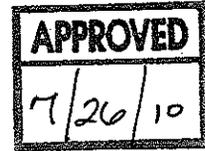


MINUTES
BOROUGH OF NEW MILFORD
7:00 PM WORK SESSION
OPEN SESSION immediately following
8:30 PM PUBLIC MEETING
Monday, March 22, 2010



WORK SESSION:

Councilman Arthur Zeilner	Present
Councilman Keith Bachmann	Present
Councilwoman Randi Duffie	Present
Councilman Howard Berner	Present
Councilwoman Ann Subrizi	Present
Council President Michael Putrino	Present
Mayor Frank DeBari	Present

Also present: S. G. Moscaritolo, Borough Attorney; Christine Demiris, Administrator/Clerk

Mayor DeBari read the Open Public Meeting and Mission Statements.

Council President Putrino made a motion to go into closed session. Councilwoman Duffie seconded the motion. All present in favor none opposed.

CLOSED SESSION:

1. Zoning Board Litigation
2. Personnel
3. Insurance

Councilman Berner made a motion to go into open session. Councilwoman Subrizi seconded the motion. All present in favor none opposed.

OPEN SESSION:

Mayor DeBari announced the Borough was urged by our insurance carrier to audit the insurance coverage of its current retirees; in which eight responded favorably and the other eight not so favorably. He discussed the reasoning for the Council's decisions with regards to the retiree insurance. He noted the Borough Attorney will draft 3 separate letters to terminate their contracts; they will have 30 days to respond. The Borough could see a savings of approximately \$160,000 per year in insurance premiums.

1. Recreation

Mayor DeBari summarized the Council's discussion at the last meeting; noting the Council tabled any further discussion for tonight as the Council Liaison would be present for comment.

Councilwoman Duffie noted the Administrator brought her concerns to the Council. She reviewed comments made by a public member as well as the Borough Attorney at the last meeting. She is seeking a more cooperative and cohesive department.

Council President Putrino reiterated the proposed vote was whether or not the Council wanted the Borough Attorney to draft an ordinance to fit the needs of the Borough.

Councilwoman Subrizi is concerned about the financial side of restructuring, as it would add a full-time Director and additional staff along with the possibility of benefits being offered those employees. She believes the issues with the Commission can be resolved; as they have agreed to share financial information on a monthly basis. She prefers to eliminate the trust fund and have all monies paid through the voucher system, with the exception of referees. The Mayor and Council would spend a great deal of time if restructured.

Councilman Zeilner noted at a prior meeting it was suggested the Director be full-time; however at the last meeting it was stated the Director does not have to be full-time, therefore there would be no salary increase. He reiterated the only change would be no more Commissioners, only Advisory Board members; the Director would run the Department and answer to the Administrator. He noted again he believes the Commission should have no authority to authorize pay raises; especially when it affected another committee's recording secretary who works for both. Hiring for all departments is brought by the Administrator to the Council with recommendations for hiring. Even the Police Chief comes before the Council for hiring and the Council hires with his recommendation; the Council should be responsible for hiring the Recreation Director as well, as it is taxpayer's money. Nothing will affect the children of this town.

The Administrator recently signed checks for Recreation as they included back-up; she noted this was helpful. Unfortunately, this past Friday a resident brought a check made out to the Recreation Trust that she found in the street, it clearly had been through the wringer. The check was dated March 8th; however nobody from Recreation made her aware that they were missing a \$945 check. Councilman Bachmann will confirm with Recreation, who picks up the mail from Borough Hall.

Councilman Bachmann stated nothing is wrong with Recreation; people from town run it. He believes sports minded people should choose the Director. He stated that will no longer be the case, if the Commission becomes a Department. The Director will no longer be the pick of the constituents, but rather of the successful political party. He noted politics play a role in all the appointments. Councilman Bachmann stated the Commission has always provided financial information when prompted. In changing from Commission to Department, the Borough is changing one small problem for a much larger one. He hopes the vote does not go down political lines; he further stated once the balance of power changes so will the vote. He noted the Mayor chooses sports minded individuals for the Commission; it would be overkill to make it a Recreation Department.

Councilman Berner introduced Recreation Chairman, John O'Grady to the Council; as he was present at the meeting. Councilman Berner asked if the Commission would provide

the Borough information although not required by statute. Mr. Moscaritolo noted the meeting has not yet been opened to the public.

