

**MINUTES**  
**BOROUGH OF NEW MILFORD**  
**7:00 PM WORK SESSION**  
**Monday, February 11, 2013**

**WORK SESSION:**

Mayor Subrizi read the Open Public Meeting and Mission Statements.

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



Also Present: Marc Leibman, Borough Attorney; Christine Demiris, Administrator/Borough Clerk

Council President Duffie asked how topic #5 would be handled in the closed session. Mayor Subrizi said that she would ask Councilwoman Grant to leave the room for the topic. Mr. Leibman stated that the reason the topic is going into closed session is to allow Council members to comment on the lawsuit Councilwoman Grant has filed. Councilwoman Grant said that she did not want Mr. Leibman in the room during the same part of the session because he is the heart of the lawsuit. After a brief discussion between Mayor Subrizi and Council President Duffie a decision was made to take a separate vote to go into closed session to discuss topic #5.

Councilman Robalino made a motion to go into closed session for items 1 through 4. Councilwoman Grant seconded the motion. All present in favor, none opposed.

Mayor Subrizi stated that she would recommend the Council not go into closed session regarding topic #5 without an attorney present. A discussion of indemnification of the parties being sued needs to take place and the Mayor suggested Councilwoman Grant leave the room for that time to allow the Borough and litigants to be properly indemnified. She also said that Mr. Leibman should stay as attorney of record. Council President Duffie said it would be improper for Mr. Leibman, Councilman Ashley, Councilwoman Grant and Mayor Subrizi to stay in the meeting room while the topic is being discussed. Legal representation should be sought outside of Mr. Leibman.

Mayor Subrizi asked for a motion to discuss pending litigation for item #5 in closed session, specifically to discuss indemnifying Councilman Ashley, herself and the Borough with Mr. Leibman's advice. Mayor Subrizi summarized Councilwoman Grant's complaint. Councilwoman Grant confirmed that she believed it would be improper for Mr. Leibman to discuss the topic and she would not leave during the discussion.

Councilman Ashley stated that the Councilwoman's objection to leave the meeting during the discussion and her objection to allow Mr. Leibman remain are noted for the record.

The Council continued discussing the representation of the Borough, pointing out that the Borough is made up of each member as a whole.

Council President Duffie asked that special counsel be brought in to advise the governing body on whether they need special counsel to discuss indemnification as well as all other aspects of the suit.

Mayor Subrizi said that she would like the discussion of indemnification to happen tonight with Mr. Leibman present as counsel and Council President Duffie reiterated that she felt it would not be proper or ethical.

Mr. Leibman explained responsive papers are due to the court by February 15, 2013 and therefore attorneys need to be hired immediately for everyone's proper representation. Waiting to hold a special meeting would delay the response time.

Councilman Ashley made a motion to close on item #5. The motion was seconded by Councilman Robalino. The motion passed on a roll call vote as follows:

For the motion: Ashley, Robalino, Colucci, Subrizi

Against the motion: Duffie, Grant, Putrino

Council President Duffie explained that she would vote yes only if Councilman Ashley, Councilwoman Grant and Mr. Leibman left the table, therefore her vote is no.

Councilwoman Grant stated that if the Council went into closed with Mr. Leibman present it would be in violation of ethics and principles.

Councilman Putrino spoke about a previous lawsuit in which he was named and the protocol followed during the course of the matter. During that time, he recused himself under the advice of legal counsel and left the room for every discussion concerning the matter. He said he does not see any difference in the present situation. He feels the parties named in the suit should not be allowed to stay in the room for discussions.

Mayor Subrizi said that the only reason she wished to go into closed session regarding the matter is to understand how the governing body will move forward with representation.

**CLOSED SESSION:**

1. Bergen Swan – Lori Charkey
2. Personnel – PD
3. Personnel – DPW
4. Personnel – Administrator/Borough Clerk
5. Pending Litigation – Grant v. Ashley, et.al.

At the conclusion of the closed session Council President Duffie made a motion to reopen the meeting. Councilman Putrino seconded the motion. All present in favor, none opposed.

**OPEN SESSION:**

1. Police Department Needs Assessment

Mayor Subrizi explained the question in front of the governing body is whether they want to pass a resolution to spend \$7,500 dollars authorizing Rob Connelly to do a Needs Assessment for the Police Department.

Councilwoman Grant asked about specific breakdowns within the architect's proposal and asked if the amount could be negotiated.

Councilman Ashley asked for a more diversified study to consider all possibilities regarding the future of the police department, including a shared service or merger.

Mayor and Council discussed a motion for the approval of a resolution to have an efficiency report and presentation prepared by Mr. Conley for a reduced cost of \$5,000.

Council President Duffie agreed with Councilman Ashley that there is a need to look into other options and assessments and a report needs to be done to that end.

The governing body discussed both reports and whether both could be done simultaneously. Councilman Ashley said the needs assessment should be done regardless.

Councilman Ashley made a motion to hire Mr. Conley at a cost not to exceed \$7,500; anticipating the negotiation of a lesser fee. Councilman Putrino seconded the motion. Councilman Colucci agreed to speak to Mr. Connolly about a negotiated fee. All in favor, none opposed. Resolution 2013:76 was added to the consent agenda

2. BCOS Farm Meeting Recap

Mayor Subrizi reported the Borough recently hosted a meeting with Bergen County Open Space representatives and the owners of Fresh and Fancy Farm and Perrone's Farm. Mayor Subrizi, Councilwoman Grant, Mr. Leibman, Karl Schaffenberger, Zoning Board Attorney Scott Sproviero and Zoning Officer Maria Sapuppo were in attendance. Issues regarding the farms and farm easements were discussed.

Mr. Leibman reviewed some of the development restrictions on the easements located on the farm properties. Although gates are not permitted on easements, Perrone's has a gate on the easement which has pre-existed the easement. Now, Fresh and Fancy Farm would like to put up a gate and install signage as well. In order to do that, the Borough and County would need to ease the restrictions and make allowances.

Mr. Leibman showed the governing body a copy of a map that was used at the BCOS meeting. A description of publicly owned properties surrounding the farms was described by

Mayor Subrizi including a paper street, connecting Berkley to Cedar, and a small triangular shaped piece of property that is currently being used as farmland. This triangular property has been farmed for many years and is considered a swale. Additional research needs to be done to confirm ownership of properties.

Mayor and Council clarified that there are two separate issues on the table. The gate and sign Fresh and Fancy would like to install is one issue. The use and ownership of the triangular property is the second issue.

Councilman Ashley said that when the Fresh and Fancy property was purchased there were rules in place that the owners should have been aware of. The Borough is the guardian of the easement.

Mr. Leibman said the existing gate is on the plan approved by the county; it would be difficult to compel them to remove it.

The deed was negotiated not long ago and the new owners were advised that the property came with the easement. Mr. Leibman suggested the property owners be invited to another meeting to discuss their position and wishes. Future discussions regarding the farms should be done with representation of the farms. Mayor Subrizi asked that they be put on the agenda for March 11th. No decisions will be made at this meeting.

Mr. Leibman reiterated that the owners' wishes should be heard by the Mayor and Council. He said during the course of the previous meeting with the BCOS, the county mentioned various avenues the property owners could pursue, including a Right to Farm lawsuit. He advised the Council of the county's agricultural board which can address the issues as well.

The matter will be listed for discussion on March 11<sup>th</sup>; the owner of Fresh and Fancy will be asked to attend to provide the Council with specific information on what is being requested.

### 3. LOSAP – COLA Request

The Administrator explained that the Mayor and Council have the authority to approve a cost of living increase to the annual LOSAP amount awarded to qualifying members of volunteer services. The cost of living adjustment as per the DLGS is 2.2%. The request for the adjustment came from the Fire Department. There was an adjustment made of 2% last year. It was agreed to keep the approving resolution on the consent agenda for a vote.

### 4. 2013 Road Program

The Administrator reported that she met with the engineer and DPW Superintendant to go over the list of roads in the Borough that are in worst need of repair. It will be reviewed and prioritized again before returning to the Mayor and Council. This year, the Riverside Co-op will do things differently than in years past. The Co-op will set the price for the estimates to be used to go out to bid. The Borough will use those prices to factor costs for the street work

needed on the final list. After determining the costs, a decision will be made as to which streets the borough will be able to resurface this year.

The Administrator reported on a new process, micro-surfacing, which was discussed briefly at the Riverside Co-op meeting. It is now being used in western NJ and PA. She was told it is not the same quality as repaving but the application will increase the life of a slightly damaged street by 5 to 7 years. It is much less expensive than repaving. She asked the Mayor and Council if they would be interested in trying it out on one of the Borough streets to see how it holds up. The cost presented to the Administrator was the equivalent of 20 micro-surfacing to one repaving project. It was agreed to get more information for the March meeting.

#### 5. Budget Committee Report

Mayor Subrizi said that she sent an updated report and spreadsheet to Council members today. The spreadsheet will be forwarded to the auditor; the auditor will drop in the numbers and produce the budget document for introduction on March 11<sup>th</sup>. The budget is still missing police salaries because the contract was just signed. Also outstanding the DPW and recycling budgets. Councilman Putrino said the committee will continue to work on the document line by line and continue to give reports to the Council.

Mayor Subrizi spoke about possible projects for funding in the capital budget, including the Hirshfeld Brook mitigation. Five percent of the total capital budget must be added to the operating budget.

Councilman Robalino reminded everyone that all Borough departments have been very measured in spending this year leaving the Borough with a surplus.

#### 6. Administrator's Report

The Administrator reminded the governing body of the need to pass a resolution to authorize application for the 2012 tonnage grant. It is done annually and she would like it included in the consent agenda. She read the resolution and the Mayor and Council agreed to add it as 2013:77 on the consent agenda.

The Administrator said she was notified by the DEP that the funds for the first three acquisitions will be forwarded by the end of the week. The other two properties which were scheduled to close have environmental issues which are being addressed. One property is dealing with a well that can not be located and the other involves two oil tanks. Mr. Madaio will schedule the closings.

The Administrator referenced information provided by Chief Papapietro on the Bergen County Public Safety Operations Center, and asked if the Council wished to list it for discussion at a future work session. Mayor Subrizi said she did not see a cost savings. She has set up a meeting with Oradell and River Edge's Mayors and Emergency Officers to see if

a collaboration may be possible. She will report back any news that is produced from the meeting.

The Administrator spoke about the Swiftreach Reverse 911 service and what is included free of charge. The definition for the free application is narrow and includes only emergency messages. Swiftreach has provided an estimate of \$3500 annually, which would include two non-emergency reverse 911 messages or texts per month. There is no cost breakdown for overages. The Administrator said the Borough used the system approximately ten times last year for true emergency reasons. Councilman Robalino said that he will get information on another system used by NM school system. Mayor and Council agreed to hold off on a decision at this time.

