

MINUTES
BOROUGH OF NEW MILFORD
6:30 PM WORK SESSION
Monday, February 8, 2016



WORK SESSION:

Mayor Subrizi read the Open Public Meeting and Mission Statements.

Councilwoman Thea Sirocchi-Hurley	Present
Councilman Dominic Colucci	Present
Councilwoman Hedy Grant	Present
Council President Diego Robalino	Present
Councilman Ulises Cabrera	Present
Councilman Al Alonso	Present
Mayor Ann Subrizi	Present

Also Present: M. Madaio – Borough Attorney; C. Demiris – Administrator/Borough Clerk

Councilman Alonso made a motion to go into closed session. Councilwoman Grant seconded the motion. The motion carried. All present in favor, none opposed. 7:03 PM.

CLOSED SESSION:

1. Legal Advice – NMRA
2. Personnel – Building Dept.
3. Personnel – Donation of Sick Time
4. Review of Closed Session Minutes – 1/25/16

Councilwoman Grant made a motion to return to open session. Councilman Colucci seconded the motion. The motion carried. All present in favor, none opposed. 7:47 PM.

OPEN SESSION:

1. LOSAP – In-Service Withdrawals

The Administrator said she had been approached by a representative of the Fire Department to ask if the Council would reconsider the decision not to allow in-service withdrawals from LOSAP accounts. She explained that currently only hardship withdrawals are permit – with a very narrow definition of what constitutes a hardship. She said in-service withdrawals would be a withdrawal of the total vested amount and that members would then need to complete five years of qualifying service to become vested again. She said without in-service withdrawals the members must resign from the plan completely, with no option to re-vest, in order to withdraw their funds.

Councilman Colucci asked what percentage of the members want to withdraw funds. George Saigh, appearing on behalf of the Fire Department said Fire Company #1 is in favor of allowing in-service withdrawals. He said the program was never intended as a savings program; it is a deferred compensation program.

The Council discussed the inception of the program and noted the intent was to serve as an incentive program to retain members. Mayor Subrizi asked if Mr. Saigh had a

recommendation. Mr. Saigh said he believes it should remain unchanged, once a member is out, they are out. He said otherwise it will weaken the program.

Councilwoman Sirocchi-Hurley asked how many members are interested in withdrawing funds. Mr. Saigh said he thinks there are three members who wish to withdraw funds. Councilwoman Sirocchi-Hurley said she agrees with Mr. Saigh; it should remain unchanged. The Council unanimously agreed. The program will not change, in-service withdrawals will not be permitted; once a member withdraws their funds they will not be given the option to re-vest.

2. Capital Budget

The Mayor distributed two versions of the capital budget; the first was as requested by each of the individual departments and the second was revised to eliminate some items and re-appropriate others to be paid for through the capital bond premium. The Administrator explained that as part of the bond sale in December the Borough received a premium of \$86,100 which is fully funded capital money that authorizes no additional debt. The Mayor reviewed the budget line by line, which resulted in a total proposed capital budget of \$839,400 after the reductions and reallocations. She explained that the DPW Superintendent would be reviewing the roofs at the Borough Hall, Fire Co. #1 and the Library to advise as to whether or not the amounts requested would need any revision; she said depending on the outcome of his inspections the amount may be increased or decreased.

Councilwoman Grant asked for clarification on the cost of the training tables. Councilman Colucci asked about the fencing at Williams Field. Councilman Cabrera asked about the mulcher being requested by the Recreation Department and asked what they are using now. It was suggested that one of the message boards requested by the Police Department could be eliminated. Mayor Subrizi said she would request additional information and asked that the capital budget be relisted for final review at the next meeting. She said 5% of the total capital budget would need to be included in the operating budget. It was noted the budget introduction would be scheduled for the public meeting in March.

3. Trench Drive

Councilman Cabrera said he had been contacted by a resident of Trench Drive with regard to street flooding in front of their house. He provided the Council members with a handout with two pictures – one from February 3, 2016 and one from the Spring of 2015 of flood conditions in the vicinity of 323 Trench Drive. He said it is located approximately one block in from the Boulevard. He suggested having the engineer look into the possibility of doing a drainage project similar to the one that was recently completed on Cherry Street.

Councilman Colucci said another section of the street, past Hirschfeld, floods as well. He said he has been discussing it with the DPW Superintendent who has some ideas on how this may be addressed. He suggested meeting with Councilman Cabrera and Mr. Cahill to discuss possible remedies.

Mayor Subrizi said that we have looked at the drainage on Trench in the past and asked the Administrator to look for the information that we had developed previously.

4. County Fire Truck Loan Program

The Administrator referenced a letter from the County, forwarded previously to the Council, regarding the proposed shared service for the loan of fire apparatus. It was noted that the County is willing to loan equipment for a period of eight weeks at no charge to the Borough. The Council unanimously agreed to support the agreement. A resolution to authorize the Mayor to sign the agreement on behalf of the Borough was added to the consent agenda as resolution 2016:273.

5. Approval of January 25, 2016 Closed and Work/Public Session Minutes

There were no comments on the minutes. Councilwoman Sirocchi-Hurley made a motion to approve the minutes of the January 25, 2016 Closed and Work/Public Session Minutes. Councilwoman Grant seconded the motion. The motion carried. All present in favor, none opposed.

6. Administrator's Report

The Administrator referenced a letter, recently received from the DEP, regarding a bonus grant that had been awarded for recycling in public places. The Borough will receive \$5,000 for recycling receptacles that will be placed at Prospect Park and at the Columbia Street Basketball and Tennis Courts.

