

**MINUTES**  
**BOROUGH OF NEW MILFORD**  
**7:00 PM WORK SESSION**  
**OPEN SESSION immediately following**  
**7:45 PM PUBLIC MEETING**  
**Monday, January 24, 2011**



Celeste Scavetta was sworn in by Mayor Subrizi to fill the Council vacancy immediately preceding the opening of the work session.

**WORK SESSION:**

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

Also present: Mark Madaio, Borough Attorney; Christine Demiris, Administrator/Clerk

Mayor Subrizi read the Open Public Meeting and Mission Statements.

**CLOSED SESSION:**

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

1. Personnel – Property Maintenance
2. Collective Bargaining Agreements

Councilman Robalino made a motion to back into open session. Council President Bachmann seconded the motion. All present in favor, none opposed.

**OPEN SESSION:**

Mayor Subrizi officially welcomed Councilwoman Scavetta to the Council and advised she is the liaison to Public Events and the Senior Advisory Board. Councilwoman Scavetta asked if she must attend Newly Elected Officials training; Mayor Subrizi advised it is not mandatory. Councilman Berner advised Rutgers may have a session in March.

**ADMINISTRATOR**

The Administrator referenced the discussion at the last meeting regarding rebidding the recycling contracts. She was advised by the CFO that the Borough cannot rebid and then renew on the option. The Administrator asked again if the Borough should renew the option or take the chance and rebid. Mayor Subrizi noted given the current price of gas and that the bids were very favorable last year, if the Borough rebid, it might not do as well; she recommended renewing the option. Council

President Bachmann agreed. The Administrator will prepare an approving resolution for the next meeting.

Marlene Casey would like to address the Council regarding grant opportunities and deadlines; the Administrator suggested the March Work Session and asked if there were any objections. The Council agreed to have Ms. Casey come to the March Work Session.

The Administrator reported the opening for the Recreation Director position was advertised in the January 20<sup>th</sup> edition of the Twin-Boro News and is currently running on the website and electronic sign; to date she has received six responses of which four are from New Milford. Mayor Subrizi asked when the cut-off date is; the Administrator advised this coming Friday. Councilwoman Duffie asked what the next step will be. Mayor Subrizi advised once the Recreation Commission is repopulated, they are responsible for hiring the Director. The Mayor and Council will review the resumes and forward them to the Commission. Mayor Subrizi fully expects the new Commission to work closely with the Mayor and Council.

The Administrator reminded the Council the JIF Elected Officials Training will be February 14<sup>th</sup> at 6:30 PM.

The Administrator noted no Buildings and Grounds liaison had been named and she has a report; Mayor Subrizi stated Councilman Colucci will be the liaison; the Administrator provided him with the report.

The Administrator confirmed all Borough correspondence should go to the Council's newmilfordboro.com email address. Council President Bachmann noted he weighs heavily the Borough Attorney's opinion, that the Council use the Borough email address to receive and correspond regarding Borough business.

The Administrator received a copy of John Pampaloni's sewer license certification and confirmed that Rapid Pump is not under contract with the Borough.

Councilman Robalino referenced creative outdoor advertising; whereby recycle receptacles are placed at certain locations throughout town at no cost to the Borough and the company maintains the receptacles 100%. The Administrator stated the Council has had this discussion before and are concerned about the term of the contract and local vs. national advertising. Councilman Robalino advised the advertisers would be for local business and a percentage of the sales are given to the Borough. Councilman Berner suggested contacting Bogota for feedback. Council President Bachmann requested a copy of the contract be provided to the Borough Attorney for his review; and he requested the representative come to a meeting. Mr. Madaio stated the company is using the receptacle as advertising space, not necessarily for environmental reasons. Councilwoman Duffie suggested the Council drive around and see if this is really something they want for the Borough.

Councilman Colucci noted a homeowner on Florence Avenue adjacent to the DEO Middle School, has had issues with tree damage; and has since lost his homeowners insurance. He was advised the homeowner should bring his concern to the Board of Education.