The Administrator reminded all Council members who have not taken the JIF Elected Officer Training to please do so. Councilmen Robalino and Colucci said that they attended the meeting in Harrington Park and Councilwoman Grant did the training on line and will print out the acknowledgment.

#### **COUNCIL:**

Council President Duffie reported the Rent Leveling Board would like to attend the Mayor and Council work session in March for a brief presentation outlining what the board does, its accomplishments, and compliances. The Administrator will place the topic on the agenda.

Council President Duffie spoke about her progress in trying to understand the relationship between the Borough's Health Department and Mid Bergen Services. She has been researching the offerings of the county health department and making comparisons to what the Borough is currently receiving. She is also looking into the cost of running the department.

Council President Duffie said that Judge Kelly called to suggest putting Elsbeth Crusius on the record as the Alternate Prosecutor. The history of prosecutors and alternates in New Milford over the last year was recounted. Mr. Leibman said that the issue of payment for the alternate prosecutor should be done through the Borough as opposed to allowing reimbursements from the prosecutor.

Councilwoman Grant referenced resolutions 2013:72 and 2013:73. She said that 2013:72, although it would cost additional money, provides coverage for all emergency responders. Mayor Subrizi said as she understands it these amendments could double the statewide workers comp bill. The bill also includes emergency responders who no longer serve and places the burden of proof on the Borough. Councilwoman Grant said that there are some good provisions in both bills but others are overly burdensome. For this reason she would agree to oppose them as currently written.

Councilwoman Grant asked about the lightening early detection siren the Borough was considering as a shared service with River Edge. Mayor Subrizi said it is an ongoing topic and a meeting is to be scheduled shortly with the Board of Education and River Edge.

Councilman Colucci said that at the last meeting, he requested a letter be written to the County Executive regarding the donation of a 4-wheel drive OEM vehicle to tow an emergency rescue boat. At the meeting, Chief Papapietro offered the Fire Department a retired police 4-wheel drive vehicle for the purpose. Although grateful for the offer, emergency responders agreed that a larger 4-wheel drive vehicle would be better suited. He would like to see if the county is holding an auction or is able to provide New Milford with a pick up truck to be used for hauling equipment as well as carting the boat. If this is not possible, then they will make do with the Police 4-wheel drive. Councilman Colucci discussed the need to consider replacing the Fire Department's 2004 Durangos because of their age and high mileage. The Administrator stated the request would need to be considered as part of the capital budget.

Councilman Colucci spoke about the No Skating sign at Hardcastle Pond. He said the sign should be bolder so that people are aware that they should not be on the ice. He asked for a caged recycling bin for Fire Company #1. The recycling company will be contacted about the possibility of giving one to the Borough.

Councilman Putrino reported that he is looking into companies that will do audits of our utility lines. The companies charge no money up front but take 50% of savings they find the town in the first year. He gave an example of phone bill savings. He will bring the topic back to Council in April.

Councilman Ashley reported it has come to the Shade Tree Commission's attention that money from the Commission's account was transferred out at the end of the year. A portion of the money was earmarked to be used for specific projects including a Hazard Tree Survey. Councilman Ashley was asked to have the money added back into the Committee's 2013 budget.

Council President Duffie said that \$1,600 was also taken out of the Historic Commission budget and requested that it be put back into the committee's budget for 2013. The Administrator explained the process of end of the year budget preparation and the legal necessity to take funding not spent out of the end of year budget to create a zero balance. All funding needed for projects and other purposes are to go into the following year's budget request for consideration. The Shade Tree Commission's account for tree funding was discussed. As per ordinance, fines are charged according to specific formulas for a variety of issues involving accidents with tree damage and tree removals. A trust account for donations only was discussed.

Councilman Robalino reported that since the Borough changed vendors to supply the municipality's electricity, the Borough has saved \$36,000 from the previous year. The expected actual savings will likely surpass \$40,000 for the year. There will be additional savings next year because the Borough was able to join in on the gas bid as well this year. After this year there is a potential savings of \$60,000 or more in energy bills.

Councilman Robalino said he read on the NJLOM about bill A2753 and S1923, which is up for vote again. The bill was vetoed last year by the Governor. It concentrates on the restoration of energy tax receipts. Municipalities are supposed to be reimbursed for these tax receipts by the state but are not. He asked that the Borough draft and approve a resolution supporting the bill. The resolution will be prepared for the February 25<sup>th</sup> meeting. Mayor Subrizi said the bill was a

hot topic at the Mayor's Legislature Day and the law makers at the event assured the officials in attendance that the municipalities will get the reimbursements.

Mayor Subrizi told the Council that she has been involved with the Northern NJ Community Foundation for about two years. It is a collaboration consisting of 6 towns, New Milford, Bogota, Englewood, Hackensack, Teaneck and Bergenfield. The group considered a collaboration for the service of crossing guards. After information was tabulated it was determined the collaboration would have cost New Milford \$4.00 per hour more than the Borough is paying now.

Mayor Subrizi said that it is her opinion that perhaps the Riverside Co-op is stuck in its ways. She asked the Administrator if there is a way to invigorate them and urge them to grow. Councilman Putrino asked if he could attend a meeting of the Co-op. The Administrator will forward him the meeting information.

Mayor Subrizi reported that Mr. Brunetti will be sending plans for the Brookchester complex and she will share them with the Council when she gets them.

Mayor Subrizi asked to add resolution 2013:78 to the consent agenda to indemnify her and Councilman Ashley and to hire independent legal counsel at the Borough's expense at \$125.00 per hour in defense of the lawsuit. She asked to add resolution 2013:79 to hire an attorney to defend the Borough of New Milford in the same suit.

Councilman Diego reminded the budget committee that the legal line item will need to be increased for 2013. Mayor Subrizi said the increase will be discussed at the next meeting.

Councilman Colucci asked to have resolution 2013:68 pulled and voted on separately.

## **COMMENTS FROM THE PUBLIC**

Councilman Putrino made a motion to open to the public. Councilman Colucci seconded the motion. All present in favor, none opposed.

John DeSantis, 190 Powell. Mr. DeSantis asked why the discussion of the lawsuit was held in the closed portion of the meeting. The Administrator stated there are a number of topics that can be spoken about in closed session, pending litigation being one of those topics. He asked if the lawsuit could be avoided. He was told that the topic cannot be discussed. He asked how many attorneys will be involved in the suit. He was told that there will be 3 separate attorneys.

Mr. DeSantis asked Mr. Leibman how he did not anticipate that there would be the question of a conflict of interest when he accepted the position. Mr. Leibman said that he had reviewed the rules of professional conduct and ethics rules and there is no conflict or violation. The issue will be filed and defended in court.

Mr. DeSantis asked how much the borough owned property adjacent to Perrone's farm would cost to rent. He was told that it would need to be researched before answering.

John Rutledge, 335 River Road. Mr. Rutledge asked why the meeting with representatives from SWAN was held in closed session. He was told the governing body is concerned about potential litigation.

Mark Flores, 150 North Carlton Place. Mr. Flores said that it is his opinion the governing body should not have hired Mr. Leibman. He said that the appointment looks inappropriate because he was Mr. Ashley's legal attorney prior to his appointment as Borough Attorney. He said that the Council should decide to hire a different Borough attorney instead of spending taxpayer dollars on a lawsuit.

Howard Berner, 145 North Terrace Place. Mr. Berner commented on an article he read on Patch stating that Ms. Aljian did not submit an RFQ during the process of appointing a Borough attorney. She never applied for the position and therefore should not have been considered for the position. The Council needs to live within the laws so that the public is not deceived by the actions the governing body takes.

Mary McElroy- 297 Greve. Ms. McElroy asked if Ms. Casey will be at the next Mayor and Council meeting. The Administrator said that she is scheduled to attend but it has not been confirmed. Ms. McElroy asked if Ms. Casey could talk about what type of grant money is available to acquire the land behind the high school fields. The Administrator said that the Borough can not get grant money to purchase land that is already municipally owned. Ms. McElroy asked that the question be asked of the grants writer anyway. She said that she wants to see action.

Ms. McElroy said that she is not in favor of obtaining a needs assessment for the Police Department. She said she feels looking into options like working with the county may be better than building a new police department in this day and age. Mayor Subrizi said that options continue to be looked at. The current police department has many safety risks and is out of state standards. Spending \$7,500 at this time to have an assessment done does not seem like an unreasonable step to take. Ms. McElroy disagreed.

Ulises Cabrera, 659 Columbia Street. Mr. Cabrera asked what the total budget is for the town and was told approximately \$18 million.

Mr. Cabrera said that a neighbor of his cleaned the Henley commuter parking lot walkway through to Columbia of snow because it had not been done in a timely fashion. The list of public areas to be cleaned by the DPW will be checked to make sure it is on the list.

Lori Barton, 399 Roslyn Avenue. Ms. Barton commented on the bills Councilman Robalino spoke about earlier. She asked how many votes the bill would need to make it veto proof and who should she contact to lobby for its passing. She was told that Senator Paul Sarlo was sponsoring the bill and to contact Mr. Sarlo's office.

Tom Shrek, 214 Ridge. Mr. Shrek asked about the cost to have police dispatching go to the county. Councilman Robalino said that he is waiting for the Chief to receive more information. The municipality currently pays \$50,000. To go through the county will cost in the area of

\$200,000 but will include computer equipment. If the Borough contracted with the county facility the police department would not need to maintain the amount of computer equipment now needed. The Mayor and Council are waiting for more information at this time to come from the county but the feeling is that it is more cost effective and efficient to continue to dispatch in the Borough's current fashion. Mr. Shrek said that if towns get together and approach the county we may be able to get a better price. The taxpayers paid for the building and should not have to pay for the service.

Celeste Scavetta, 635 Mabie Street. Ms. Scavetta said that she is concerned about the fiscal effect the lawsuit is going to have on the budget. She is worried that the taxpayers will lose important services if money needs to be cut from other line items to pay for legal services. Everyone needs to work as one,

John Rutledge, 335 River Road. Mr. Rutledge said that three different reporters are reporting on this meeting tonight. He said that the issues regarding the lawsuit are going to continue and that the citizens of town need to understand what is happening in an unbiased way – he suggested updates should be posted on the Borough website.

Councilman Putrino made a motion to close the public portion of the meeting. Councilman Robalino seconded the motion. All present in favor, none opposed.

Resolutions 2013:68, 2013:78, and 2013:79 were pulled out to be voted on separately.

