



**BOROUGH OF NEW MILFORD  
PLANNING BOARD  
PUBLIC SESSION MINUTES**

**February 18, 2014**

Chairman DeCarlo called the work session of the New Milford Planning Board to order at 7:36 pm. The Chairman read the Open Public Meetings Act. All recited the Pledge of Allegiance.

**ROLL CALL**

Chairman DeCarlo	Present
Mayor Subrizi	Absent
Secretary Scavetta	Absent
Council Liaison Grant	Present
Vice Chairman Pecci	Present
Mr. Appice	Absent
Mr. DaCosta	Absent
Mr. Mottola	Absent
Mrs. Prisendorf	Present
Mr. Tsakalis	Present
Mr. Prendergast, Alt. 2	Absent
Mr. Abrahamsen - Attorney	Present
Mrs. Batistic – Engineer	Present

**PUBLIC SESSION**

Chairman DeCarlo advised the board members that it was mandatory to authorize the Board Attorney to accept service of the summons and complaints since the Planning Board has been named in a litigation matter. He explained that the Board has extended the appointment of Mr. Abrahamsen, but a new request for RFQ's has delayed appointing a 2014 Planning Board attorney. Mr. Abrahamsen explained in the interim, if the resolution is approved, it would allow him to accept service and to request an extension of time from the plaintiffs, pursuant to New Jersey Court rules within which the Board may file a responsive pleading.

**Motion** by Mrs. Prisendorf, seconded by Councilwoman Grant, to approve the resolution authorizing Mr. Abrahamsen to accept service of the summons and complaints in the litigation matter, and to request an extension of time within which the Board may file a responsive pleading.

Mrs. Prisendorf	For the motion
Ms. Grant	For the motion
Vice Chairman Pecci	For the motion
Mr. Tsakalis	For the motion
Chairman DeCarlo	For the motion

The resolution was unanimously approved on a vote of 5-0.

Chairman DeCarlo recommended pending the Soil Moving Permit ordinance until the February 25<sup>th</sup> meeting due to only having a quorum for the February 18<sup>th</sup> meeting. Board Engineer explained most of the discussion and changes were made at the January 28<sup>th</sup> meeting. She said revisions have been made and sent out to the Board. After a brief discussion it was advised to have Mr. Abrahamsen prepare a resolution for the February 25<sup>th</sup> meeting to recommend to the Mayor and Council the soil moving permit. He advised the board that if the Mayor and Council would like to revise the ordinance or have questions with the recommendation of the Planning Board, it would come back to the Planning Board to be discussed further. All members were in agreement.

**Motion** by Councilwoman Grant, seconded by Vice Chairman Pecci, and carried by all to open the meeting to the public.

John Rutledge, 335 River Road, had concerns with the dumping of snow on the United Water property. He was concerned that snow was being trucked in and dumped. Board Engineer stated that she was informed by the building department and although there are guidelines there is not a violation of how close to the river.

**Motion** by Councilwoman Grant, seconded by Vice Chairman Pecci, and carried by all to close the meeting to the public.

Board members wanted to know the status of the ShopRite which recently had their structural integrity compromised with the recent snow storms. The Zoning Officer advised the members that the construction official, fire official, and police chief have all visited the site and are awaiting a structural engineer report from Inserra, the owners. She said until a structural report from a certified engineer was received the Shoprite had to remain closed.

As there was no further business to be conducted by the Board, a **motion** to

adjourn was offered by Ms. Grant seconded by Vice Chairman Pecci, and carried by all. Chairman DeCarlo said the next meeting will be held on February 25, 2014 at 7:30 pm and directed the secretary to notice it as a combined meeting.

Respectfully submitted,



Maria Sapuppo  
Recording Secretary