



**MINUTES
BOROUGH OF NEW MILFORD
7:00 PM PUBLIC MEETING
Thursday, March 26, 2009**

Councilman Arthur Zeilner	Present
Councilman Keith Bachmann	Absent
Councilwoman Randi Duffie	Present
Council President Tina DeLucia	Absent
Councilwoman Ann Subrizi	Present
Councilman Michael Putrino	Present
Mayor Frank DeBari	Present

Also present: S. Gregory Moscaritolo, Borough Attorney; Steven Wielkotz, Auditor; Mark Polito, CFO; Christine Demiris, Administrator/Clerk

Mayor DeBari called the meeting to order, asked for a moment of silent prayer, and led the flag salute. Mayor DeBari read the Open Public Meetings Act and Mission Statement and pointed out the fire exits in the Council Chambers.

NEW BUSINESS:

INTRODUCE ORDINANCE #2009:06

CALENDAR YEAR 2009 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

The Mayor explained the purpose of the ordinance and stated that the additional 1% allowed by this ordinance would amount to \$128,237.

Councilwoman Subrizi made a motion to introduce and approve this ordinance on its first reading. Councilman Putrino seconded the motion. The motion passed on a roll call vote. All present in favor, none opposed.

The ordinance will be published in the Ridgewood News and a public hearing will be held on April 27, 2009 at 8:30 PM.

Mr. Wielkotz explained that the budget was being introduced tonight to meet the state deadline of March 31st. He stated that the appropriations were up \$207,673 from last year representing a 1.19% increase over 2008; the tax levy is up \$457,373 for an increase of 3.45% over last year representing 1.9 tax points to the average home or \$85.79. He stated that this is a smaller increase than in recent years and that this does not include any extraordinary aid that may be received.

Mr. Wielkotz explained resolution 2009:92 approving the application to the Local Finance Board which will allow the borough to take advantage of the pension deferral in the amount of

\$466,000. Resolution 2009:91, he explained, is for a Cash Surplus Cap Waiver for \$429,000 to cover police termination pay. He stated that the borough has been paying large terminations over the past two years and that it amounts to almost \$600,000 in this year's budget.

The Mayor asked if the pension deferral is to be paid over fifteen years. Mr. Wielkotz responded that beginning in 2012 it will be paid back over fifteen years. He stated that it can be paid in full in 2012. Councilwoman Subrizi asked if the Council could appropriate one-third of the amount over the next three budget years: 2010, 2011, and 2012. Mr. Wielkotz responded that it would be a possibility but that it would be difficult to predict what the next three budgets will look like and the Borough must either pay it in full in 2012 or pay the full amount over the next fifteen year period; it would not be possible to pay a portion and then finance the rest over the fifteen years.

The Mayor summarized the introduction stating that it will be a 1.19% increase in spending; a 3.45% increase in the tax levy, and \$85.79 municipal tax increase on the average home valued at \$414,000. The Mayor then asked if for every \$100,000 in extraordinary aid the borough receives, the tax increase of \$85.79 would decrease by \$20; whereby \$300,000 in extraordinary aid would result in an overall municipal tax increase of \$25. Mr. Wielkotz confirmed this to be true. The Mayor thanked the finance committee, the CFO and the auditor for their work on the budget.

Councilman Zeilner asked why the Salary and Wage line on the introduced budget did not match the number given to Mr. Wielkotz by the finance committee. Mr. Wielkotz responded that sheet 20 includes \$429,000 for the Cap Waiver that when added to the Salary and Wage line on page 15 will agree with the total provided by the finance committee.

The Mayor reported that the Municipal Judge, Brian Fleisig, had recently joined a new law firm. As the firm represents clients on criminal matters in Bergen County, Mr. Fleisig can no longer serve as a municipal judge and has regretfully resigned from the position. The Mayor brought forth the name of Kevin Kelly for the Council's consideration for the position of Municipal Judge for the unexpired term through December 2010. He noted that Mr. Kelly had previously served the borough as both a councilman and as the tax appeal attorney.

Councilwoman Duffie made a motion to approve this appointment. Councilwoman Subrizi seconded the motion. All present in favor, none opposed.

RESOLUTIONS:

- 2009:91 Authorize Local Finance Board Application for approval of Proposed Surplus, Levy, Waiver
- 2009:92 Authorize Local Finance Board Application for a Reduced Pension Contribution
- 2009:93 Introduce 2009 Municipal Budget
- 2009:94 Authorize Boswell Engineering to Prepare Plans and Clerk to Advertise and Receive Bids for Sewer Rehabilitation
- 2009:95 Appoint Municipal Judge – Kevin P. Kelly, Esq.

COMMENTS FROM THE PUBLIC

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

The record reflects that no member of the public came forward to comment.

The meeting was closed on a motion from Councilman Zeilner. Councilwoman Duffie seconded the motion. All present in favor, none opposed.

Mr. Kevin Kelly stood and thanked the Council for their confidence in appointing him to this position. The Mayor thanked Mr. Kelly for his willingness to serve.

VOTE ON RESOLUTIONS

Councilman Putrino made a motion to approve resolutions #2009:91 through #2009:95. Councilman Zeilner seconded the motion. All present in favor, none opposed.

Councilwoman Subrizi commented that it had been a pleasure to work with Councilman Putrino and Councilman Zeilner as part of the finance committee.

ADJOURNMENT

As there was no further business before the Council, Councilman Zeilner made a motion to adjourn. Councilman Putrino seconded the motion. All present in favor, none opposed. Time 7:27 PM.

Respectfully submitted,



Christine Demiris
Borough Clerk