**RESOLUTIONS:**

- 2013:58 Closed Session
- 2013:59 Payment of Bills and Vouchers
- 2013:60 Approve Raffle License 2013-03 – Hovnanian School
- 2013:61 Approve Raffle License 2013-04 – Berkley School PTO
- 2013:62 Approve Raffle License 2013-05 – New Milford Little League
- 2013:63 Approve Tax Refund – Block 308, Lot 8 as a result of Disability Credit
- 2013:64 Approve Tax Refund – Block 318, Lot 9 as a result of Veteran's Credit
- 2013:65 Approve Tax Refund – Block 501, Lot 3 as a result of Reduced Tax Assessment granted by County Board Judgment
- 2013:66 Approve Tax Refund – Block 907, Lot 18 as a result of Property Tax Deduction granted by State of New Jersey Tax Court Judgment
- 2013:67 Authorize Escrow Refund – D.A.B. Builders in the amount of \$2,199.25
- 2013:68 Authorize Escrow Refund – Bell, 205 Baldwin Avenue in the amount of \$300.00
- 2013:69 Authorize Mayor to sign Service Agreement with BCUA for a Certified Recycling Professional to Prepare Annual Recycling Tonnage Report
- 2013:70 Authorize Danziger & Markhoff, LLP to prepare actuarial valuation in accordance with GASB 45
- 2013:71 Appoint Alternate Public Defender – Mark Winkler
- 2013:72 Oppose Bill A-1196 – Amendments to Worker's Compensation Law
- 2013:73 Oppose Bill S-2511 – Amendments to Open Public Meetings Act
- 2013:74 Appoint Special Legal Counsel – Labor Attorney to conclude ongoing PBA matters
- 2013:75 Authorize base amount for LOSAP for 2012 Service

- 2013:76 Authorize RCA to complete a Needs Assessment for the NMPD at a fee not to exceed \$7,500
- 2013:77 Endorse submission of recycling tonnage grant application to the NJ DEP
- 2013:78 Authorize Defense and Indemnification of Mayor Subrizi and Councilman Ashley in the Matter of Hedy P. Grant v. Austin Ashley, Ann Subrizi and the Borough of New Milford
- 2013:79 Appoint Ronald P. Mondello, Esq. as Special Counsel in the Matter of Hedy P. Grant v. Austin Ashley, Ann Subrizi and the Borough of New Milford

### **VOTE ON RESOLUTIONS**

Councilman Robalino made a motion to approve resolution 2013:68. Councilman Ashley seconded the motion. The motion passed on a roll call vote as follows:

Approved the motion: Duffie, Grant, Robalino, Ashley, Putrino

Against the motion: None

Abstain: Colucci

Councilman Robalino made a motion to approve the consent agenda resolutions 2013:58 through 2013:67 and 2013:69 through 2013:77. Councilman Colucci seconded the motion. All present in favor, none opposed.

Councilman Colucci made a motion to approve resolution 2013:78. Councilman Robalino seconded the motion. The motion passed on a roll call vote as follows:

Approved the motion: Duffie, Colucci, Robalino, Ashley, Putrino

Against the motion: None

Abstain: Grant

Councilman Putrino made a motion to approve resolution 2013:79. Councilman Colucci seconded the motion. The motion passed on a roll call vote as follows:

Approved the motion: Duffie, Colucci, Robalino, Ashley, Putrino

Against the motion: None

Abstain: Grant

### **ADJOURNMENT**

Councilman Putrino made a motion to adjourn. Councilman Colucci seconded the motion. All present in favor, none opposed. Time 11:07 PM.

Respectfully submitted,



Diane Grimaldi, RMC  
Deputy Borough Clerk

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:38

Offered by: [Signature]

Seconded by: [Signature]

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

**WHEREAS**, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist; and

**WHEREAS**, the Governing Body wishes to discuss:

1. Bergen Swan – Lori Charkey
2. Personnel – PD
3. Personnel – DPW
4. Personnel – Administrator/Borough Clerk
5. Pending Litigation – Grant v. Ashley, et.al.

**WHEREAS**, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

**NOW, THEREFORE BE IT RESOLVED** that the public be excluded from this meeting.

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 February 11, 2013.

Christine Demaris

SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:59

Offered by: [Signature]

Seconded by: [Signature]

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

**WHEREAS**, the claims and accounts listed below, have been authorized by the CFO, and found correct.

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council hereby authorize the payment of these claims, and that warrants be drawn therefore when funds are available in the aggregate amount of \$4,458,331.90.

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 February 11, 2013.

[Signature: Christine Demaris]

SEAL

**BOROUGH OF NEW MILFORD**

**Bill list**

**JANUARY 16-31. 2013 PAYROLL**

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
PAYROLL	937.89	JANUARY 16-31, 2013 PAYROLL	GENERAL	2103
PAYROLL	8324.75	JANUARY 16-31, 2013 PAYROLL	MUNICIPAL	2103
PAYROLL	7115.35	JANUARY 16-31, 2013 PAYROLL	COLLECTION	2103
PAYROLL	1515.36	JANUARY 16-31, 2013 PAYROLL	ASSESSMENT	2103
PAYROLL	645.38	JANUARY 16-31, 2013 PAYROLL	ASSESSMENT	2103
PAYROLL	120.00	JANUARY 16-31, 2013 PAYROLL	ZONING	2103
PAYROLL	5240.83	JANUARY 16-31, 2013 PAYROLL	CODE	2103
PAYROLL	100.00	JANUARY 16-31, 2013 PAYROLL	RENT	2103
PAYROLL	3129.28	JANUARY 16-31, 2013 PAYROLL	POLICE	2103
PAYROLL	9120.26	JANUARY 16-31, 2013 PAYROLL	POLICE	2103
PAYROLL	4915.97	JANUARY 16-31, 2013 PAYROLL	POLICE	2103
PAYROLL	7066.47	JANUARY 16-31, 2013 PAYROLL	POLICE	2103
PAYROLL	147300.75	JANUARY 16-31, 2013 PAYROLL	POLICE	2103
PAYROLL	473.50	JANUARY 16-31, 2013 PAYROLL	UNIFORM	2103
PAYROLL	3732.81	JANUARY 16-31, 2013 PAYROLL	PUBLIC	2103
PAYROLL	56361.99	JANUARY 16-31, 2013 PAYROLL	PUBLIC	2103
PAYROLL	600.00	JANUARY 16-31, 2013 PAYROLL	PUBLIC	2103
PAYROLL	1570.93	JANUARY 16-31, 2013 PAYROLL	RECYCLING	2103
PAYROLL	116.85	JANUARY 16-31, 2013 PAYROLL	PUBLIC	2103
PAYROLL	3375.62	JANUARY 16-31, 2013 PAYROLL	PUBLIC	2103
PAYROLL	4741.31	JANUARY 16-31, 2013 PAYROLL	BOARD OF	2103
PAYROLL	2167.50	JANUARY 16-31, 2013 PAYROLL	RECREATION	2103
PAYROLL	3910.94	JANUARY 16-31, 2013 PAYROLL	SENIOR	2103
PAYROLL	21067.58	JANUARY 16-31, 2013 PAYROLL	LIBRARY	2103
PAYROLL	86.00	JANUARY 16-31, 2013 PAYROLL	MUNICIPAL	2103
PAYROLL	5609.30	JANUARY 16-31, 2013 PAYROLL	MUNICIPAL	2103
PAYROLL	2000.80	JANUARY 16-31, 2013 PAYROLL	PUBLIC	2103
PAYROLL	70.92	JANUARY 16-31, 2013 PAYROLL	PUBLIC	2103
PAYROLL	83.58	JANUARY 16-31, 2013 PAYROLL	RECREATION	2103
PAYROLL	0.00	JANUARY 16-31, 2013 PAYROLL	TITLE III -	2103
PAYROLL	2836.49	JANUARY 16-31, 2013 PAYROLL	TITLE III -	2103
PAYROLL	8997.20	JANUARY 16-31, 2013 BORO SOCIAL	SOCIAL	2104
PAYROLL	4089.01	JANUARY 16-31, 2013 BORO MEDICARE	SOCIAL	2105