Councilman Colucci made a motion to reconvene in Council Chambers. Councilman Robalino seconded the motion. All present in favor, none opposed.

**PUBLIC SESSION:**

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

Mayor Subrizi called the meeting to order, asked for a moment of silent prayer and/or reflection, and led the flag salute. Mayor Subrizi read the Open Public Meeting Law and Mission Statements and pointed out the fire exits in the Council Chambers.

Mayor Subrizi welcomed Councilwoman Scavetta to the Council and advised she was sworn in earlier this evening.

Councilwoman Duffie made a motion to approve the minutes from the April 5, 2010 and May 10, 2010 Special Session Minutes. Council President Bachmann seconded the motion. All present in favor, none opposed.

**COUNCIL COMMITTEE REPORTS:**

**Councilman Diego Robalino**  
Garbage & Recycling, Board of Education

Councilman Robalino provided the recycling report for the previous month to be included in the minutes.

Councilman Robalino reported the Board of Education recently had a presentation on anti-bullying; according to a newly enacted law, a safety team must now be established. He reported a comedian, Louis Black, was performing at the PAC at the same time as the New Milford High School musical group. Mr. Black was very impressed by the students and donated his proceeds from that event to the musical group; a total of \$80,000. The High School will have a songs of Disney fundraiser on January 28<sup>th</sup> and a pasta dinner fundraiser on January 29<sup>th</sup>.

**Council President Keith Bachmann**  
Ambulance Corps, Recreation

Council President Bachmann noted the Recreation Commission is not yet reconstituted; the Department met on the same night as the Reorganization meeting.

Council President Bachmann attended the January 17<sup>th</sup> meeting of the Ambulance Corps and noted the membership drive has produced a number of new members. The annual dinner will be February 12<sup>th</sup> at Season's.

**Councilwoman Randi Duffie**

Health & Human Services, Shade Tree, Rent Leveling/Tenants Association

Councilwoman Duffie missed the Board of Health meeting because it was prior to the Reorganization meeting and she was not yet the liaison.

Councilwoman Duffie noted the Rent Leveling meeting was delayed due to the Reorganization meeting; however they continue to review the ordinance. Many tenants plan to attend the next meeting to discuss their current issues.

Councilwoman Duffie reported the Shade Tree Commission elected new officers and are looking to spend the grant money received last year. The Commission noted it is time to replant the tree farm.

**Councilman Howard Berner**

Planning Board, Chamber of Commerce, Environmental & Energy Commission, Historic Preservation, Historic New Bridge Landing

Councilman Berner reported the Chamber of Commerce has not met since Labor Day; he is unsure of the status of the Chamber.

Councilman Berner was unable to attend the Environmental Commission meeting on January 4<sup>th</sup>; he was not yet the liaison. He was advised they elected their officers and are collecting plastic tops from coffee cups for recycling. The Commission is currently working on Earth Day.

Councilman Berner attended the January 6<sup>th</sup> reorganization meeting of the Historic New Bridge Landing Park Commission at which they elected officers. He noted the Commission is currently discussing routine maintenance issues as the buildings are now stabilized. He advised of the upcoming events. The Commission is in the planning stage for landscaping; the Borough Arborist will assist with the plan.

Councilman Berner attended the Reorganization meeting for the Historic Preservation Commission on January 12<sup>th</sup> at which they elected new officers. The Commission recently assisted the Girl Scouts with a history of New Milford project. Marlene Casey, Borough Historian, discovered a map of the area that predates New Milford from the 1850's. The Commission would like to have the map restored. The Commission is currently working on mapping the old farms. He stated 2011 is the 333<sup>rd</sup> anniversary of New Milford as well as the 50<sup>th</sup> anniversary of the New Milford High School building being used for schooling. The Commission is also working on a geo-caching program; a GPS for historical sites.

