$14,856,862.

IN WITNESS WHEREOF, I have hereunto set my hand as Chief Financial Officer of the Borough, this \_\_\_ day of \_\_\_\_\_, 20\_.

Chief Financial Officer  
Borough of New Milford  
County of Bergen  
State of New Jersey."

Section 2. Pursuant to the Local Budget Law, the Borough shall borrow the sum of \$2,500,000 in anticipation of the collection of taxes levied or to be levied in and for the fiscal year beginning January 1, 2012, and in anticipation of other revenues for such fiscal year, and, for the purpose of borrowing said sum there shall be issued Tax Anticipation Notes of 2012 of said Borough, and any renewals thereof, of the aggregate principal amount of \$2,500,000.

Section 3. The notes issued pursuant to this resolution shall be negotiable notes payable to bearer, and shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law, and such interest shall be payable at the maturity of such notes. The notes shall be dated on or about the date of their issuance and any renewals of said notes, if any, shall mature and be payable within 120 days after the beginning of the succeeding fiscal year. The issuing officers are authorized to provide that the notes may be redeemable at the option of the Borough.

Section 4. The Mayor and the Chief Financial Officer are hereby authorized to execute said notes, and the Borough Clerk is hereby authorized to affix the seal of the Borough to such notes and to attest such seal and said notes, and said officers are hereby authorized to issue said notes in such form as they may adopt in conformity with law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes, and that said notes are within every debt and other limit prescribed by the Constitution or statutes of New Jersey.

Section 5. The Chief Financial Officer is hereby authorized to sell said notes from time to time, at not less than par and accrued interest and to determine within the limitations prescribed by this resolution, the date, maturity date, and denomination of said notes, and the rate of interest said notes shall bear and to deliver such notes upon receiving the purchase price to be paid therefor.

Section 6. All sums borrowed by the issuance of said notes shall be applied only to the purposes provided for in the budget adopted by the Borough for the fiscal year beginning January 1, 2012, or to purposes for which taxes are levied or are to be levied for such fiscal year.

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION**

No. 2012:122

Offered by:..... Seconded by:.....

Section 7. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Borough (including the Tax Anticipation Notes of 2012) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code").

Section 8. The Borough Council hereby designates the Tax Anticipation Notes of 2012 as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code. It is hereby determined and stated that (1) the Tax Anticipation Notes of 2012 are not "private activity bonds" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of tax-exempt obligations (other than private activity bonds) during the calendar year 2012. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, the Borough does not covenant to do so, and expressly states that a covenant is not made hereby.

Section 9. This resolution shall take effect immediately upon its adoption.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on April 2, 2012.

SEAL

*Cristina Benvenuto*

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012:123

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
DUFFIE	✓			
ASHLEY	✓			
ROBALINO	✓			
COLUCCI	✓			
GRANT	✓			
BERNER	✓			
MAYOR (tie)				

**WHEREAS**, the Mayor and Council of the Borough of New Milford wish to enter into a grant agreement with the State of New Jersey, Office of Emergency Management for the purpose of using \$1,612,301 in HMGP-4021-NJ-0011 for the acquisition of property that has been determined to be eligible to be voluntarily acquired by the Borough of New Milford, Bergen County (to the extent that funding is available); and

**WHEREAS**, the Council hereby authorizes Mayor Ann Subrizi to sign the grant agreement and the Borough Clerk to attest to the same; and

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of New Milford have adopted this resolution at a meeting held on April 2, 2012 and that a copy of the resolution shall be forwarded with two (2) copies of the signed agreement to the State of New Jersey, Office of Emergency Management, P.O. Box 7068, West Trenton, NJ 08628.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on April 2, 2012.

[Signature]

SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2012: 124  
*[Signature]*

Offered by: *[Signature]*

Seconded by: *[Signature]*

Member	Aye	No	Abstain	Absent
DUFFIE	✓			
ASHLEY	✓			
ROBALINO	✓			
COLUCCI	✓			
GRANT	✓			
BERNER	✓			
MAYOR (tie)				

**WHEREAS**, the Mayor and Council of the Borough of New Milford wish to enter into an agreement with Appraisal Systems, Inc. to provide Technical Assistance to the Tax Assessor for a Re-assessment for Tax Year 2013; and

**WHEREAS**, a Contract for Providing a Re-Assessment of All Real Property for Tax Equalization Purposes has been submitted by Appraisal Systems, Inc. and has been reviewed and approved by the Borough Attorney.

**NOW THEREFORE BY IT RESOLVED**, the Borough Council hereby authorizes Mayor Ann Subrizi to sign said Contract and the Borough Clerk to attest to the same; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be forwarded with two (2) copies of the signed agreement to the Tax Assessor.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on April 2, 2012.

*[Signature: Ann Subrizi]*

SEAL