**Total fund: 01 Current 317424.62**

**Total Bill List: 317424.62**

# BOROUGH OF NEW MILFORD

## Bill list

FEBRUARY 11, 2013

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
DEPOSITORY TRUST	415000.00	WIRE-GENERAL SERIAL BONDS 2005	PAYMENT	2139
DEPOSITORY TRUST	0.00	WIRE-GENERAL SERIAL BONDS 2005	INTEREST ON	2139
DEPOSITORY TRUST	22487.50	WIRE-GENERAL SERIAL BONDS 2005	INTEREST ON	2139
US BANK NA	26722.57	WIRE-PAYMENT OF NJEIT LOAN 2/1/13	NJIT	2140
NEW MILFORD BOARD	2331002.17	FEBRUARY 2013 SCHOOL APPROPRIATION	SCHOOL	2141
COUNTY OF BERGEN	1046182.73	1ST QTR 2013 & 2012 ADDED/OMITTED	COUNTY	2142
COUNTY OPEN SPACE	12058.36	1ST QTR 2013 & 2012 ADDED/OMITTED	COUNTY	2143
NEW MILFORD	24419.80	1ST QTR 2013 & 2012 ADDED/OMITTED	MUNICIPAL	2144
HENLEY PROPERTIES	626.69	BL.501.LT.3 2012 CBJ TAX REFUND	TAX	2145
RONALD & LINDA	1270.51	BL.907 LT.18 2012 TAX COURT	TAX	2146
NEIL W. WASSERMAN	250.00	BL.318 LT.9 2012 VETERAN'S CREDIT	TAX	2147
JOHN TSAKALIS	250.00	BL.308 LT.8 2012 DISABILITY CREDIT	TAX	2148
STANDARD FUSEE	489.52	INV. 221748 3 GR TRAFFIC FLARES	POLICE	2149
TREASURER, STATE	400.00	4TH QTR 2012 (OCT/NOV/DEC) 16	STATE	2150
TREASURER, STATE OF	1214.00	4TH QUARTER 2012 (OCT-DEC) DCA	STATE	2151
NORTH JERSEY MEDIA	115.72	ACCT. 1101720 DEC. AD#3417664	MUNICIPAL	2152
NORTH JERSEY MEDIA	92.10	AD#3416233 MEETING SCHEDULES ACCT#	ZONING	2153
NEW MILFORD	8500.00	REC BASKETBALL REFEREE FEES 2013	RECREATION	2154
RRI L. SMITH,	375.00	1/22/13 3HRS CHILD HEALTH CLINIC	BOARD OF	2155
MICHAEL CALAMARI	200.00	ESTABLISH 2013 DPW PETTY CASH	PETTY CASH	2156
KEVIN J. VAN	272.34	REIMB. CLOTHING PURCHASES	POLICE	2157
SCOTT G.	100.00	12/11/12 MEETING ATTENDANCE	ZONING	2158
PHILLIPS PREISS	405.00	INV.16495 NOVEMBER 2012 SERVICES	LEGAL	2159
BERGEN COUNTY	-100.00	MEMBERSHIP DUES 2013 C.DEMIRIS,D.	MUNICIPAL	2160
BERGEN COUNTY	0.00	MEMBERSHIP DUES 2013 C.DEMIRIS,D.	MUNICIPAL	2160
BERGEN COUNTY	100.00	MEMBERSHIP DUES 2013 C.DEMIRIS,D.	MUNICIPAL	2160
BERGEN COUNTY	100.00	MEMBERSHIP DUES 2013 C.DEMIRIS,D.	MUNICIPAL	2161
NORTHERN VALLEY	225.00	2013 DUES-MAYOR ANN SUBRIZI	MUNICIPAL	2162
BERGEN COUNTY	150.00	2013 MEMBERSHIP DUES	MUNICIPAL	2163
GOVERNMENTAL	90.00	2013 DUES-KATHLEEN MICHKOWSKI, QPA	MUNICIPAL	2164
RIVERSIDE	500.00	2013 MEMBERSHIP DUES	MUNICIPAL	2165
IIMC	230.00	2013 MEMBERSHIP	MUNICIPAL	2166
VERIZON	73.38	INV.11613 1/16-2/15/13	O/E	2167
METROPOLITAN	2154.31	1/15-2/14/13 TELEPHONE	O/E	2168
MICROSTRATEGIES	2545.00	INV.178110 NICE VOICE RECORDER	POLICE	2169
MC SYSTEMS	600.00	2013 MAINT. CONTRACT	CODE	2170
OBS	0.00	INV. 170944 4 FTR FOOT PEDALS	MUNICIPAL	2171
OBS	87.00	INV. 170944 4 FTR FOOT PEDALS	MUNICIPAL	2171
OBS	87.00	INV. 170944 4 FTR FOOT PEDALS	PLANNING	2171
OBS	87.00	INV. 170944 4 FTR FOOT PEDALS	ZONING	2171
REGISTRARS' ASSN.	75.00	2013 DUES-J. LEPAGE, D. GRIMALDI &	BOARD OF	2172
BERGEN/PASSAIC CTY	30.00	2013 DUES-J. LEPAGE, D.	BOARD OF	2173
INFOCROSSING, INC.	470.13	INV. 5007783 12/13/12 POST TAX	COLLECTION	2174
MUNIDEX INC.	5647.20	2013 SOTWARE	COLLECTION	2175
MILLENNIUM VISUAL	507.36	JAN/FEB/MAR 2013 INV.13-15280	MUNICIPAL	2176
HACKENSACK SUPPLY	427.55	INV. 1225916 1/21/13 SUPPLIES	PUBLIC	2177
ANCHOR RUBBER	54.50	INV.64711 NOTARY STAMP/BOOKS	MUNICIPAL	2178

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
HOLY NAME HOSPITAL	110.00	11/15/12 INV.81382425201211OH	PUBLIC	2179
HOLY NAME HOSPITAL	131.00	INV.81386129201212OH PHYSICAL ALAN	FIRE O/E	2180
HACKENSACK	100.00	INV. 68891 FITNESS FOR DUTY	MUNICIPAL	2181
APPRAISAL SYSTEMS,	22500.00	INV. 5 RE-ASSESSMENT BALANCE	ASSESSMENT	2182
NEW MILFORD FIRE	0.00	REIMB. EXPENSES	FIRE O/E	2183
NEW MILFORD FIRE	0.00	REIMB. EXPENSES	FIRE O/E	2183
NEW MILFORD FIRE	18.49	REIMB. EXPENSES	FIRE O/E	2183
NEW MILFORD FIRE	0.00	REIMB. EXPENSES	FIRE O/E	2183
NEW MILFORD FIRE	0.00	REIMB. EXPENSES	FIRE O/E	2183
BOSWELL MCCLAVE	0.00	JULY-DEC. 2012 MEETINGS NM579ZB &	PLANNING	2184
BOSWELL MCCLAVE	704.00	JULY-DEC. 2012 MEETINGS NM579ZB &	PLANNING	2184
BOSWELL MCCLAVE	704.00	JULY-DEC. 2012 MEETINGS NM579ZB &	ZONING	2184
BOSWELL MCCLAVE	-14625.00	INV. 72735 NM598S HAZARD	HAZARD	2185
BOSWELL MCCLAVE	0.00	INV. 72735 NM598S HAZARD	HAZARD	2185
BOSWELL MCCLAVE	14625.00	INV. 72735 NM598S HAZARD	HAZARD	2185
BOSWELL MCCLAVE	580.61	INV. 72735 NM598S HAZARD	HAZARD	2186
BOSWELL MCCLAVE	233.00	INV.72730 12/12/12 NM578 GENERAL	ENGINEERING	2187
BOSWELL MCCLAVE	616.00	INV.73320 1/11/13 NM578 GENERAL	ENGINEERING	2188
BOSWELL MCCLAVE	5100.00	INV. 72636 NM599 11/30/12 TAX MAPS	ASSESSMENT	2189
DELGADO	1035.00	AUG-DEC.2012 INTERPRETER SERVICES	MUNICIPAL	2190
IRON MOUNTAIN	183.07	DEC. 2012 STORAGE INV.GHB7776	MUNICIPAL	2191
ARROW ELEVATOR	185.00	DEC. 2012 ELEVATOR MAINT.	PUBLIC	2192
STEWART BUSINESS	181.00	11/23-12/23/12 COPIER MAINT.	MUNICIPAL	2193
EXTEL	2292.00	2013 TELEPHONE MAINT. & SERVICE	O/E	2194
MILFORD ARMS	1200.00	4TH QTR 2012 GARBAGE REIMB.	GARBAGE &	2195
RR DONNELLEY	125.00	INV.249771002 SAFETY PAPER 8 1/2 X	BOARD OF	2196
RT COMPUTER	34.00	INV.3948 DOMAIN REG. RENEWAL (2	POLICE	2197
PALISADES SALES	418.00	INV. 951820 COMPUTER EQUIP.	POLICE	2198
PALISADES SALES	1018.00	INV.951823 WORK	POLICE	2199
WINE & ROSES, INC.	50.00	inv.619573 12/20/12 FLOWERS-MARIA	PLANNING	2200
STAPLES ADVANTAGE	131.91	INV.3190677266, 3190677267, 31906772	MUNICIPAL	2201
STAPLES ADVANTAGE	118.15	INV.3186507799 OFFICE SUPPLIES	CODE	2202
STAPLES ADVANTAGE	848.61	INV.3188326556, 3187968136 OFFICE	POLICE	2203
MOORE MEDICAL, LLC	470.85	INV.82009579 MEDICAL SUPPLIES	BOARD OF	2204
PRIMO PEST CONTROL	50.00	DEC. EXTERMINATION SERVICES	SENIOR	2205
SCOTT GRAPHICS	135.00	INV. 10335 100 PERMITS	UNIFORM	2206
SCOTT GRAPHICS	2875.00	INV. 10387 2013 RECYCLING/GARBAGE	CLEAN	2207
BERGEN DOOR	420.00	INV. 7182 REPAIR OVERHEAD DOOR	PUBLIC	2208
BERGEN DOOR	285.00	INV. 7068 REPAIR OVERHEAD DOOR	PUBLIC	2209
PARENT DOOR	460.00	INV. 74604 REPAIR SIDE DOOR FIRE	PUBLIC	2210
FBI-LEEDA	50.00	2013 DUES-CHIEF FRANK PAPAPIETRO	POLICE	2211
NJ POLICE TRAFFIC	200.00	2013 DUES	POLICE	2212
BERGEN COUNTY	350.00	2013 ANNUAL CHIEF FRANK PAPAPIETRO	POLICE	2213
NORTHWEST BERGEN	7000.00	JAN-MARCH 2013 DISPATCH SERVICE	POLICE	2214
NORTHWEST BERGEN	16410.00	2013 FEE HANDOFF SERVICE INV.113	O/E	2215
G.T.B.M., INC.	2152.80	INV.1007091 780 4TH QTR	POLICE	2216
ENFORSYS POLICE	550.00	INV.1210045 CAD WORK STATION-OFF	FIRE O/E	2217
ENFORSYS POLICE	2310.00	2013 JAN-MARCH MAINT. FEE	POLICE	2218
TURN OUT UNIFORMS,	453.96	INV. 127904, 128259 JONES	POLICE	2219
AEGER SAFETY	155.00	INV.90850930 ALCOTEST EQUIP.	DDEF FUND	2220
CONNELL CONSULTING	1350.00	6 PEOPLE-3 DAY SEMINAR	POLICE	2221
LAWMEN SUPPLY	1852.50	2 POINT BLANK VISION LEVEL 111A	BULLET	2222
AMERICANWEAR	86.80	ACCT. 2176 OCT-DEC. 2012 UNIFORMS	PUBLIC	2223
CLEANING WORLD	1110.00	INV.61952 DEC. CLEANING 5	PUBLIC	2224
CLEANING WORLD	550.00	INV.61952 DEC. CLEANING 5	SENIOR	2224