Councilman Colucci asked about the speed signs that had been on Luhmann and asked when they would be placed on Webster Drive between Hirschfeld and the Boulevard. The Administrator said she would find out from the Police Department and report back to the Council.

Council President Robalino said the Recreation Commission would like some guidance as to what can be discussed in closed session. The Administrator said there had been a memo issued by the Borough Attorney a few years back and she said she would find it and recirculate it to the Council.

Councilman Alonso asked to have the Field Committee reestablished, to consist of the same members, as it had been dissolved as part of the reorganization meeting held at the beginning of the year. Everyone was in favor of reestablishing the committee.

**APPOINTMENTS: TOMY THOMAS – ENV. & ENERGY COMMISSION
STEVE PERRONE – ENV. & ENERGY COMMISSION – ALT. 2**

Councilwoman Grant made a motion to approve the appointments of Tomy Thomas and Steve Perrone to the Environmental and Energy Commission. Councilman Cabrera seconded the motion. The motion carried. All present in favor, none opposed.

Mayor Subrizi reported that talks have continued with the PBA regarding the institution of a twelve hour schedule. She said what has been proposed mirrors how it has been done in Oradell. She said she spoke with several Chiefs and that while all agree the Council should maintain the right to revert back to the previous schedule, none who have adopted the twelve hour schedule have ever opted to revert back to the prior schedule. She said that initially, all agree, that it has a

positive impact on manpower and overtime. She said if it can be finalized with the PBA it will come back to the Council for their approval and that they are looking at a possible start date of 7/1/16. She asked if anyone on the Council had any objection to her continuing the discussion with the PBA. There were no objections.

COMMENTS FROM THE PUBLIC

Councilwoman Grant made a motion to open the meeting for public comment. Council President Robalino seconded the motion. The motion carried. All present in favor, none opposed.

Lizzy Roberts – 636 Trench Drive. Ms. Roberts expressed concern over the recent elimination of a number of bus stops along River Road. She said it has made it difficult for a number of residents and she presented a letter with signatures from many of the people who have been affected by the change. She noted that she and the other residents who had signed the letter ride the Coach Bus line, not the NJ Transit line.

Kathy McCauley – 913 River Road. Ms. McCauley said she too is concerned about the elimination of the stops and noted that Coach runs a very limited schedule with six buses between 6:10 AM and 8:15 AM and four buses between 4:45 PM and 7:00 PM on Monday through Friday.

Mayor Subrizi suggested it may be necessary to reexamine the issue in light of the Coach ridership but questioned if it would be necessary to reinstate all of the stops that had been eliminated. She said the reason they were eliminated was because there was a lot of bus traffic on River Road and a lot of stopping and laying over of buses.

Liz Tello – 217 Ridge Street. Ms. Tello said there had been a stop on Ridge Street and there was no notice that it was eliminated; she was notified by the bus driver that he would no longer be making the stop there.

The Mayor said the ordinance was discussed at two meetings and it was published in the newspaper. She said the Council did not hear from anyone in opposition during the process of introduction and adoption of the ordinance.

Councilman Cabrera made a motion to rescind the recently enacted ordinance. Councilwoman Grant seconded the motion. The motion carried on a roll call vote. All present in favor, none opposed. The ordinance to rescind the prior ordinance will be prepared for introduction on February 22nd.

Councilwoman Grant made a motion to close to the public. Councilman Cabrera seconded the motion. The motion carried. All present in favor, none opposed.

RESOLUTIONS:

- 2016:63 Closed Session
- 2016:64 Payment of Bills and Vouchers
- 2016:65 Approve Raffle License 2016:02 – Off-Premise 50/50 – St. Joseph Council Knights of Columbus

- 2016:66 Approve Raffle License 2016:03 – On-Premise Merchandise – New Milford Woman’s Club
- 2016:67 Approve Raffle License 2016:04 – On-Premise Merchandise – NM-Teaneck BPOE #2290
- 2016:68 Approve Social Affair Permit – NM Teaneck Lodge #2290 BPOE – March 11, 2016
- 2016:69 Approve 2015 Budget Transfers from Reserve
- 2016:70 Authorize Danziger & Markhoff, LLP to prepare actuarial valuation in accordance with GASB 45
- 2016:71 Appoint Interim Zoning Officer – Mark Skerbetz
- 2016:72 Approve Promotion and Salary Increase – Maureen Oppelaar
- 2016:73 Authorize Shared Service Agreement with County of Bergen – Fire Truck Loan Program

VOTE ON RESOLUTIONS

Councilman Colucci made a motion to approve the consent agenda consisting of resolutions 2016:63 through 2016:66 and 2016:69 through 2016:73. Councilwoman Grant seconded the motion. The motion carried. All present in favor, none opposed.

Council President Robalino made a motion to approve resolutions 2016:67 and 2016:68. Councilwoman Grant seconded the motion. The motion passed. All present in favor with the exception of Councilman Cabrera who abstained.

ADJOURNMENT

Councilman Colucci made a motion to adjourn. Councilwoman Grant seconded the motion. The motion carried. All present in favor, none opposed. Time 9:18 PM.

Respectfully submitted,



Christine Demiris, RMC, CMC
Borough Clerk

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2016:63

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
COLUCCI	✓			
GRANT	✓			
ROBALINO	✓			
CABRERA	✓			
ALONSO	✓			
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. Legal Advice – NMRA
2. Personnel – Building Dept.
3. Review of Closed Session Minutes – 1/25/16

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 adopted by the Council of the Borough of New Milford at the meeting held on February 8, 2016.