Councilman Bachmann reiterated information has been requested by the Borough and provided them by the Commission.

The Administrator reiterated her concern that a \$945 check was lost and never reported by any member of the Commission. Whether or not they knew it was missing; they should have realized the deposit was never made.

Councilman Bachmann acknowledged her concerns; however he noted it is not a reason to abolish the Commission.

Councilman Zeilner responded to Councilman Bachmann's remarks that this is political; he noted the Mayor has appointed committee and board members from both political sides. He further noted the Administrator should perform the interviews for the Director and bring her recommendations to the Council; just as is done in every other position. The Mayor is not responsible for hiring.

Councilwoman Duffie reiterated it is not about the job, it is about the structure of the department and accountability. Why not have a procedure that will not fail; the Borough would be remiss to do nothing.

Councilwoman Subrizi stated she is not suggesting the Borough do nothing; she feels the children of the town are benefiting from the programs as they run currently.

Councilwoman Duffie stated if things are left as is, the Borough is still involved at the pleasure of the Commission. The Commission is cooperating now; what about the future.

Councilwoman Subrizi stated the policy of checks and balances that have been put in motion are working.

Councilman Zeilner again noted nothing will change, just the name from Commission to Department.

Councilman Bachmann stated if the Commission is currently cooperating it should remain intact; if they stop then it should be up for discussion. He feels the Borough is killing the program to fix a small problem. If ever he can get four votes while still on Council, he will turn the vote around; therefore the Borough is wasting money.

Councilwoman Duffie and Council President Putrino believe the program is not being destroyed, merely changing its structure.

The Administrator mentioned the comments made by Ms. Yager at the last meeting, regarding to whom she answers to; she is put in a bad position.

Mayor DeBari knew Councilman Bachmann's stance on this issue. He noted going forward, if the Council has a quorum decisions will be made; the Council has a job to do.

The Council decided to wait for the Council Liaison as a courtesy. He does not feel his appointments are political in any way. The Council is not looking to abolish the Recreation Commission, only restructure it; those currently serving will remain if they are doing it for the children. The current Commission has stepped up; however it is only temporary and needs to change going forward. The children or programs will not suffer; the Director and Secretary (if necessary) will report to the Borough Administrator. Things will continue as always, it is not political.

2. BCUA Letter dated 3/10/10

Mr. Moscaritolo referenced the ongoing battle with the Bergen County Utilities Authority regarding amending the ordinance to include construction debris; he has held them off since November 2008. He interprets the BCUA to require the recycling of construction debris where practicable. He noted the Council's consensus last time this was discussed was it is not practicable for New Milford to recycle said materials; and he advised the BCUA of such. The BCUA wants an amended ordinance anyway.

Councilman Bachmann questioned what is the worst that can happen. Mr. Moscaritolo could not find any enforcement authority on the issue. The letter states the matter will be referred to the Bergen County Department of Health Services for Civil Administrative Action.

Mayor DeBari noted there are too many recycling bins at the DPW. It is his understanding through the County, approximately 17 out of 70 towns have complied.

Councilwoman Subrizi questioned if the Borough can send the ordinance minus the construction debris clause; Mayor DeBari noted that is the item they are specifically looking for. As it stands now, the contractor or homeowner is responsible for recycling the debris.

The Council discussed the current procedure of recycling construction debris.

Councilwoman Subrizi questioned the Borough's legal risk at this point; Mr. Moscaritolo will research the NJAC code referenced. He will send BCUA the current ordinance and the letter referencing the practicability.

Councilman Bachmann made a motion to reconvene the meeting in the Council Chambers. Councilwoman Subrizi seconded the motion. All present in favor none opposed.

PUBLIC SESSION: (Actual Start 8:53 PM)

Councilman Arthur Zeilner	Present
Councilman Keith Bachmann	Present
Councilwoman Randi Duffie	Present
Councilman Howard Berner	Present
Councilwoman Ann Subrizi	Present
Council President Michael Putrino	Present

Mayor Frank DeBari

Present

Also present: S. G. Moscaritolo, Borough Attorney; Christine Demiris, Administrator/Clerk

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

3. Capital Budget

Council President Putrino reviewed the bullet points for the Capital Budget as discussed by the Finance Committee. He noted money was found in the 2005 Capital Budget as well as rebate money from the generator; therefore the found money does not need to be budgeted for this year to use for 2010 Building and Grounds expenditures.