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
CLEANING WORLD	0.00	INV.61952 DEC. CLEANING 5	RECREATION	2224
CLEANING WORLD	35.00	INV.61952 DEC. CLEANING 5	RECREATION	2224
RAINBOW CLEANERS	75.00	INV. 6249 REPAIR FIREFIGHTING	FIRE O/E	2225
CLINTON CAR WASH	292.00	73 CAR WASHES INV.42 JUNE -NOV.	VEHICLE	2226
HOP RITE OF NEW	134.15	CUST. 3563 DEC. SATURDAY WELLNESS	SENIOR	2227
SCREEN STYLES	186.50	INV. 56152 38 WRESTLING T-SHIRTS	RECREATION	2228
SCREEN STYLES	1818.25	INV. 56151 425 BASKETBALL T-SHIRTS	RECREATION	2229
EJG SPORTS	4049.88	INV.1194, 1180 90 BASKETBALL	RECREATION	2230
EJG SPORTS	465.00	INV. 1195 TABLE TOP	RECREATION	2231
STATE LINE	40.00	INV.87413, 87275 MAINT. EQUIP,	FIRE O/E	2232
STATE LINE	0.00	INV.87413, 87275 MAINT. EQUIP,	FIRE O/E	2232
STATE LINE	132.00	INV.87413, 87275 MAINT. EQUIP,	FIRE O/E	2232
STATE LINE	170.05	OCT-NOV. INV.86400,86482,86984	FIRE O/E	2233
STATE LINE	0.00	OCT-NOV. INV.86400,86482,86984	FIRE O/E	2233
STATE LINE	50.00	OCT-NOV. INV.86400,86482,86984	FIRE O/E	2233
STATE LINE	100.00	OCT-NOV. INV.86400,86482,86984	FIRE O/E	2233
P & A AUTO PARTS	646.44	INV.13-454597,455119,457215,457300	FIRE O/E	2234
P & A AUTO PARTS	1352.65	10/26-11/30/12 26 INVOICES	PUBLIC	2235
P & A AUTO PARTS	2064.03	NOV-DECEMBER 2012 - 27 INVOICES	PUBLIC	2236
P & A AUTO PARTS	243.14	7 INVOICES 11/20-12/13/12	VEHICLE	2237
P & A AUTO PARTS	600.54	7 INVOICES AUTOMOTIVE SUPPLIES	FIRE O/E	2238
BRIAN JOHNSON	350.00	FIRE CO. #1 REPAIR PUMP & PLUMB	PUBLIC	2239
FALASCA & SON	79.95	INV. 125319 WHEEL ALIGNMENT	FIRE O/E	2240
TRICO EQUIPMENT	379.49	INV. PT0779 BLOWN HEAD GASKET	PUBLIC	2241
CAMPBELL SUPPLY	646.78	INV.R012002124:01 REPAIR, LABOR	FIRE O/E	2242
RAMSEY AUTO GROUP	304.62	INV. PLCS179745, 358952 KEYS FOR	FIRE O/E	2243
MIN AUTO SUPPLY	140.08	INV.653095,654944 AUTOMOTIVE	FIRE O/E	2244
PALMERS HOME	126.81	INV.650993,651218,651363,651399,65	PUBLIC	2245
PALMERS HOME	14.70	INV. 651163	POLICE	2246
D. & E. UNIFORMS	554.50	INV. 48726, 1012 PAPAPIETRO,	POLICE	2247
HARRIS UNIFORMS	522.00	INV.20663,20631,20727,20726	POLICE	2248
REGIONAL	176.68	INV. 118967 RADIO REPAIRS	POLICE	2249
10-75 EMERGENCY	200.00	INV. 1645 8 CHANNEL LED BALLAST	FIRE O/E	2250
LIFESAVERS, INC.	252.00	INV. 50843 BATTERY PACKS FOR	POLICE	2251
ALL AMERICAN FORD	393.40	INV. 174308,174209,174735,174319	VEHICLE	2252
GALL'S INC.	319.00	INV. BC6947 CLOTHING-PEREZ,	POLICE	2253
CIRCLE D LIGHTS	321.87	INV. 147271 FLASHLIGHTS & CHARGER	POLICE	2254
NEW JERSEY FIRE	0.00	INV. 41252	FIRE O/E	2255
NEW JERSEY FIRE	0.00	INV. 41252	FIRE O/E	2255
NEW JERSEY FIRE	144.00	INV. 41252	FIRE O/E	2255
NEW JERSEY FIRE	297.00	INV. 41178 HOLDING STRAPS, TRI	FIRE O/E	2256
REGIONAL	226.50	INV. 106512 5 KENWOOD KMD-15A	FIRE O/E	2257
GOOSETOWN	105.00	INV. 53295 REPAIR CAR 302 RADIOS	FIRE O/E	2258
RAPID PUMP & METER	570.00	INV.90498,90661 NOV & DEC. JACKSON	PUBLIC	2259
WORK' N GEAR	288.19	INV. HA5672 M. CALAMARI-SHOE	PUBLIC	2260
DELUXE	63.22	INV. 416694 PARTS	PUBLIC	2261
RACHLES/MICHELE'S	3907.21	INV.160615 1425 GALS GAS	O/E GAS &	2262
RACHLES/MICHELE'S	3818.62	INV. 161345 12/12-12/27/12 1300.	O/E GAS &	2263
BERGEN COUNTY	21580.62	DEC. RESIDENTIAL FEES INV.3517	GARBAGE &	2264
APPLES ADVANTAGE	37.15	INV.3190406602 OFFICE SUPPLIES	BOARD OF	2265
NATIONAL NOTARY	104.00	C.DEMIRIS,K.MICHKOWSKI,D.GRIMALDI,	MUNICIPAL	2266
APP PRODUCTS	305.08	INV.98038 PURELL FOAM FOR	PUBLIC	2267
I.D.M. MEDICAL	98.50	INV. B3681 OXYGEN REFILLS	POLICE	2268
BERGEN COUNTY	6000.00	2013 MARS MAINTENANCE FEE	POLICE	2269
RACHLES/MICHELE'S	3141.49	INV.17323 1100. GALS GAS	O/E GAS &	2270

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
SCOTT G.	100.00	JANUARY 8, 2013 MEETING	ZONING	2271
PAYROLL	127.50	1ST QTR BOROUGH SHARE DCRP (KEVIN	DCRP	2272
NEW MILFORD FIRE	0.00	MAINTENANCE, SUPPPLIES AND	FIRE O/E	2273
NEW MILFORD FIRE	300.19	MAINTENANCE, SUPPPLIES AND	FIRE O/E	2273
NEW MILFORD FIRE	8.55	MAINTENANCE, SUPPPLIES AND	FIRE O/E	2273
NEW MILFORD FIRE	76.92	MAINTENANCE, SUPPPLIES AND	FIRE O/E	2273
NEW MILFORD FIRE	50.00	MAINTENANCE, SUPPPLIES AND	FIRE O/E	2273
NEW MILFORD PUBLIC	22500.00	BALANCE OF 2012 BUDGET TO PAY	LIBRARY	2274
RELIANCE STANDARD	1365.50	JANUARY 2013 PREMIUM STD 159044	INSURANCE	2275
HOLY NAME HOSPITAL	0.00	DEC. 2012 AMBULANCE BACK-UP	MUNICIPAL	2276
HOLY NAME HOSPITAL	1.66	DEC. 2012 AMBULANCE BACK-UP	MUNICIPAL	2276
HOLY NAME HOSPITAL	849.17	DEC. 2012 AMBULANCE BACK-UP	FIRST AID	2276
TAX COLL/TREAS.	75.00	2013 DUES-DENISE M. AMOROSO, TAX	COLLECTION	2277
TAX COLLECTORS &	100.00	2013 DUES: DENISE M. AMOROSO, TAX	COLLECTION	2278
NEW JERSEY STATE	250.00	2013 DUES-CHIEF FRANK PAPAPIETRO	POLICE	2279
DART COMPUTER	1367.00	INV.3971, 3972 4TH QTR SERVICES	MUNICIPAL	2280
PALISADES SALES	346.00	INV. 951888 TONER CARTRIDGE	POLICE	2281
PALMERS HOME	355.28	8 INVOICES HARDWARE	FIRE O/E	2282
STEWART BUSINESS	181.00	INV.194863 12/23/12-1/23/13	MUNICIPAL	2283
ARROW ELEVATOR	185.00	JANUARY 2013 INV.53061 ELEVATOR	PUBLIC	2284
AMERICANWEAR	72.00	ACCT. NO. 2175-DECEMBER 2012	RECYCLING	2285
AMERICANWEAR	1372.50	ACCT. 2174 NOV-DEC. 2012 UNIFORMS	PUBLIC	2286
NORTHEAST GAS	301.66	OCT-DEC. RENTAL FEES	PUBLIC	2287
GOODYEAR AUTO	441.72	INV. 194605 POLICE CAR TIRES	VEHICLE	2288
ALL AMERICAN FORD	1015.31	INV. 175494, 175496, 175663	VEHICLE	2289
P & A AUTO PARTS	1095.65	9 INVOICES AUTO PARTS	VEHICLE	2290
IE CALL CONCEPTS,	238.36	OCT-DEC. MARK OUT MESSAGES	O/E	2291
UNITED WATER NEW	15437.68	JANUARY 2013 ACCT #100002825412222	O/E WATER	2292
FERRETTI CARTING,	12083.33	JANUARY 2013 RESIDENTIAL RECYCLING	RECYCLING	2293
FERRETTI CARTING,	4500.00	JANUARY 2013 APT/NMHS/NMMS	RECYCLING	2294
MICHAEL CALAMARI	20.00	11/17/12 4 MEN-MEAL MONEY REIMB.	PUBLIC	2295
MICHAEL CALAMARI	40.00	12/1/12 8 MEN -MEAL MONEY REIMB.	PUBLIC	2296
MICHAEL CALAMARI	40.00	12/2/12 2 MEN MEAL MONEY REIMB.	PUBLIC	2297
MICHAEL CALAMARI	65.00	12/8/12 MEAL MONEY REIMB.	PUBLIC	2298
MICHAEL CALAMARI	475.00	12/26,12/2912 MEAL MONEY REIMB.	PUBLIC	2299
MICHAEL CALAMARI	150.00	1/16/13 & 2/3/13 MEAL MONEY REIMB.	PUBLIC	2300
AMERICAN PAPER &	1116.07	INV. J1004548 MISC. SUPPLIES	PUBLIC	2301
MUNICIPAL CLERK'S	175.00	2013 DUES-C.DEMIRIS, D. GRIMALDI	MUNICIPAL	2302
ANJEC	290.00	2013 DUES	ENVIRONMENT	2303
FLAGSHIP HEALTH	80.70	FEBRUARY 2013 PREMIUM	INSURANCE	2304
REGIONAL	124.00	INV. 107056 2 KENWOOD RADIO	FIRE O/E	2305

**Total fund: 01 Current 4109764.03**

**Total Bill List: 4109764.03**

**BOROUGH OF NEW MILFORD**

**Bill list**

**FEBRUARY 11, 2013 CAPITAL**

<b><u>Vendor</u></b>	<b><u>Amount</u></b>	<b><u>Description</u></b>	<b><u>Account</u></b>	<b><u>Check #</u></b>
PARENT DOOR	885.00	INV. 74874 REMOVE & REPLACE FIRE	2012	1090
BOSWELL MCCLAVE	528.00	INV.72728 12/12/12 NM539	2010	1091
BOSWELL MCCLAVE	12603.50	INV.72732 12/12/12 NM581 2012 ROAD	2011	1092
BOSWELL MCCLAVE	890.50	INV.73321 1/11/13 NM581 2012 ROAD	2012	1093
BOSWELL MCCLAVE	176.00	INV. 72734 12/12/12 NM593 REICHELIT	2012	1094
BOSWELL MCCLAVE	567.42	INV. 73429 1/14/13 NM593 REICHELIT	2012	1095
BOSWELL MCCLAVE	113.25	INV.73319 1/11/13 NM561 RIVER RD	2012	1096
BOSWELL MCCLAVE	302.00	INV.72729 12/12/12 NM561 RIVER RD	2012	1097
BOSWELL MCCLAVE	176.00	INV. 73820 1/30/13 NM593 REICHELIT	2012	1098
BOSWELL MCCLAVE	176.00	INV.73919 1/30/13 NM-581 2012 ROAD	2012	1099