Christine Demaris

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2010:64

Offered by: _____

Seconded by: _____

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
COLUCCI	✓			
GRANT	✓			
ROBALINO	✓			
CABRERA	✓			
ALONSO	✓			
MAYOR (tie)				

WHEREAS, the claims and accounts listed in the attached, 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 \$4,363,099.22.

I hereby certify that the above is a true copy of a resolution adopted by the Council of the Borough of New Milford at the meeting held on February 8, 2016.

SEAL

Christine Demmes

BOROUGH OF NEW MILFORD

Bill list

JANUARY 16-31, 2016 PAYROLL

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
PAYROLL	45841.41	JANUARY 16-31, 2016 PAYROLL	RECEIVABLE:	8826
PAYROLL	1925.00	JANUARY 16-31, 2016 PAYROLL	GENERAL	8826
PAYROLL	9306.37	JANUARY 16-31, 2016 PAYROLL	MUNICIPAL	8826
PAYROLL	7646.27	JANUARY 16-31, 2016 PAYROLL	COLLECTION	8826
PAYROLL	1488.91	JANUARY 16-31, 2016 PAYROLL	ASSESSMENT	8826
PAYROLL	854.17	JANUARY 16-31, 2016 PAYROLL	ASSESSMENT	8826
PAYROLL	127.50	JANUARY 16-31, 2016 PAYROLL	ZONING	8826
PAYROLL	5606.12	JANUARY 16-31, 2016 PAYROLL	CODE	8826
PAYROLL	616.95	JANUARY 16-31, 2016 PAYROLL	POLICE	8826
PAYROLL	7300.78	JANUARY 16-31, 2016 PAYROLL	POLICE	8826
PAYROLL	5622.16	JANUARY 16-31, 2016 PAYROLL	POLICE	8826
PAYROLL	11367.64	JANUARY 16-31, 2016 PAYROLL	POLICE	8826
PAYROLL	150000.57	JANUARY 16-31, 2016 PAYROLL	POLICE	8826
PAYROLL	507.45	JANUARY 16-31, 2016 PAYROLL	UNIFORM	8826
PAYROLL	23789.14	JANUARY 16-31, 2016 PAYROLL	PUBLIC	8826
PAYROLL	61601.07	JANUARY 16-31, 2016 PAYROLL	PUBLIC	8826
PAYROLL	650.00	JANUARY 16-31, 2016 PAYROLL	PUBLIC	8826
PAYROLL	1691.48	JANUARY 16-31, 2016 PAYROLL	RECYCLING	8826
PAYROLL	3599.75	JANUARY 16-31, 2016 PAYROLL	PUBLIC	8826
PAYROLL	5272.94	JANUARY 16-31, 2016 PAYROLL	BOARD OF	8826
PAYROLL	2300.15	JANUARY 16-31, 2016 PAYROLL	RECREATION	8826
PAYROLL	110.00	JANUARY 16-31, 2016 PAYROLL	RECREATION	8826
PAYROLL	1265.00	JANUARY 16-31, 2016 PAYROLL	RECREATION	8826
PAYROLL	200.00	JANUARY 16-31, 2016 PAYROLL	RECREATION	8826
PAYROLL	6004.30	JANUARY 16-31, 2016 PAYROLL	SENIOR	8826
PAYROLL	0.00	JANUARY 16-31, 2016 PAYROLL	LIBRARY	8826
PAYROLL	22383.51	JANUARY 16-31, 2016 PAYROLL	LIBRARY	8826
PAYROLL	6888.35	JANUARY 16-31, 2016 PAYROLL	MUNICIPAL	8826
PAYROLL	2610.79	JANUARY 16-31, 2016 PAYROLL	PUBLIC	8826
PAYROLL	31592.17	JANUARY 16-31, 2016 PAYROLL	PUBLIC	8826
PAYROLL	304.19	JANUARY 16-31, 2016 PAYROLL	PUBLIC	8826
PAYROLL	1300.00	JANUARY 16-31, 2016 PAYROLL	PUBLIC	8826
PAYROLL	10.24	JANUARY 16-31, 2016 PAYROLL	RECYCLING	8826
PAYROLL	966.16	JANUARY 16-31, 2016 PAYROLL	RECYCLING	8826
PAYROLL	46.94	JANUARY 16-31, 2016 PAYROLL	PUBLIC	8826
PAYROLL	2056.08	JANUARY 16-31, 2016 PAYROLL	PUBLIC	8826
PAYROLL	98.05	JANUARY 16-31, 2016 PAYROLL	RECREATION	8826
PAYROLL	861.00	JANUARY 16-31, 2016 PAYROLL	TITLE III -	8826
PAYROLL	13019.57	JANUARY 16-31, 2016 BORO SOCIAL	SOCIAL	8827
PAYROLL	5935.11	JANUARY 16-31, 2016 BORO MEDICARE	SOCIAL	8828

Total fund: 01 Current

442767.29

Total Bill List:

442767.29

BOROUGH OF NEW MILFORD**Bill list****FEBRUARY 8, 2016**

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
COUNTY OPEN SPACE TRUST FUND	11313.09	1ST QTR 2016 COUNTY OPEN SPACE	COUNTY	8829
COUNTY OF BERGEN	1070519.28	1ST QTR 2016 COUNTY TAXES	COUNTY	8830
NEW MILFORD BOROUGH OPEN	19630.25	1ST QTR MUNICIPAL OPEN SPACE TAXES	MUNICIPAL	8831
NEW MILFORD BOROUGH OPEN	271.95	2015 ADDED/OMITTED OPEN SPACE	MUNICIPAL	8832
NEW MILFORD PUBLIC LIBRARY	75000.00	TEMP. 2016 BUDGET, 2015 TRANSFER	LIBRARY	8833
NEW MILFORD PUBLIC LIBRARY	0.00	TEMP. 2016 BUDGET, 2015 TRANSFER	LIBRARY	8833
NEW MILFORD PUBLIC LIBRARY	17097.58	TEMP. 2016 BUDGET, 2015 TRANSFER	LIBRARY	8833
FORD MOTOR CREDIT COMPANY	3705.67	INV. 1222236 LEASE (4) POLICE	POLICE	8834
FORD MOTOR CREDIT COMPANY	2943.60	INV. 1222238 LEASE (3) POLICE	POLICE	8835
TERRI L. SMITH, MD, PA	812.50	1/12/16 3.5 HRS & 1/26/16 3 HRS	BOARD OF	8836
MICHAEL CALAMARI	60.00	12/26/15 & 12/29/15 EMPLOYEE MEAL	PUBLIC	8837
MICHAEL CALAMARI	465.00	RETRO 2015 MEAL MONEY REIMB.	PUBLIC	8838
MICHAEL CALAMARI	1010.00	1/23-1/24/16 MEAL MONEY REIMB.	PUBLIC	8839
STEPHEN DEMAURO	50.00	REIMB. SEWER LICENSE FEE	PUBLIC	8840
IIMC	155.00	2016 MEMBERSHIP DUES CLERK -C.	MUNICIPAL	8841
NORTHERN VALLEY MAYORS'	275.00	2016 MEMBERSHIP DUES MAYOR ANN	MUNICIPAL	8842
BERGEN COUNTY LEAGUE OF	150.00	2016 DUES - MAYOR ANN SUBRIZI	MUNICIPAL	8843
AMERICAN SOCIETY OF	336.00	ACCT.#500717617 2016 RATE SCHEDULE	MUNICIPAL	8844
BERGEN CO. FIRE PREV. ASSN.	35.00	DUES FOR 2016 ALAN SILVERMAN	UNIFORM	8845
POLICE TRAFFIC OFFICER'S	200.00	MEMBERSHIP DUES -NJ TRAFFIC	POLICE	8846
BERGEN COUNTY POLICE CHIEFS	350.00	2016 BCPCA MEMBERSHIP DUES-CHIEF	POLICE	8847
PRIMO PEST CONTROL CO., INC.	50.00	JAN. 2016 EXTERMINATION SERV.FOR	SENIOR	8848
REGIONAL COMMUNICATIONS,	763.50	INV. 129030, 12931 CR MEMO 131784	POLICE	8849
DELGADO INTERPRETING SERVICE	1070.00	INV.35392,35386,35407,35424, 35425	MUNICIPAL	8850
PAYCHEX	112.25	INV.9085433 ANNUAL FEE FSA	FINANCIAL	8851
EXTEL COMMUNICATION	243.16	INV. 51898 PHONE HEADSET FOR PO	POLICE	8852
TAX COLLECTORS & TREAS.OF	100.00	2016 MEMBER 4394RV DUES-DENISE M.	COLLECTION	8853
SCOTT GRAPHICS PRINTING	320.00	INV. 12404 RECEIPT BOOKS FOR	POLICE	8854
ADVANCED AIR SYSTEMS	413.00	INV. 6858058 1/6/16 REPAIR AIR	FIRE O/E	8855
NEW MILFORD FIRE CO. #2	360.00	8 MEMBERS TO SEMINAR 01/30/2016	FIRE O/E	8856
ARROW ELEVATOR INC.	185.00	INV. 69650 1/1/16 JANUARY ELEVATOR	PUBLIC	8857
CHIEF SUPPLY COMPANY, INC.	580.99	INV. 440158 1/8/15	PUBLIC	8858
PALMERS ACE HARDWARE	209.69	INV.677487,677349,, 677370, 677372	PUBLIC	8859
PALMERS ACE HARDWARE	175.73	INV. 677233 1/7/16	PUBLIC	8860
PARAMUS BUILDING SUPPLY CO.	679.27	INV. 161652,134584,134407	PUBLIC	8861
GARDEN STATE HIGHWAY	1038.00	INV. 111248 12/3/15 DIRECTIONAL	2011	8862
HOME DEPOT CREDIT SERVICES	21.94	INV.7083991 11/13/15	PUBLIC	8863
NORTHEAST GAS SERVICES	975.86	INV. 287733 1/22/16	PUBLIC	8864
R & R RADAR INC.	112.95	INV. 10016 STALKER RADAR UNIT	POLICE	8865
RACHLES/MICHELE'S OIL	354.65	INV.219786 11/23/15 DIESEL	O/E GAS &	8866
RACHLES/MICHELE'S OIL	697.10	INV. 221627 12/22/15 DIESEL	O/E GAS &	8867
RACHLES/MICHELE'S OIL	2145.86	INV. 221549 12/9-12/23/15 GASOLINE	O/E GAS &	8868
BRAEN STONE INDUSTRIES, INC.	771.23	INV. 362152 12/12/15 BALANCE OF PO	PUBLIC	8869
ONE CALL CONCEPTS, INC.	89.28	INV. 5125105 12/31/15	O/E	8870
BERGEN COUNTY UTILITIES	22313.10	INV.4336 DECEMBER 2015 TIPPING	GARBAGE &	8871
INSTITUTE FOR FORENSIC	450.00	INV. 8865 FORENSIC EVALUATION FOR	POLICE	8872
NORTHWEST BERGEN CENTRAL	16738.20	INV. 9976 ANNUAL 911 HANDOFF FEE	POLICE	8873