The Administrator asked if the Council could vote on the 2005 allocations so the Borough could move forward with the work. Mayor DeBari asked if any Councilmember had concerns over adding resolution 2010:95 authorizing the use of 2005 capital and rebate money for the Buildings and Grounds expenditures; no concerns noted.

Council President Putrino reviewed the Capital Budget funding for the Department of Public Works, Police Department and the Fire Department. The total amount of the 2010 Capital Budget is \$750,000; 6.25% less than 2009.

The Administrator asked if she should prepare the 2010 Capital Ordinance for introduction on April 12, 2010.

Councilwoman Duffie thanked the Finance Committee for simplifying the process for the Council and for all their hard work.

Councilwoman Subrizi made a motion to approve the minutes from the January 11, 2010 Work Session and the February 22, 2010 Work/Public Session. Councilman Bachmann seconded the motion. All present in favor, none opposed.

PROCLAMATIONS: **AUTISM AWARENESS MONTH**
 SEXUAL ASSAULT AWARENESS MONTH
 NATIONAL LIBRARY WEEK

APPOINTMENT: **MATTHEW P. LAJOIE – NEW MILFORD FIRE DEPT.**

Council President Putrino made a motion to appoint Matthew P. Lajoie to Fire Company #2. Councilwoman Subrizi seconded the motion. All present in favor none opposed.

COUNCIL COMMITTEE REPORTS:

Councilman Arthur Zeilner

Building and Grounds, Environmental, Police/Police Aux., Public Works

Councilman Zeilner reported Buildings and Grounds continues with general maintenance and has made some small repairs due to the recent storm.

Councilman Zeilner noted the Environmental Commission is moving along well with the tree farm. The Arbor Day window painting contest is underway; fliers were dropped off at the Middle School, Ascension, St. Joseph, Hovnanian and Solomon Schechter. The recycling program at the High School is doing well.

Councilman Zeilner summarized the activity for the Police Department for the previous month. He advised the 2010 Jr. Police Academy will run from June 28th – July 2nd; he advised of the age requirements and the fee. The Police Auxiliary meeting was somber and brief due to the passing of one of its members, Bill Klinger. He noted at the last meeting of the Mayor and Council it was decided to dedicate the courtroom in memory of Bill Klinger.

Councilman Zeilner commended the DPW for their excellent work through the terrible recent storm and latest snowstorms. They continue with general maintenance as time becomes available.

Councilman Keith Bachmann

Ambulance Corps, Drug Alliance, Recreation

Councilman Bachmann was unable to attend the meetings for the Ambulance Corps or Drug Alliance.

Councilman Bachmann reported the Recreation Commission will host the Easter Egg Hunt on March 27th at 10 am behind Borough Hall. The softball program will have the opening day parade on April 18th. The Commission hired Ken Malone as Director and John O'Grady replaced him as Chairman.

Mayor DeBari gave Councilman Bachmann an email he received from Tom Heckler regarding softball schedules; Mr. Heckler advised he contacted Ms. Yager, Mr. Malone and Mr. O'Grady, with no response. Mr. Malone advised from the audience, the matter has already been addressed.

Councilwoman Randi Duffie

Library Board, Planning Board, Rent Leveling/Tenants Association

Councilwoman Duffie was unable to attend the Rent Leveling meeting due to a personal commitment; however she was advised they continue to review the ordinance.

Councilwoman Duffie, Councilwoman Subrizi and Mayor DeBari were to attend a meeting with the Board of Ed; however it was canceled due to the storm. Councilwoman Subrizi will try to reschedule at a time convenient to all.

Councilwoman Duffie reported the Library was without power this past Sunday; however it was restored on Monday and was used as a warming center for those still without power. She noted the Governor's proposed budget cuts would be devastating to the Library system as we know it today; she announced the website to voice opinions and concerns if any. The Library received a \$500 gift from a resident in memory of his wife.

Councilwoman Duffie received a thank you note from the Girl Scouts Troop 651 for the tour she gave them of the Borough Hall. She read the note into the record.

Councilwoman Duffie reported the Planning Board will meet tomorrow to reexamine the Master Plan as well as discuss two ordinances.