**Total fund: 04 CAPITAL 16417.67**

**Total Bill List: 16417.67**

BOROUGH OF NEW MILFORD

Bill list

FEBRUARY 11, 2013

Combined ANIMAL CONTROL 13

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
FRA TECHNOLOGIES	600.00	2013 MAINTENANCE/UPDATE CONTRACT	RES'V FOR	1010
NJ STATE DEPT. OF	427.20	JANUARY 2013 MONTHLY DOG LICENSE	RES'V FOR	1011
<b>Total fund: 2930 RES'V FOR ANIMAL CTRL EXPENSE</b>				<b>1027.20</b>
<b>Total Bill List:</b>	1027.20			

BOROUGH OF NEW MILFORD

Bill list

FEBRUARY 11, 2013

Combined TRUST FUND 12

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
NEW MILFORD	1000.00	REIMB. FERTILIZER/SEED TO REPAIR	RESERVE FOR	1008
Total fund: 2802 RESERVE FOR DRUG & ALCOLHOL AL				1000.00
STANDARD FUSEE	446.00	3 GR TRAFFIC FLARES	JIF	1013
Total fund: 2700 SPECIAL DEPOSITS				446.00
<b>Total Bill List:</b>	1446.00			

BOROUGH OF NEW MILFORD

Bill list

FEBRUARY 11, 2013

Combined OPEN SPACE TRUST 16

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
BOSWELL MCCLAVE	1886.00	INV. 72733 12/12 KENNEDY FIELD	ORD 12-0008	156
BOSWELL MCCLAVE	1106.50	INV. 73322 1/11/13 KENNEDY FIELD	ORD 12-0008	157

Total fund: 2930 RES'V OPEN SPACE TRUST

2992.50

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**Total Bill List:** 2992.50

**BILL LIST FOR MEETING OF:**

**FEBRUARY 11, 2013  
DEVELOPER'S ESCROW**

<b>VENDOR</b>	<b>ACCOUNT</b>	<b>CHECK NO.</b>	<b>AMOUNT</b>
BOSWELL MC CLAVE ENGINEERING	ALEX & GABRIEL PROPERTIES	1232	\$321.00
KATHRYN BELL	BELL	1233	\$300.00
SCOTT SPROVIERO, ESQ.	BROMBERG	1234	\$156.25
BOSWELL MC CLAVE ENGINEERING	BROMBERG	1235	\$704.00
D.A.B. BUILDERS-MICHAEL AMOROSO	D.A.B. BUILDERS	1236	\$2,199.25
BOSWELL MC CLAVE ENGINEERING	GOSPEL FELLOWSHIP	1237	\$352.00
BOSWELL MC CLAVE ENGINEERING	PETRAZZUOLO	1238	\$145.00
BOSWELL MC CLAVE ENGINEERING	SANZARI'S	1239	\$352.00
BOSWELL MC CLAVE ENGINEERING	SERIANI	1240	\$233.00
BOSWELL MC CLAVE ENGINEERING	WOODCREST	1241	\$916.50
BOSWELL MC CLAVE ENGINEERING	WOODCREST	1242	\$1,222.00
BOSWELL MC CLAVE ENGINEERING	BROMBERG	1243	\$528.00
BOSWELL MC CLAVE ENGINEERING	SANZARI'S	1244	\$264.00
		<b>TOTAL</b>	<b>\$7,693.00</b>

**BILL LIST FOR MEETING OF:**

**FEBRUARY 11, 2013  
UNEMPLOYMENT ACCOUNT**

<b>VENDOR</b>	<b>CHECK NO.</b>	<b>AMOUNT</b>
N.J. UNEMPLOYMENT COMPENSATION FUND	1003	\$1,566.88

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:60

Offered by: *[Signature]*

Seconded by: *[Signature]*

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

**RAFFLE/BINGO LICENSE**

WHEREAS, the following applicant has filed an application for a raffle/bingo license, and

WHEREAS, a routine police investigation fails to reveal any reason for not granting this license,

NOW, THEREFORE, BE IT RESOLVED that the following license be issued:

**APPLICANT:** Hovnanian School  
**LICENSE TYPE:** Off-Premise Tuition Raffle  
**DATE:** May 9, 2013  
**TIME:** 2:00 PM  
**PLACE:** 817 River Road, New Milford, NJ  
**LICENSE #:** 2013-03

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 February 11, 2013.

*[Signature]*

SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:61

Offered by: *Neil S. P.*

Seconded by: *W*

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

**RAFFLE/BINGO LICENSE**

WHEREAS, the following applicant has filed an application for a raffle/bingo license, and

WHEREAS, a routine police investigation fails to reveal any reason for not granting this license,

NOW, THEREFORE, BE IT RESOLVED that the following license be issued:

APPLICANT: Berkley Street School PTO  
LICENSE TYPE: On-Premise Merchandise Draw  
DATE: March 1, 2013  
TIME: 7:00 PM – 11:00 PM  
PLACE: 267 Madison Avenue, New Milford, NJ  
LICENSE #: 2013-04

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 February 11, 2013.

*Christine Demers*

SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION**

No. 2013:62

Offered by: [Signature]

Seconded by: [Signature]

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

**RAFFLE/BINGO LICENSE**

**WHEREAS**, the following applicant has filed an application for a raffle/bingo license,  
and

**WHEREAS**, a routine police investigation fails to reveal any reason for not granting this  
license,

**NOW, THEREFORE, BE IT RESOLVED** that the following license be issued:

**APPLICANT:** New Milford Little League

**LICENSE TYPE:** Off-Premise 50/50 Raffle

**DATE:** June 15, 2013

**TIME:** 8:00 PM

**PLACE:** 1 Patrolman Ray Woods Lane, New Milford, NJ

**LICENSE #:** 2013-05

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 February 11, 2013.

[Signature]

SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:63

Offered by: *[Signature]*

Seconded by: *[Signature]*

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

WHEREAS, the following taxpayer has been granted a Disability Credit for the year 2012; and

WHEREAS, their 2012 Property Taxes are paid in full, creating an overpayment; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of New Milford, New Jersey, that a refund is granted to:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Address</u>	<u>Amount</u>
308	8	John Tsakalis	1026 River Road	\$250.00

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 February 11, 2013.

*Christine Demus*

SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:64

Offered by: [Signature]

Seconded by: [Signature]

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

WHEREAS, the following taxpayer has been granted a Veteran's Credit for the year 2012; and

WHEREAS, their 2012 Property Taxes are paid in full, creating an overpayment; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of New Milford, New Jersey, that a refund is granted to:

Block	Lot	Name	Address	Amount
318	9	Neil W. Wasserman	974 Anchor Court	\$250.00

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 February 11, 2013.

[Signature]

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:65

Offered by: *[Signature]*

Seconded by: *[Signature]*

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

WHEREAS, the following taxpayer has been granted a reduced assessment by County Board Judgment for 2012;

WHEREAS, the 2012 Property Taxes are paid in full, creating an overpayment;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of New Milford, New Jersey, that a refund is granted to:

<u>Block</u>	<u>Lot</u>	<u>Name &amp; Address</u>	<u>Property Location</u>	<u>Amount</u>
501	3	Henley Properties 84 Knickerbocker Rd Closter, NJ 07624	140 Henley Ave	\$626.69

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 February 11, 2013.

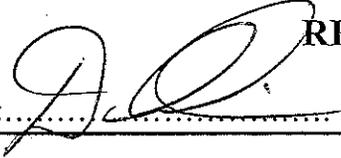
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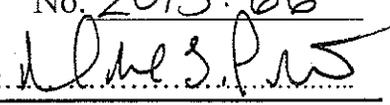
SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:66

Offered by: 

Seconded by: 

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

WHEREAS, the following taxpayer has been granted a State of New Jersey Tax Court Judgment for 2012, thereby reducing property taxes for 2012; and

WHEREAS, the property taxes for 2012 have been paid in full, thereby creating an overpayment;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of New Milford, New Jersey that a refund is granted.

Block	Lot	Name & Address	Amount
907	18	Ronald & Linda Kavner 651 Columbia Street New Milford, NJ 07646	\$1,270.51

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 February 11, 2013.



SEAL

NEW MILFORD BOROUGH CLERK  
RECEIVED

TAX COURT OF NJ  
COUNTY: Berge  
DOCKET NO. 012

NEW MILFORD BOR. 2013 JAN 16 PM 12:21

000

0.00 \*

Plaintiff(s),

CIVIL ACTION  
JUDGMENT

v

RONALD AND LINDA KAVNER

Defendant(s).

439,000.00\*

387,100.00 -

The parties having agreed upon a settlement, 002  
shall be as set forth below:

51,900.00 \*

Block: 907  
Lot: 18  
Street Address: 651 COLUMBIA STREET  
Year: 2012

TAX COURT JUDGMENT

51,900.00 x

2.448%

Land: \$205,300.00  
Improvements: \$181,800.00  
Total: \$387,100.00

1,270.51\*

Cheryl A. Ryan, Clerk/Administrator  
Tax Court of New Jersey

TRUE COPY  
*Cheryl A. Ryan*  
CHERYL A. RYAN, Administrator/Clerk

Entered: 1/11/2013

Attorney for Plaintiff: Mark D Madaio Esq  
Attorney for Defendant: Russell S Warren Esq

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:67

Offered by: *Randolph*

Seconded by: *Christine Jones*

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

**WHEREAS**, D.A.B. Builders, Mike Amoroso, 141 Cedar Road, New Milford, NJ 07646 made an application for two new homes on February 12, 2008, and

**WHEREAS**, D.A.B. Builders, Mike Amoroso, 141 Cedar Road, New Milford, NJ 07646 , was issued a permit number 0802-23 and 0804-24, and established an escrow account for the engineer to review the plans; and

**WHEREAS**, D.A.B. Builders, Mike Amoroso, 141 Cedar Road, New Milford, NJ 07646, has completed the building and passed all the final inspections. D.A.B. Builders, Mike Amoroso, 141 Cedar Road, New Milford, NJ 07646 has asked for the remainder of escrow fee to be refunded as per the enclosed letter, and certificate of approval dated December 1, 2008; and

**WHEREAS**, D.A.B. Builders, Mike Amoroso, 141 Cedar Road, New Milford, NJ 07646 is now due a refund of \$2,199.25.

**NOW THEREFORE BE IT RESOLVED** that the Building Department return to D.A.B. Builders, Mike Amoroso, 141 Cedar Road, New Milford, NJ 07646 the sum of \$2,199.25 the remainder of the balance of the escrow account.