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
NORTHWEST BERGEN CENTRAL	7140.00	INV. 9986 1ST QTR DISPATCH SERVICE	POLICE	8874
HARRIS UNIFORMS	1319.20	INV.24098,24208,24209,24210,24311	POLICE	8875
GALL'S INC.	737.72	INV.BC0204397, BC0233656	POLICE	8876
US BANK NA	11307.41	WIRE TRANSFER-2/1/16 NJEIT LOAN	NJIT	8877
E RYERSON	70.00	1/5/16 ENVIRONMENTAL COMM. MTG	ENVIRONMENT	8878
JOHN P. PAMPALONI JR.	395.00	JAN. 2016 C4 NJDEP SEWER OPERATOR	PUBLIC	8879
BOSWELL MCCLAVE ENGINEERING	2115.00	INV.99049 1/19/16 NM665	ENGINEERING	8880
PHILLIPS PREISS GRYGIEL LLC	543.75	INV. 21837 NOV. 2015 COAH LEGAL	LEGAL	8881
PHILLIPS PREISS GRYGIEL LLC	72.50	INV. 21814 DEC. 2015 MASTER PLAN	LEGAL	8882
PHILLIPS PREISS GRYGIEL LLC	253.75	INV. 21723 DEC. 2015 J13034G	LEGAL	8883
PHILLIPS PREISS GRYGIEL LLC	1087.50	INV. 21576, 21595 & 21836 NOV.	LEGAL	8884
OFFICE BUSINESS SYSTEMS	80.00	INV. 106323 MS OFFICE HOME &	PLANNING	8885
OFFICE BUSINESS SYSTEMS	0.00	INV. 106323 MS OFFICE HOME &	ZONING	8885
OFFICE BUSINESS SYSTEMS	80.00	INV. 106323 MS OFFICE HOME &	ZONING	8885
NORTH JERSEY MEDIA GROUP	36.85	AD#3962699 12/9/15 ACCT.1101052	RENT	8886
RIVERSIDE COOPERATIVE	500.00	2016 MEMBERSHIP DUES - RIVERSIDE	MUNICIPAL	8887
SCOTT GRAPHICS PRINTING	239.00	INV. 12410 1/22/16 SEWER MAPS	PUBLIC	8888
DELGADO INTERPRETING SERVICE	630.00	INV.35466, 35467, 35479	MUNICIPAL	8889
WB MASON CO., INC.	222.08	INV.131493608, CM S034016894,	MUNICIPAL	8890
FLAGSHIP HEALTH INC.	84.44	FEB. 2016 PREMIUM GROUP 107053	INSURANCE	8891
DESIGN N STITCH	261.00	INV.32909 3 JACKETS,TEE,S AND LONG UNIFORM		8892
VERIZON COMMUNICATIONS	80.72	INV.11616 1/16-2/15/16 MIDDLE	O/E	8893
AUTOMOTIVE BRAKE CO.	93.94	INV.1425950, 1430624	PUBLIC	8894
UNITED WATER NEW JERSEY	3802.16	DECEMBER, 2015 WATER CHARGES	O/E WATER	8895
NJ MOTOR VEHICLE COMMISSION	135.00	VEHICLE TRANSIT PLATES	PUBLIC	8896
METROPOLITAN RUBBER CO.	722.26	INV.17766,17438,17746,17737 PARTS	PUBLIC	8897
MUMMERS ACE HARDWARE	49.21	INV.677501,677502,677600,677718,67	PUBLIC	8898
& A AUTO PARTS	517.47	INV.150416261,6263,6745,7516,7520	VEHICLE	8899
P & A AUTO PARTS	2499.37	38 INVOICES & 1 CR MEMO	PUBLIC	8900
RAPID PUMP & METER	285.00	INV.R1R131358 DECEMBER 2015	PUBLIC	8901
RAPID PUMP & METER	285.00	INV.R1R13189 JANUARY 2016 JACKSON	PUBLIC	8902
SANITATION EQUIPMENT CORP.	21.95	INV.46184 11/17/15 OIL SEAL &	PUBLIC	8903
PUBLIC WORKS ASSN. OF N.J.	60.00	2016 MEMBERSHIP-V.CAHILL & M.	PUBLIC	8904
BEYER BROS. CORP.	42.61	INV.11606 1/25/16	PUBLIC	8905
AMERICAN PAPER & SUPPLY CO.	725.48	INV.J1093853 1/14/16	PUBLIC	8906
CLEAN MAT SERVICES LLC	138.80	INV.188805 1/1/16 JAN. FLOOR MATS	PUBLIC	8907
ARROW ELEVATOR INC.	185.00	INV. 70125 2/1/16 FEB. ELEVATOR	PUBLIC	8908
AMERICANWEAR INDUSTRIAL	24.80	INV.373846,375999,378164,380360	PUBLIC	8909
AMERICANWEAR INDUSTRIAL	670.00	ACCT. 2174, 2175 UNIFORMS	PUBLIC	8910
AUTOMOTIVE BRAKE CO.	368.46	INV.1497803, 1501803, 1501875	PUBLIC	8911
FERRETTI CARTING, INC.	4375.00	INV.1679 JAN. APT., SCHOOL	RECYCLING	8912
FERRETTI CARTING, INC.	12708.33	INV.1678 JANUARY 2016 RESIDENTIAL	RECYCLING	8913
JOSEPH SMENTKOWSKI, INC.	32433.33	INV.71507 JANUARY 2016 GARBAGE	GARBAGE &	8914
BRAEN STONE INDUSTRIES, INC.	626.47	INV.364521MB 1/16/16 ROAD REPAIR	PUBLIC	8915
CINTAS CORPORATION NO. 2	551.49	INV.5004342588 2/2/16 MEDICAL	PUBLIC	8916
LERCH, VINCI & HIGGINS, LLP	857.50	inv. 27645 MGMT ADVISORY SERV.	FINANCIAL	8917
BERGEN COUNTY MUNICIPAL	150.00	2016 DUES FOR (DEMIRIS)CLERK &	MUNICIPAL	8918
PAYCHEX	280.00	CLIENT #0476-J865 INV.#9177156	MUNICIPAL	8919
DART COMPUTER SERVICES	1969.50	INV..4997 & 4998 3RD & 4TH QTR	MUNICIPAL	8920
N SPORTS, LLC	671.68	INV. 97543004 INDOOR SOCCER BALLS	RECREATION	8921
CHRISTOPHER MAYER	150.00	SOCCER EVALUATOR	RECREATION	8922
BAUER SPORT SHOP	364.00	INV. 4456 SHIRTS	RECREATION	8923
ROBERT MELI	1200.00	WRESTLING REFEREE	RECREATION	8924
STAN'S SPORT CENTER, INC.	4124.00	INV.1001527, 1001530 COACHES	RECREATION	8925
GEESE CHASERS, NORTH JERSEY	1295.66	INV. 521277 JAN GEESE CLEARING	RECREATION	8926