Councilman Howard Berner

Chamber of Commerce, Health & Human Services, Senior Advisory

Councilman Berner reported he was unable to attend the Chamber of Commerce meeting; Councilwoman Subrizi attended in his absence. He noted on April 21st there will be a reception at the Blauvelt Art Museum in conjunction with the Greater River Dell Chamber of Commerce.

Councilman Berner reported the Board of Health met on March 3rd; a very light flu season for both seasonal and H1N1 was noted. However they still recommend vaccination. He noted the February rabies clinic was a success with 121 dogs and 19 cats vaccinated; he thanked the Board of Health members who volunteered their time. He summarized the Health Department's report from the previous month.

Councilman Berner attended the Senior Advisory Board meeting on March 18th; and was advised the building held up fairly well during the storm. He noted some minor repairs that needed attention. The Board is looking to have a monthly luncheon/dance at Che Madeline in Norwood; arrangements are still being made. He reported Gladys Parliament Day had a great turnout and she was quite pleased and honored. The Board is trying to put a picnic together at the New Milford Swim Club. On May 20th Woodcrest Center is having a spring fling luncheon. He advised on March 17th, Irish step-dancers performed at the Senior Center.

Councilwoman Ann Subrizi

Board of Education, Historic New Bridge Landing, Public Events

Councilwoman Subrizi reported Historic New Bridge Landing Park Commission is currently reviewing the Master Plan and looking to restructure. The Bergen Button Club had its "button up" day on March 21st, thousands of buttons were displayed; one of which was from George Washington's uniform.

Councilwoman Subrizi noted the Board of Education will introduce their budget tomorrow night, March 23rd. She noted the Council has not had a preview, she can comment very little on its contents. She urged everyone to attend the meeting in the High School Cafeteria; as a large portion of our tax dollars are controlled by the Board of Education.

Councilwoman Subrizi attended the Chamber of Commerce meeting in Councilman Berner's absence; at which the Chamber addressed the issue of litter at the High School with Principal

Sheninger. He will attempt to raise the awareness of the High School students. Mr. Sheninger also reviewed his use of social media as principal.

Councilwoman Subrizi reported for Public Events that Colonel Ray Palma has accepted the invitation to be the Grand Marshal of the Memorial Day Parade. She read his letter into the record.

Peggy Saslow, Board of Education member announced on March 30th there will be a more in depth presentation of the budget to the PTO.

Council President Michael Putrino

Fire Department, Garbage/Recycling, Historic Preservation, Shade Tree

Council President Putrino attended the meeting of the Historic Preservation Commission on March 9th and reported they continue to discuss various projects.

Council President Putrino reported the Fire Department met on March 15th and discussed their recruiting drive for 2010. Fire Company #1 is in the planning stages of a 5K fundraiser in June. He thanked the Fire Department for all they did during the storm; he noted they responded to 60 calls in the first 36 hours. The next meeting is scheduled for April 19th.

Council President Putrino reported the Shade Tree Commission is finalizing the specs for a \$7,000 grant. He noted at least 100 trees are down from the recent storm; their next meeting is April 22nd.

Council President Putrino summarized the Garbage and Recycling activity for the previous month. He noted curbside grass pick-up begins Wednesday, April 7th.

Council President Putrino reported the Finance Committee met with the CFO on March 20th and is nearing completion of the proposed budget. The committee has been made aware of the Governor's recently proposed budget cuts; New Milford can expect 21% of the aid usually received.

Mayor Frank DeBari

Community Development

Mayor DeBari reported New Milford requested \$184,000 to complete the ADA requirement for handicap ramps and sidewalks. The Borough received \$110,000, allowing it to do 60 ramps; the ramps should be completed next year.

Mayor DeBari noted the Office of Emergency Management has issued a bulletin for the unmet needs of residents; please go online at www.nj211.org or by phone dialing 211. There is no longer a need to boil water. The FEMA damage assessment teams are in Bergen County and will begin with public sector issues first.

OLD BUSINESS:

ADOPT ORDINANCE #2010:04

AN ORDINANCE TO AMEND CHAPTER II OF THE ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED "ADMINISTRATION," THEREBY AMENDING SUBSECTION 2-54 ENTITLED "LENGTH OF SERVICE AWARDS PROGRAM (LOSAP)."

Councilwoman Subrizi made a motion to open to the public for comment on the adoption of this ordinance. Council President Putrino 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 Bachmann made a motion to close to the public. Councilman Zeilner seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

Council President Putrino 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. All present in favor, none opposed.