**BUILDING DEPARTMENT – Construction Permit #0802-23 and 0802-24**

**D.A.B. Builders, Mike Amoroso ESCROW ACCOUNT \$ 2,199.25**

**Please adjust the above account.**

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 February 11, 2013

*Christine Jones*

SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:68

Offered by: [Signature]

Seconded by: [Signature]

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

**WHEREAS**, Mrs. Katryn Bell, 205 Baldwin Avenue, New Milford, NJ 07646 made an application for a permit on September 09, 2010, and

**WHEREAS**, Mrs. Katryn Bell, 205 Baldwin Avenue, New Milford, NJ 07646 , was issued a permit number 1009-13, and established an escrow account for the engineer to review the plans; and

**WHEREAS**, Mrs. Katryn Bell, 205 Baldwin Avenue, New Milford, NJ 07646 , has completed the building and passed all the final inspections. Mrs. Katryn Bell, 205 Baldwin Avenue, New Milford, NJ 07646 has asked for the remainder of escrow fee to be refunded as per the enclosed letter, and certificate of approval; and

**WHEREAS**, Mrs. Katryn Bell, 205 Baldwin Avenue, New Milford, NJ 07646 is now due a refund of \$300.00.

**NOW THEREFORE BE IT RESOLVED** that the Building Department return to Mrs. Katryn Bell, 205 Baldwin Avenue, New Milford, NJ 07646 the sum of \$300.00 the remainder of the balance of the escrow account.

**BUILDING DEPARTMENT – Construction Permit #1009-13**

**BELL ESCROW ACCOUNT      \$ 300.00**

**Please adjust the above account.**

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 February 11, 2013

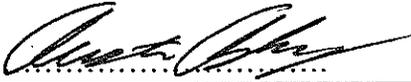
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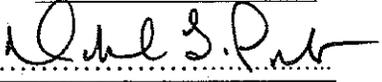
SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:69

Offered by: 

Seconded by: 

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

**WHEREAS**, the Recycling Enhancement Act (REA) P.L. 2008, Chapter 6, requires, beginning in 2012, the Annual Recycling Tonnage Report to the New Jersey Department of Environmental Protection (NJDEP) be signed by a Certified Recycling Professional (CRP) before April 30<sup>th</sup> each year; and

**WHEREAS**, as part of the Bergen County Utilities Authority's (BCUA's) Certified Recycling Professionals Tonnage Grant Assistance Program, the BCUA will provide the services of a CRP to sign and submit the Annual Recycling Tonnage Report to the NJDEP at no cost to the municipality; and

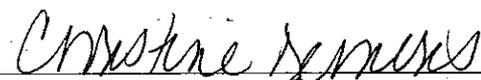
**WHEREAS**, any municipality that would like to participate in this program must enter into a Service Agreement for a Certified Recycling Professional to Prepare the Annual Recycling Tonnage Report with the BCUA; and

**WHEREAS**, the Mayor and Council of the Borough of New Milford wish to enter into such agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council that Mayor Ann Subrizi is authorized to sign the Service Agreement for a Certified Recycling Professional to Prepare the Annual Recycling Tonnage Report with the BCUA and the Borough Clerk is authorized to attest to the same.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded with the Agreement to the BCUA, Box 9, Foot of Mehrhof Road, Little Ferry, NJ 07643 and the Borough Recycling Coordinator.

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 February 11, 2013.



SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION**

No. 2013:70

Offered by: [Signature]

Seconded by: [Signature]

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

**WHEREAS**, an accounting disclosure standard adopted by the Government Account Standards Board (GASB) affects municipalities, counties, and other local units that fall under the Local Budget Law (N.J.S.A. 40A:4-1 et seq.); and

**WHEREAS**, GASB Statement 45, concerns obligations of a local unit described as OPEB – “Other Post Employment Benefits” which are non-pension benefits that a government has contractually or otherwise agreed to provide employees once they have retired and most commonly include retirement health insurance; and

**WHEREAS**, local units with less than 200 covered individuals must obtain an actuarially calculated OPEB obligation every three years; and

**WHEREAS**, the Borough of New Milford last obtained an actuarially calculated OPEB for the year ended 2009; and

**WHEREAS**, three proposals have been obtained to provide the OPEB for the year ended 2012.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of New Milford hereby authorize Danziger & Markhoff, LLP to perform an actuarial valuation and prepare appropriate disclosures that will present the Borough’s OPEB position appropriately in compliance with Statement #45 at a fee not to exceed \$3,900.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to Edward Echeverria, FSPA, MAAA, CPC, EA of Danziger & Markhoff, LLP, 123 Main Street, White Plains, NY 10601.

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 February 11, 2013.

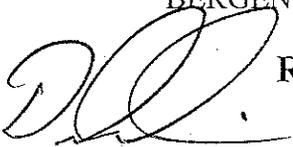
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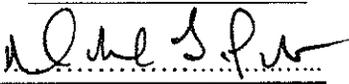
SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION**

No. 2013:71

Offered by: 

Seconded by: 

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

**WHEREAS**, there exists a need in the Borough of New Milford for an Alternate Public Defender; and

**WHEREAS**, funds are available for this purpose; and

**WHEREAS**, Local Public Contracts law (N.J.S.A. 40A:11-1 et seq.) requires a Resolution authorizing the award of contracts for "Professional Service" without competitive bids must be publicly advertised.

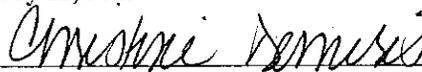
**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of New Milford as follows:

1. The Mayor and Borough Clerk are hereby authorized to execute an agreement with  

Mark Winkler, Esq.
2. This contract is awarded without competitive bidding as a "Professional Service" under provisions of the Local Public Contracts Law because the service to be performed and rendered is professional practice recognized by the laws of the State of New Jersey, and it is not possible to obtain bids.
3. This appointment will expire on December 31, 2013.
4. A copy of this resolution shall be published in the official newspaper as required by law within ten days of its passage.
5. The parties agree to incorporate into this contract the mandatory Equal Employment Opportunity Language pursuant to N.J.S.A. 10:5-31 et seq., and N.J.A.C. 17:27.

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 February 11, 2013.

SEAL

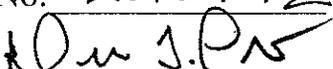


BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:72  
R. J. P. N.

Offered by: 

Seconded by: 

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

**RESOLUTION OPPOSING A-1196**

**WHEREAS**, Public safety employees and volunteers should be adequately compensated for on-duty accidents and illnesses; and

**WHEREAS**, New Jersey's current Workers' Compensation law is already one of the broadest in the country; and

**WHEREAS**, A-1196, as currently drafted, will make it almost impossible to contest claims from injuries and illnesses caused off-the-job; and

**WHEREAS**, this bill places the burden of proof on governmental employers to establish that an injury or illness, such as cancer, heart attack or hyper tension did not occur on the job; and

**WHEREAS**, the actuary for the Municipal Excess Liability Joint Insurance Fund (MEL) has estimated that A-1196 could easily double municipal Workers' Compensation expense of \$400 million per year; and

**WHEREAS**, the MEL and the League of Municipalities have offered to sit down with the supporters of this legislation to develop less expensive ways of improving the compensation to first responders;

**NOW THEREFORE BE IT RESOLVED** that the Governing Body of New Milford urge the legislature to reject A-1196 and urges the supporters of this legislation to work with the MEL and the League of Municipalities to develop less expensive ways to improve compensation to first responders; and

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION** No. 2013:72

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

---

**BE IT FURTHER RESOLVED** that the Municipal Clerk is hereby directed to send certified copies of this resolution to Senate President Sweeney, Assembly Speaker Oliver, their Assembly representatives and Senator, Governor Christie and the League of Municipalities.

---

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 February 11, 2013.

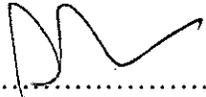
Christine Dennis

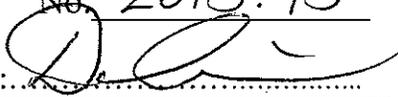
SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION**

No. 2013:73

Offered by: 

Seconded by: 

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

**RESOLUTION OPPOSING SENATE BILL 2511 AMENDMENTS TO OPEN  
PUBLIC MEETINGS ACT**

**WHEREAS**, legislation has been introduced to reform and modernize the Open Public Meetings Act (S-2511); and

**WHEREAS**, the governing body of the Borough of New Milford agrees with and supports the statement that “the right of the public to be present at all meetings of public bodies, and to witness in full detail all phases of the deliberation, policy formulation, and decision making of public bodies, is vital to the enhancement and proper functioning of the democratic process”; and

**WHEREAS**, the changes, however, proposed in S-2511 will not only be a cost driver for local and State government but make government less effective; and

**WHEREAS**, S-2511 includes a number of proposed requirements which involve costly unfunded mandates, impractical requirements and impediments to the democratic process; and

**WHEREAS**, S-2511 creates a new definition of subcommittees that expands subcommittees to be overly inclusive; and

**WHEREAS**, subcommittees would be required to provide public notice of subcommittee meetings, if the governing body determines them to be open; and

**WHEREAS**, subcommittees would be required to submit at least one report to the governing body detailing the number of meetings, names of members of the committee and a concise statement of the matters discussed. The governing body would be required to establish a schedule of when the subcommittee reports shall be filed; and

**WHEREAS**, subcommittees do not commit the governing body to action or expend public funds; and

**WHEREAS**, the requirements for subcommittees meetings would, among other things, necessitate additional administrative support for all subcommittees as well as increased legal advertising cost; and

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013: 73

Offered by:.....

Seconded by:.....