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
SCREEN STYLES	354.00	INV.75675 REFEREE SHIRTS, WHISTLES	RECREATION	8927
SCREEN STYLES	1959.00	INV. 75717 REC BASKETBALL SHIRTS	RECREATION	8928
BERGEN COUNTY MUNICIPAL	60.00	MUNICIPAL CLERKS ASSOC. LUNCHEON	MUNICIPAL	8929
PASCACK VALLEY INDOOR SOCCER	1330.00	LEAGUE FEES	RECREATION	8930
TUMN ROSE BECKER	84.00	2016 BASKETBALL REFEREE/CLOCK	RECREATION	8931
STEPHEN BUCKLEY	665.00	2016 BASKETBALL REFEREE 2 1 MAN	RECREATION	8932
MARY KATE DORAN	30.00	2016 BASKETBALL REFEREE 2 GAMES	RECREATION	8933
TIMOTHY E. HAAS	301.00	BASKETBALL REFEREE 7 2 MEN GAMES	RECREATION	8934
DAVID HAIGHT	1371.00	2016 BASKETBALL REFEREE 21 GAMES	RECREATION	8935
ALYSSA HENYECZ	96.00	2016 BASKETBALL REFEREE 2	RECREATION	8936
MARISHA OZA	30.00	2016 BASKETBALL REFEREE 2 GAMES	RECREATION	8937
LIAM REILLY	48.00	2016 BASKETBALL REFEREE 1 GAME	RECREATION	8938
KAYLA NOELLE RICCIARDELLI	15.00	2016, BASKETBALL REFEREE 1 GAME	RECREATION	8939
JOSE A. SUAREZ	150.00	2016 SOCCER EVALUATOR	RECREATION	8940
DEBRA A. YAGER	150.00	2016 SOCCER EVALUATOR	RECREATION	8941
NEW MILFORD BOARD OF	2546453.00	FEBRUARY 2016 SCHOOL APPROPRIATION	SCHOOL	8942

Total fund: 01 Current 3908086.07

Total Bill List: 3908086.07

BOROUGH OF NEW MILFORD

Bill list

FEBRUARY 8, 2016

Combined ANIMAL CONTROL 13

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
NJ STATE DEPT. OF HEALTH	404.40	MONTHLY DOG LICENSE FEE-JANUARY	RES'V FOR	1068
Total fund: 2930 RES'V FOR ANIMAL CTRL EXPENSE				404.40
Total Bill List:	404.40			

BOROUGH OF NEW MILFORD

Bill list

FEBRUARY 8, 2016

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
HOME DEPOT CREDIT SERVICES	190.88	INV.983-334980 CONCRETE WORK AT	2015	1509
WITMER PUBLIC SAFETY GROUP	3632.00	INV.1650752 ACTIVE SHOOTER	2015	1510
ROBBIE CONLEY ARCHITECT	5989.00	INVOICE#13013.07 ADDITIONAL DESIGN	2014	1511
BOSWELL MCCLAVE ENGINEERING	728.00	INV.99046 1/19/16 NM647 SR CTR	2014	1512
BOSWELL MCCLAVE ENGINEERING	855.00	INV.99047 1/19/16 NM659 POLICE	2014	1513
BOSWELL MCCLAVE ENGINEERING	272.00	INV.99048 1/19/16 NM663 BERKLEY ST	2015	1514

Total fund: 04 CAPITAL 11666.88

Total Bill List: 11666.88

BOROUGH OF NEW MILFORD

Bill list

FEBRUARY 8, 2016

Combined UNEMPLOYMENT TRUST 15

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
N J STATE UNEMPLOYMENT	174.58	QTR ENDING 12/31/15	RES'V FOR	1015
Total fund: 2930 RES'V FOR UNEMPLOYMNT EXPENSES				174.58
Total Bill List:	174.58			

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2016:65

Offered by:.....[Signature]

Seconded by:.....[Signature]

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
COLUCCI	✓			
GRANT	✓			
ROBALINO	✓			
CABRERA	✓			
ALONSO	✓			
MAYOR (tie)				

RAFFLE/BINGO LICENSE

WHEREAS, the following applicants have filed an application for a raffle/bingo license, and

WHEREAS, a routine police investigation fails to reveal any reason for not granting these licenses,

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

<u>APPLICANT</u>	<u>TYPE OF LICENSE</u>	<u>DATE/TIME/PLACE</u>	<u>LICENSE #</u>
St. Joseph Council Knights of Columbus	Off Premise 50/50	May 21, 2016 9:00pm	2016:02

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 8, 2016.