Mayor DeBari noted the addition of resolution 2010:95, authorizing use of 2005 CAP and generator rebate money.

Councilman Zeilner requested an explanation for resolution 2010:92. The Administrator noted the Auditor brought it to her attention from the preliminary 2008 audit. Past practice was the payroll was issued prior to approval because the payroll dates came before meeting dates. The Auditor advised that can be done if a resolution is passed allowing payroll to be approved at subsequent meetings; she was also advised the resolution must be approved annually.

Councilman Bachmann noted the issue of damaged sidewalks must be addressed. The Administrator explained serious damage was done in town due to Borough trees; most notably sidewalks. She was informed by the Borough Risk Manager, that sidewalks are not covered under any form of insurance i.e. homeowners, Borough etc. She advised the Council of her discussions with the DPW and the possibility of using money allocated for curbing, to repair the sidewalks damaged by Borough trees during the last storm. Councilman Bachmann noted a few years ago, the Borough provided dumpsters to the affected homeowners in the flood area; this is a similar situation and sidewalks should be fixed for the community. Mayor DeBari agreed; and requested the DPW do what they can to reset the sidewalks they are able to and then replace the ones they cannot. The Administrator noted it must be made clear this is one time amnesty; further noting it must only be for sidewalks damaged by the March storm and verified as such by the DPW.

Councilman Bachmann made a motion to ask DPW to do what they can to mend the damaged sidewalks and authorize to fix the rest. Councilman Zeilner seconded the motion. All present in favor none opposed. The Council added resolution 2010:96 authorizing the DPW Acting Superintendent to receive quotes for concrete work from the March 13th storm not to exceed \$10,000.

RESOLUTIONS:

- 2010:89 Closed Session
- 2010:90 Payment of Bills and Vouchers
- 2010:91 Approve amendments to 2010 Temporary Budget
- 2010:92 Authorize Treasurer to make payroll transfers to be ratified at subsequent meetings
- 2010:93 Authorize State of New Jersey Elevator Safety Unit jurisdiction to enforce the Elevator Sub Code in New Milford
- 2010:94 Authorize Payment of \$23,984.64 on Tax Sale Certificate 09-03 to R. Rothman
- 2010:95 Authorize use of 2005 Buildings and Grounds Capital funds for projects outlined in Capital Budget prepared by the 2010 Finance Committee
- 2010:96 Authorize Acting DPW Superintendent to receive quotes for concrete repairs as a result of the March Nor'easter not to exceed \$10,000
- 2010:97 Authorize the Borough Attorney to draft an ordinance establishing a Recreation Department with an Advisory Committee

COMMENTS FROM THE PUBLIC

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

Peggy Saslow, Ridge Street came forward to address the Council. Ms. Saslow referred to the letter she recently mailed to the Council in the hopes they all had received it. In said letter, she noted the Fire Department was above and beyond; they were remarkable. Ms. Saslow asked what is happening to 282 Ridge Street; it is just sitting there. To add insult to injury, 286 Ridge Street was just torn down. The Administrator noted with the Permit Extension Act, this could go on for years. Councilwoman Subrizi stated she had fought this from the beginning; restrictions should be added to the ordinance regarding depth of basement and height of a flat roof. Councilwoman Duffie noted the Planning Board is discussing outlawing flat roofs completely. The Administrator will request more information from the Building Department regarding both homes in question on Ridge Street.

Councilwoman Subrizi requested Councilwoman Duffie bring her concerns over flat roofs and basement depth to the Planning Board. Councilwoman Duffie advised the Board has already begun discussions.

Donna Collucci, 223 Bergen Avenue came forward to address the Council. Ms. Collucci noted they were lucky on her block with regards to trees, no real damage was done. However, over the past few months she has made several calls regarding a Borough tree at 223 Bergen Avenue; the large branch fell during the storm, but there are still danglers. She questioned the timeframe; Council President Putrino will check with the Shade Tree Commission.

Pat Ernest, who identified herself as part of the Warren Street Park Contingent came forward to address the Council. Ms. Ernest noted the swings are still an issue; and asked if the arborvitaes will be planted soon. Council President Putrino noted the arborist is checking types and heights that will flourish; he understands our goal and is looking for optimal planting times. She is still

requesting the swings be moved, they are too close to her fence. Mayor DeBari reiterated the Council wants to be sure to get the grant money before making changes.