**Councilwoman Celeste Scavetta**

Senior Citizens Advisory Board, Public Events

Councilwoman Scavetta was unable to attend the Public Events meeting due to illness.

Councilwoman Scavetta will go with Councilman Berner to the Senior Center this weekend to introduce herself.

**Councilman Dominic Colucci**

Department of Public Works, Fire Department, Drug & Alcohol Municipal Alliance

Councilman Colucci had an informal meeting with the DPW after the snowstorm to familiarize himself with the department and introduce himself. He reported the DPW is performing general maintenance in conjunction with the snow removal.

Councilman Colucci reported that Buildings and Grounds is performing general maintenance as well as snow removal.

Councilman Colucci attended the Entwhistle Memorial ceremony on January 17<sup>th</sup>; immediately afterward he attended the meeting of the Fire Department. Councilman Colucci had an informal meeting with the Chief and House Chiefs on January 19<sup>th</sup>.

Councilman Colucci attended the dance on January 14<sup>th</sup> sponsored by the Drug Alliance. Members of the Drug Alliance are trying to come up with creative ways to raise money to provide more programs for the kids.

Councilman Colucci stated George Batterson would be a great source of information for the farm mapping that Councilman Berner referenced earlier.

The Administrator added under Buildings and Grounds, the energy efficient lighting installation was just completed at the Borough Hall through the New Jersey Clean Energy Program.

**Mayor Ann Subrizi**

Police/Police Aux., Library Board, Community Development, Joint Insurance Fund, Bergen County Open Space

Mayor Subrizi noted she attended the Reorganization meetings for all her liaison committees in addition to others. She is unable to attend the first meeting of the Police Auxiliary in February; she will notify them.

**OLD BUSINESS:**

**ADOPT ORDINANCE #2011:01**

AN ORDINANCE TO REPEAL ORDINANCE 2010:12, CODIFIED AS NEW MILFORD BOROUGH ORDINANCE 2-31 AND ENTITLED "DEPARTMENT OF RECREATION" AND, SUBJECT TO REVISION OF TERMS, REVIVING BOROUGH ORDINANCE 1968 CODE 23; ORDINANCE NO. 74:11, CODIFIED AS NEW MILFORD BOROUGH ORDINANCE 2-31 AND ENTITLED "BOARD OF RECREATION COMMISSIONERS"

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

The record reflects that no member of the public wished to comment on this ordinance.

Councilman Colucci made a motion to close to the public. Councilman Berner seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

Council President Bachmann made a motion to adopt this ordinance on its second and final reading. Councilman Berner seconded the motion. The motion passed on a roll call as follows:

For the motion: Bachmann, Robalino, Berner, Scavetta, Colucci

Against the motion: Duffie

In casting her vote, Councilwoman Duffie stated the Recreation Department was created for reasons of accountability, with advice from the Borough Attorney. It was never taken lightly and she is sorry to see it change; it will not have continuity with other Borough departments. Recreation has a very large budget administered by volunteers. Councilwoman Duffie noted other Council members are hopeful it will change, as is she but her vote is no.

#### **NEW BUSINESS:**

#### **INTRODUCE ORDINANCE #2011:02**

AN ORDINANCE TO AMEND CHAPTER VII OF THE ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED "TRAFFIC" THEREBY AMENDING SUBSECTION 7.9 ENTITLED "BUS STOPS"

Councilwoman Duffie made a motion to introduce and approve this ordinance on its first reading. Councilman Berner seconded the motion. The motion passed on a roll call.

The ordinance will be published in the Record and a public hearing will be held on February 28, 2011 at 7:45 PM.