[Signature]

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2016:66

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
COLUCCI	✓			
GRANT	/			
ROBALINO	/			
CABRERA	/			
ALONSO	✓			
MAYOR (tie)				

RAFFLE/BINGO LICENSE

WHEREAS, the following applicants have filed an application for a raffle/bingo license, and

WHEREAS, a routine police investigation fails to reveal any reason for not granting these licenses,

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

<u>APPLICANT</u>	<u>TYPE OF LICENSE</u>	<u>DATE/TIME/PLACE</u>	<u>LICENSE #</u>
New Milford Woman's Club	On Premise Merchandise	March 9, 2016 4:00- 9:00pm	2016:03

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 8, 2016.

Christine Demaris

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2016:67

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	/			
COLUCCI	/			
GRANT	/			
ROBALINO	✓			
CABRERA	/		/	
ALONSO	/			
MAYOR (tie)				

RAFFLE/BINGO LICENSE

WHEREAS, the following applicants have filed an application for a raffle/bingo license, and

WHEREAS, a routine police investigation fails to reveal any reason for not granting these licenses,

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

<u>APPLICANT</u>	<u>TYPE OF LICENSE</u>	<u>DATE/TIME/PLACE</u>	<u>LICENSE #</u>
NM-Teaneck BPOE #2290	On Premise Merchandise	March 11, 2016 6:30pm-11:30pm	2016:04

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 8, 2016.

[Signature: Christine Demicis]

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2016:67

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	/			
COLUCCI	/			
GRANT	/			
ROBALINO	/			
CABRERA			/	
ALONSO	/			
MAYOR (tie)				

RAFFLE/BINGO LICENSE

WHEREAS, the following applicants have filed an application for a raffle/bingo license, and

WHEREAS, a routine police investigation fails to reveal any reason for not granting these licenses,

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

<u>APPLICANT</u>	<u>TYPE OF LICENSE</u>	<u>DATE/TIME/PLACE</u>	<u>LICENSE #</u>
NM-Teaneck BPOE #2290	On Premise Merchandise	March 11, 2016 6:30pm-11:30pm	2016:04

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 8, 2016.

SEAL

[Signature: Christine Dennis]

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2016:68

Offered by: [Signature]

Seconded by: [Signature]

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	/			
COLUCCI	/			
GRANT	/			
ROBALINO	/			
CABRERA			/	
ALONSO	/			
MAYOR (tie)				

WHEREAS, the New Milford –Teaneck Lodge #2290, B.P.O.E Elks, One Patrolman Ray Woods Lane, New Milford, NJ 07646 Club License # 0238-31-012-001 has applied for a Special Permit for Social Affair; and

WHEREAS, the Mayor & Council of the Borough of New Milford have agreed for certain non-profit organizations to dispense and serve alcohol set forth under the guidelines of the Division of Alcoholic Beverage Control (ABC) pursuant to N.J.S.A. 33:74-1 and N.J.A.C. 13:2-5.1; and

WHEREAS, the required documentation along with a fee of \$150.00 to the Division of Alcohol and Beverage Control has been submitted, reviewed and signed by the Chief of Police and Borough Clerk of the Borough of New Milford, NJ; and

NOW, THEREFORE, BE IT RESOLVED, the Mayor & Council hereby approve the New Milford –Teaneck Lodge #2290, B.P.O.E. Elks, a Special Social Affair Permit for a fundraiser to benefit the New Milford-Teaneck Elks at which alcohol will be served on the premises from 6:30 PM to 11:30pm on March 11, 2016 and in accordance to New Milford Municipal Ordinance #6-4, et seq.; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the New Milford-Teaneck Elks, PO Box 2, New Milford, NJ 07646.

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 8, 2016.

Christine Demusis

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2016:69

Offered by: Winf. Calce

Seconded by: Debra Stone

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
COLUCCI	✓			
GRANT	✓			
ROBALINO	✓			
CABRERA	✓			
ALONSO	✓			
MAYOR (tie)				

BE IT RESOLVED, by the Governing Body of the Borough of New Milford, that the following appropriation transfers from reserves, affecting the 2015 Local Municipal Budget Year, be approved:

BE IT FURTHER RESOLVED, that the proper Borough officers be and are hereby directed to enter the said transfers on the financial records of the Borough:

TRANSFERS TO:

Legal	01-2030-20-1552	4,000
Recreation S&W	01-2030-28-3701	100
Electricity	01-2030-31-4362	<u>7,000</u>
		11,000

TRANSFERS FROM:

Insurance	01-2030-23-2202	11,100
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I hereby certify that the above is a true copy of a resolution adopted by the Council of the Borough of New Milford at the meeting held on February 8, 2016.