Sandy Kehak, 1117 Warren Street came forward to address the Council. Ms. Kehak questioned if the \$7,000 grant Council President Putrino referenced earlier could be put to planting bushes at Warren Street Park; Council President Putrino stated the grant is very specific and can only be used to plant trees in front of homes. Ms. Kehak asked if the swings could be taken down for the summer, until a final outcome can be determined. Mayor DeBari noted all options will be considered before a final decision is made. The Administrator reminded the Council, their last discussion had noted all baby swings as a viable option.

Nick D'Amelio 349 Trensche Drive came forward to address the Council. Mr. D'Amelio commended the DPW on the snow removal. He referenced a recent situation on Leonard Drive and expressed concern for the first responding officer as he was unaware of the full situation. He was surprised the local police department was not notified of what was transpiring, as it was a State stakeout. Mr. D'Amelio expressed concern for the well-being of the officer; back-up roared down the street at 3:00 in the afternoon, children were walking home. Mr. D'Amelio thanked the Council for the second phase of the Trensche Drive Drainage project. He understands the third phase might not get done due to financial constraints and the fact of digging up homeowner's yards; he reminded the Council there are easements in the homeowner's yards. The Administrator advised there may be no need for phase III as per the Borough Engineer; she further explained the reason for the delay on phase II. The Administrator advised phase II may progress slower than phase I, as United Water and Public Service may need to move some of their lines.

Joanne Prisendorf, 317 River Road came forward to address the Council. Ms. Prisendorf advised the handicap ramp on the corner of Trenton Street and River Road is lifted approximately three inches. Mayor DeBari explained anywhere the County did repairs on the ramps, they had to go back and retrofit them; he noted the contractor took shortcuts. Ms. Prisendorf noted the DPW did a great job with snow removal; however they tore up the curb on the corner Cooper Street and River Road. The Administrator will advise the DPW and it will be put on the list. She also noted the extra space is back in the CVS parking lot; the Council is aware and will have the Zoning Officer follow-up. She questioned why the spots are no longer angled; and requested it be changed back. Mayor DeBari advised the plan was memorialized by the Planning Board as presented; the Borough can use the year's history and get back to CVS on the issues. Councilwoman Subrizi asked if the Permit Extension Act is in effect for this builder; the Administrator noted it is in effect. Councilman Bachmann stated the Borough ordinance required 146 parking spots due to the square footage; the applicant was granted a variance on parking and allowed 73 spots. If they angled the parking again, they would lose even more spots.

Ms. Kehak asked who is responsible for removing snow off the handicap ramps; Mayor DeBari advised it is the homeowner's responsibility. She noted homeowner's need to be reminded of that requirement. Mayor DeBari noted it is possible for the DPW to plow a little beyond to make them easier to clear.

Ms. Collucci noted recently a man, unaffiliated with CVS, was picking up the garbage; she was thankful.

Dominic Collucci, 223 Bergen Avenue came forward to address the Council. Mr. Collucci noted the DPW can reset the sidewalk slabs that they are able; the company that wins the curb quote, the Borough could tag on the concrete slab work as incentive. He questioned the proposed ban on flat roofs, would that be only for 30 foot projects. Councilwoman Duffie noted roof height is always a concern. Mr. Collucci suggested the ordinance be considered only for the maximum height requirement.

As there were no further comments from the public, the meeting was closed on a motion from Councilman Zeilner. The motion was seconded by Councilman Bachmann. All present in favor, none opposed.

Mayor DeBari referenced the discussion about Recreation; if the Council wishes to do anything, a resolution must be added to have the attorney review and draft an ordinance for the Council's review.

Council President Putrino made a motion to add a resolution authorizing the Borough Attorney to draft an ordinance for the Council's review to change to a Recreation Department with an Advisory Board. Councilman Zeilner seconded the motion. The motion passed on a roll call vote as follows:

For the motion: Zeilner, Duffie, Putrino, DeBari

Against the motion: Bachmann, Berner, Subrizi

In casting his vote Councilman Bachmann explained he would vote no to abolishing the Recreation Commission.

In casting her vote Councilwoman Duffie voted yes for restructuring not abolishing.

Before casting her vote Councilwoman Subrizi noted the motion was unclear and she requested clarification. Mayor DeBari noted he would like the Council to consider a resolution authorizing the Borough Attorney to review and draft an ordinance that the Council can consider at a future meeting.