#### **INTRODUCE ORDINANCE #2011:03**

AN ORDINANCE TO REPEAL ORDINANCE 2-14 ENTITLED PROPERTY MAINTENANCE/RECYCLING ENFORCEMENT OFFICER

Councilwoman Scavetta made a motion to introduce and approve this ordinance on its first reading. Councilman Colucci seconded the motion. The motion passed on a roll call as follows:

For the motion: Bachmann, Robalino, Berner, Scavetta, Colucci

Against the motion: Duffie

The ordinance will be published in the Record and a public hearing will be held on February 28, 2011 at 7:45 PM.

#### **RESOLUTIONS:**

2011:42 Closed Session

2011:43 Payment of Bills and Vouchers

2011:44 Approve Raffle License #2011:01 for an Off-Premise 50/50 - Solomon Schechter Day School

- 2011:45 Approve Raffle License #2011:02 for an Off-Premise Merchandise Raffle – Hovnanian School
- 2011:46 Authorize refund of 2010 tax overpayment as a result of reduced assessment granted by the County Board of Judgment – Various Blocks and Lots.
- 2011:47 Authorize cancellation of the first half of 2011 taxes as a result of Property Tax Exemption for a Disabled Veteran as of 11/22/10 for Block 402, Lot 12 in the amount of \$4,140.98
- 2011:48 Approve Appropriation Transfers from Reserves for Budget Year 2010
- 2011:49 Appoint Municipal Judge – Kevin P. Kelly, Esq.
- 2011:50 Appoint NJDEP Licensed Sewer Operator – John Pampaloni, Jr.
- 2011:51 Eliminate the Position of Property Maintenance Officer

Mayor Subrizi acknowledged Kevin Kelly in the audience and stated the resolution appointing him as the Municipal Judge for a three year term is on the agenda tonight.

Councilman Berner requested resolution 2011:44 be pulled out for a separate vote; Mr. Madaio advised the consent agenda will be 2011:42 through 2011:51 except 2011:44.

#### **COMMENTS FROM THE PUBLIC**

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

Larry Kahn, Main Street came forward to address the Council. Mr. Kahn wished the 2011 Mayor and Council good luck. Mr. Kahn advised an acquaintance of his called for an ambulance and received a bill from Holy Name Hospital for \$2,000. Council President Bachmann explained Holy Name Hospital covers New Milford between the hours of 8 AM and 5 PM; as there are not enough members to cover our volunteer Ambulance Corps. The Administrator explained the individual should not be responsible; if insurance does not cover the cost, she advised the person should contact her.

Gus Bachmann, Stevens Court came forward to address the Council. Mr. Bachmann requested an update on the progress for the Hirschfeld release letters. The Administrator updated him and the Council on the events since the last meeting.

Nick D'Amelio, 349 Trench Drive came forward to address the Council. Mr. D'Amelio was very impressed with the snow removal done by the DPW; he thanked them for their work. Mr. D'Amelio is concerned with the demolition of homes in town and would like to see an ordinance to not allow the demolition to be done on Fridays or holidays because the Building Department is unable to respond. As a public safety issue, the Police Department should be able to stop the work until the Building Department can respond. Mayor Subrizi stated the Council will review the current ordinance. Mr. D'Amelio stated the EPA regulations on construction do not cover demolition.

As there were no other members of the public wishing to comment Council President Bachmann made a motion to close the meeting to the public. Councilman Robalino seconded the motion. All present in favor, none opposed.

## VOTE ON RESOLUTIONS

Councilwoman Duffie made a motion to approve the consent agenda 2011:42, 2011:43 and 2011:45 through 2011:51. Council President Bachmann seconded the motion. All present in favor, none opposed.

Councilman Robalino made a motion to approve resolution 2011:44. Council President Bachmann seconded the motion. The motion passed on a roll call vote as follows:

For the motion: Bachmann, Duffie, Robalino, Scavetta, Colucci

Against the motion: None

Abstain: Berner

## ADJOURNMENT

Council President Bachmann made a motion to adjourn. Councilman Berner seconded the motion. All present in favor, none opposed. Time 9:05 PM.

Respectfully submitted,



Colleen Naumov  
Deputy Borough Clerk