**WHEREAS**, the new requirement that agendas provide a description of all agenda items, including the names of parties to and approximate dollar amounts of any contracts to be acted upon, will delay the award of contracts and could lead to the loss of grant monies; and

**WHEREAS**, the new requirement that the governing body may act upon an item brought up by a citizen at a public meeting if it was not published as an agenda item only if: (1) there is a vote of 2/3 of the members

present to proceed, (2) the municipality demonstrates that it is in the public's best interest and includes the reasons why it is in the public best interest in the minutes; is impractical, ineffective and unnecessarily inhibits the operations of municipal government and runs contrary to the time honored tradition of holding a public meeting for the very purpose of soliciting such input and acting upon it; and

**WHEREAS**, the new requirement that electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting become part of the minutes and renders the recordings a permanent municipal record, is unworkable and unmanageable as the technology does not always exist to make "hard copies" or digital copies of text messages and the records custodian does not always have access to them, and which is an unprecedented expansion of the meeting concept; and

**WHEREAS**, the new requirement that comprehensive minutes must include each member's stated reason for their actions or vote, the identity of each member of the public who spoke, and summary of what was said, be made available to the public as soon as possible but no later than 60 days after the meeting will not only be costly but the historical value of minutes will be lost in order to meet an arbitrary deadline; and

**WHEREAS**, the new requirement that the public be allowed to speak for a minimum of three minutes, at the start of the public meeting, without the ability of the public body to limit the length of the public comment could disrupt public meetings, lead to filibustering and prevent the governing body from conducting business; and

**WHEREAS**, the provisions of S-2511 place financial, time, manpower and other burdens on municipalities at a time when municipalities are forced to layoff municipal employees, impose furloughs and reduce departmental budgets so that municipalities can meet the strict CAP requirements with decreased revenues and increasing operating expense; and

**WHEREAS**, the totality of the new requirements of S-2511 will be a significant cost driver for local and State government with no known appropriation contemplated or any alternate means to offset these costs, such a reasonable increase in fees; and

**WHEREAS**, the provisions of S-2511 continue to exempt the Legislature from the requirements placed on municipalities; and

**WHEREAS**, while we appreciate Senator Weinberg's efforts to address our concerns, we must continue to oppose the amendments to the Open Public Meeting Act as the changes proposed in S-2511 will not only be a cost driver for local and State government but make government less effective;

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION No. 2013:73

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

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**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE** Borough of New Milford for reasons stated above, does hereby oppose S-2511, as currently drafted, and strongly urges the State Senate and Assembly to oppose these bills, and

**BE IT FURTHER RESOLVED** that the governing body of the Borough of New Milford does hereby strongly urge the Legislature, in the interest of transparency and openness, to remove the various exceptions in the Open Public Meetings Law that apply to the Legislature. The rules that the legislation makes applicable to other governmental bodies should apply equally to all governmental levels and officials; and

**BE IT FURTHER RESOLVED** that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Senator Loretta Weinberg, Assembly Speaker Shelia Oliver, Assemblyman Gordon Johnson, Assemblyman Timothy J. Eustace, Assemblywoman Connie Wagner, Governor Chris Christie, the New Jersey State League of Municipalities and the Municipal Clerks' Association of New Jersey.

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 February 11, 2013.

SEAL

Christine Demusis

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013-74

Offered by: Neil S. P.N.

Seconded by: [Signature]

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

**WHEREAS**, the Mayor and Council of the Borough of New Milford upon recommendation of the Borough Labor Attorney, John L. Shahdanian, has identified the need to retain the ongoing legal counsel of the law firm of Decotiis, FitzPatrick and Cole, LLP, to continue work through conclusion on the following ongoing matters:

1. New Milford Boro and PBA Local 83, Docket No. AR-2013-386
2. New Milford Boro and PBA Local 83, Docket No. AR-2013-385
3. Process of finalizing the PBA contract; and

**WHEREAS**, the law firm of Decotiis, FitzPatrick and Cole, LLP, has agreed to continue to administer legal counsel on behalf of the Borough of New Milford involving the aforementioned PBA matters; and

**NOW, THEREFORE, BE IT RESOLVED**, the Mayor and Council of the Borough of New Milford authorizes the law firm of Decotiis, FitzPatrick and Cole, LLP to see the above referenced matters through to conclusion at a previously agreed upon rate of payment.

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 February 11, 2013.

Cristina Demus

SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION**

No. 2013:75

Offered by: [Signature]

Seconded by: [Signature]

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

**WHEREAS**, the Borough of New Milford created a LOSAP program by way of Ordinance 2000:06 approved June 26, 2000 by the Mayor and Council of the Borough of New Milford; and

**WHEREAS**, the law provides for time to time Consumer Price Index (CPI) adjustments, increased by a maximum of the cumulative percentage index increase since the award was last set; and

**WHEREAS**, the Mayor and Council have approved increases for service years 2005 through 2008 and 2010 through 2011; and

**WHEREAS**, there was a 0.0% Consumer Price Index adjustment for service year 2009; and

**WHEREAS**, Local Finance Notice 2013-2 calls for 2.2% Consumer Price Index adjustment for service year 2012;

**NOW, THEREFORE BE IT RESOLVED** the Mayor and Council of the Borough of New Milford hereby approve the Consumer Price Index adjustment of 2.2% as per Local Finance Notice 2013-2; resulting in a base amount of \$1,350.00 for service year 2012.

**BE IT FURTHER RESOLVED**, that a copy of this resolution and Local Finance Notice 2013-2 be forwarded to the New Milford Volunteer Fire Department and the New Milford Volunteer Ambulance Corps.

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 February 11, 2013.

SEAL

[Signature]

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013: 76

Offered by: Councilman Diego Robalino

Seconded by: Councilman Dominic Colucci

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

**WHEREAS**, the Mayor and Council of the Borough of New Milford created a Committee to review the deficiencies of the Police Department infrastructure as documented by the Chief of Police; and

**WHEREAS**, the Committee requested a proposal from Robbie Conley Architect, LLC; and

**WHEREAS**, Robbie Conley Architect, LLC has prepared a proposal, dated January 31, 2013, to provide a Needs Assessment and Presentation at a cost of \$7,500.00.

**NOW, THEREFORE, BE IT RESOLVED**, the Mayor and Council hereby authorize Robbie Conley Architect, LLC to proceed with the proposal dated January 31, 2013 at a cost not to exceed \$7,500.00.

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to New Milford Police Department and Robbie Conley Architect, LLC, 596 Glassboro Road, Woodbury Heights, NJ 08097.

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 February 11, 2013.

*Cristine Dennis*

SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION**

No. 2013: 77

Offered by: Councilman Diego Robalino    Seconded by: Councilman Dominic Colucci

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

**WHEREAS,** The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS,** It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS,** The New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS,** The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS,** A resolution authorizing this municipality to apply for such tonnage grants for 2012 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough of New Milford to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS,** Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION**

No. 2013: 77

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

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**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of New Milford that the Borough of New Milford hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Michael Calamari to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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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 February 11, 2013.

*Christine Demuss*

SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION No. 2013:78

Offered by: Councilman Colucci

Seconded by: Councilman Robalino

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

**PROVIDING A DEFENSE FOR AND INDEMNIFYING MAYOR ANN SUBRIZI AND COUNCILMAN AUSTIN ASHLEY IN THE MATTER OF HEDY P. GRANT V. AUSTIN ASHLEY, ANN SUBRIZI AND THE BOROUGH OF NEW MILFORD, DOCKET NO. BER-L-824-13**

**WHEREAS**, Mayor Ann Subrizi and Councilman Austin Ashley have been named defendants in the matter of Hedy P. Grant v. Austin Ashley, Ann Subrizi and the Borough of New Milford, Docket No. BER-L-824-13; and

**WHEREAS**, Mayor Ann Subrizi and Councilman Austin Ashley have requested that the governing body of the Borough of New Milford provide a defense in the above matter and indemnification for damages which may be imposed against them personally; and

**WHEREAS**, under and pursuant B.O. §2-48.3, the Borough shall provide for the defense of any action brought against a municipal official on account of any act or omission arising out of or incidental to the performance of their duties, and this obligation shall extend to any complaint, counterclaim, cross claim or cross complaint against such municipal official, unless excepted by the terms of subsection B.O. §2-48.4; and

**WHEREAS**, under and pursuant B.O. §2-48.5, with the exception to subsection 2-48.6 of this section, which specifically provides for the appointment of attorneys on behalf of police officers, the Borough may provide any defense required of it under this section through the attorney from its own staff or by employing other counsel. The Borough shall in no event be responsible for the cost of attorney fees incurred by anyone unless it shall agree in writing to the terms of the representation. The legal fee rate for the defense shall not exceed that rate paid to the Borough Attorney. (Ord. No. 94:14 §V); and

**WHEREAS**, Mayor Ann Subrizi has requested that the Borough employ Matthew T. Priore, Esq., as her defense attorney; and

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION**

No. 2013:78

Offered by: Councilman Colucci

Seconded by: Councilman Robalino

**WHEREAS**, Councilman Austin Ashley has requested that the Borough employ Kenneth McPherson, Jr., Esq., as his defense attorney;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of New Milford that under and pursuant to B.O. §2-48.3, Mayor Ann Subrizi and Councilman Austin Ashley shall be provided a defense and be indemnified by the Borough of New Milford arising in the matter of Hedy P. Grant v. Austin Ashley, Ann Subrizi and the Borough of New Milford, Docket No. BER-L-824-13.

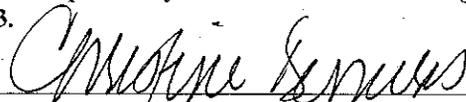
**BE IT FURTHER RESOLVED**, that Matthew T. Priore, Esq., is hereby appointed as Mayor Ann Subrizi's defense attorney under and pursuant to B.O. §2-48.5.

**BE IT FURTHER RESOLVED**, that Kenneth McPherson, Jr., Esq., is hereby appointed as Councilman Austin Ashley's defense attorney under and pursuant to B.O. §2-48.5.

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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 February 11, 2013.

SEAL



BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2013:79

Offered by: Councilman Putrino

Seconded by: Councilman Colucci

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

**WHEREAS**, the Borough of New Milford has been named a defendant in the matter of Hedy P. Grant v. Austin Ashley, Ann Subrizi and the Borough of New Milford, Docket No. BER-L-824-13; and

**WHEREAS**, the current Borough Attorney, Marc Leibman, Esq., of the law offices of Kaufman, Semeraro, Bern, Deutsch & Leibman, L.L.P., has been mentioned in the above lawsuit, and as such, Mr. Leibman, Esq. has recused himself from his representation of the Borough of Milford in said lawsuit; and

**WHEREAS**, the Borough Council has deemed it necessary to obtain professional services as Special Legal Counsel to serve as Borough Attorney in the above mentioned lawsuit; and

**WHEREAS**, the Borough Council has voted to appoint Ronald P. Mondello, Esq. as Special Legal Counsel to serve in the above matter at the current legal fee rate paid to the Borough Attorney (\$125 per hour); and

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of New Milford that Ronald P. Mondello, Esq. is hereby appointed as Special Legal Counsel to represent the interests of the Borough of New Milford as Borough Attorney in the matter of Hedy P. Grant v. Austin Ashley, Ann Subrizi and the Borough of New Milford, Docket No. BER-L-824-13.

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 February 11, 2013.

SEAL