In casting her vote Councilwoman Subrizi explained she voted no on the basis of reviews the Borough Attorney prepared that in no way compare to New Milford and should not be used for comparison to abolish the Recreation Commission.

Mayor DeBari clarified that nowhere in the motion was abolishment of the Recreation Commission. Councilwoman Subrizi confirmed the motion is not for abolishing the Recreation Commission, merely to restructure; Mayor DeBari agreed.

In casting his vote Council President Putrino stated a lot has been said over the last few months. He prepared some notes on what was discussed between residents and Council; he read his statement into the record. After reading his statement, Council President Putrino voted yes.

Councilman Bachmann asked if Council President Putrino had that statement in his pocket and if this was a planned assassination of the Recreation Commission. Council President Putrino noted he did not write that just before the vote and reminded those present that Councilman Bachmann

did not attend the last meeting; he merely wrote his feelings and what was discussed at that meeting.

Councilwoman Subrizi stated she believes Council President Putrino whole-heartedly believes what he wrote; she too believes her vote reflects what is in the best interest of the taxpayers.

Mayor DeBari broke the tie vote and advised resolution #2010:97 will be added to tonight's agenda.

Mayor DeBari stated the next budget meeting will be April 5th at 6pm; the budget will be introduced at the work session on April 12th.

ADMINISTRATOR

The Administrator referenced the estimated tax bills and if the Borough should do them again. The Auditor stressed the need for the bills and the decision to do it has more to do with the adoption of the County Budget than whether or not the Borough applies for Extraordinary Aid. The Tax Collector budget request included the expense of estimated tax bills. She requested the Council's decision on April 5th; she will prepare a resolution for April 12th. Councilwoman Subrizi noted the CFO advised the Finance Committee that the Borough will not have to do a tax anticipation note due to the estimated tax bills; this also saves the Borough a lot of money.

The Administrator questioned if she can move forward with the full re-carpeting and painting of the Police Department as it was reflected in the Capital Budget. She noted the fourth quote received was the lowest at \$3,895. The Council agreed to move forward with the project.

The Administrator referenced the letter from Canterbury Village regarding parking signs; even though it is private property it is still covered under Borough ordinance. She asked if the Council had any objections to allowing no parking signs noting the Borough ordinance. Councilman Berner questioned how authorized vehicles and unauthorized vehicles are to be determined. Councilman Bachmann noted parking stickers will be given to its residents. Councilman Berner questioned how a visitor will be distinguished. Mr. Moscaritolo noted it is private property; they can do what they want as long as the signage complies with the ordinance. Mayor DeBari questioned if the police would be called for an unauthorized vehicle; the Administrator noted a private towing company would be called to tow the vehicle not the police. Councilwoman Subrizi suggested a visitor placard could be placed in the vehicles, to help distinguish when they visit. The Administrator will respond to Mr. Edwards of Canterbury Village with the Council's approval.

Councilman Bachmann confirmed there is no conflict between the Little League and Recreation parades.

Councilwoman Subrizi confirmed the estimated tax bill expense is still listed in the budget; the Finance Committee did not cut it.

Council President Putrino noted the bottom board on the side of the American Legion building is caved in; Councilman Zeilner will contact the DPW.

ADJOURNMENT

Councilman Bachmann made a motion to adjourn. Councilman Berner seconded the motion. All present in favor, none opposed. Time 10:52 PM.

The meeting was reopened at 11:04 PM on a motion by Councilman Bachmann. Councilman Berner seconded the motion. All present in favor none opposed.

VOTE ON RESOLUTIONS

Councilman Bachmann made a motion to approve the consent agenda consisting of resolutions #2010:89 through 2010:96. Councilwoman Duffie seconded the motion. All present in favor, none opposed.

CLOSED SESSION

Councilwoman Subrizi made a motion to go into closed session. Councilwoman Duffie seconded the motion all present in favor none opposed.

At the conclusion of the closed session, Councilwoman Subrizi made a motion to go back into open session. Council President Putrino seconded the motion. All present in favor none opposed.

ADJOURNMENT

Councilman Berner made a motion to adjourn. Councilwoman Duffie seconded the motion. All present in favor, none opposed. Time 11:15 PM.

Respectfully submitted,



Colleen Naumov
Deputy Borough Clerk