Cristine Dennis

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2016:70

Offered by: [Signature]

Seconded by:

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
COLUCCI	✓			
GRANT	✓			
ROBALINO	✓			
CABRERA	✓			
ALONSO	✓			
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 2012; and

WHEREAS, three proposals have been obtained to provide the OPEB for the year ended 2015.

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 \$3,500.

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, Diana McLeod, Chief Financial Officer of the Borough of New Milford certify that sufficient funds exist for this project in account 23-2202-049.

[Signature]

I hereby certify that the above is a true copy of a resolution adopted by the Council of the Borough of New Milford at the meeting held on February 8, 2016.

Christine Demusis

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2016:71

Offered by: Councilman Colucci

Seconded by: Councilwoman Grant

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	/			
COLUCCI	/			
GRANT	✓			
ROBALINO	/			
CABRERA	/			
ALONSO	/			
MAYOR (tie)				

WHEREAS, a vacancy has occurred in the position of Zoning Officer in the Borough of New Milford; and

WHEREAS, Mark Skerbetz is a licensed planner and has served as a Zoning Officer in the Borough of River Edge for twelve years; and

WHEREAS Mark Skerbetz has agreed to serve as the Zoning Officer for an interim term commencing February 15, 2016 and expiring May 15, 2016 at and hourly rate of \$28 dollars per hour not to exceed ten hours per week.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of New Milford hereby appoint Mark Skerbetz as Zoning Officer in the Borough of New Milford, for an interim term from February 15, 2016 and expiring May 15, 2016 at and hourly rate of \$28 dollars per hour not to exceed ten hours per week.

BE, IT FURTHER RESOLVED that a copy of this resolution be forwarded to Mark Skerbetz, the New Milford Building Department, and Mr. Lou Mraw, Office of Regulatory Affairs, Department of Community Affairs, 101 South Broad Street, PO Box 818, Trenton, NJ 08625-0818.

I hereby certify that the above is a true copy of a resolution adopted by the Council of the Borough of New Milford at the meeting held on February 8, 2016.

Christine Demisis

SEAL

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2016:72

Offered by: Councilman Colucci

Seconded by: Councilwoman Grant

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
COLUCCI	✓			
GRANT	✓			
ROBALINO	✓			
CABRERA	✓			
ALONSO	✓			
MAYOR (tie)				

WHEREAS, James Taormina, Construction Official, has made a recommendation to promote Maureen Oppelaar from the position of Technical Assistant to the position of Control Person/Certified Technical Assistant to the Building Department; and

WHEREAS, the Mayor and Council have considered her increased responsibilities in addition to her experience and ability to assume the position of Control Person/Certified Technical Assistant to the Building Department;

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council hereby approve the Construction Official's recommendation to promote Maureen Oppelaar to the position of Control Person/Certified Technical Assistant effective February 15, 2015 with an increase in salary of \$10,000 annually.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Construction Official and Anne Melikian, Payroll Supervisor.

I hereby certify that the above is a true copy of a resolution adopted by the Council of the Borough of New Milford at the meeting held on February 8, 2016.

SEAL

Christine Demus

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2016:73

Offered by: Councilman Colucci

Seconded by: Councilwoman Grant

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	/			
COLUCCI	/			
GRANT	/			
ROBALINO	/			
CABRERA	/			
ALONSO	/			
MAYOR (tie)				

WHEREAS, the County of Bergen operates a Fire Academy through the County's Department of Public Safety; and

WHEREAS, the County of Bergen owns certain fire apparatus, including ladder vehicles and engines ("Fire Apparatus") used for training firefighters; and

WHEREAS, subject to the operational needs of the Fire Academy, the County seeks to make certain Fire Apparatus available to municipalities within Bergen County on a temporary/emergency basis solely for use as front line fire apparatus; and

WHEREAS, the Borough of New Milford wishes to ensure its ability to utilize the Fire Apparatus on a temporary/emergency basis as front line fire apparatus; and

WHEREAS, THE County and the Borough have determined that by entering into a Shared Services Agreement governing the terms for borrowing the County's Fire Apparatus in advance of the Borough's need to utilize the Fire Apparatus, the parties will be able to facilitate the prompt availability of the Fire Apparatus as such time as the Borough has a need to utilize it; and

WHEREAS, the Borough is authorized to enter into shared service agreements in accordance with the Uniform Shared Services and Consolidation Act, P.L.2007, c. 63 (C.40A:65-1, et. seq.); and

WHEREAS, County Counsel has prepare a form of Shared Services Agreement, entitled "SHARED SERVICES AGREEMENT FOR SHORT TERM EMERGENCY SHARING OF FIRE APPARATUS BETWEEN THE COUNTY OF BERGEN AND ANY MUNICIPALITY WITHIN THE COUNTY OF BERGEN" ("Shared Services Agreement"), a copy of which is annexed to this Resolution, as Exhibit A; and

BOROUGH OF NEW MILFORD
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2016:73

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

WHEREAS, the Shared Services Agreement has been reviewed by the Borough Attorney.

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

1. Mayor Subrizi is hereby authorized to sign the Shared Services Agreement in the form annexed as Exhibit A, together with any other documents necessary to implement the Fire Apparatus Loaner Program as set forth therein.

I hereby certify that the above is a true copy of a resolution adopted by the Council of the Borough of New Milford at the meeting held on February 8, 2016.

Cristine Demaris

SEAL

**SHARED SERVICES AGREEMENT FOR SHORT TERM EMERGENCY SHARING
OF FIRE APPARATUS BETWEEN THE COUNTY OF BERGEN AND ANY
MUNICIPALITY WITHIN THE COUNTY OF BERGEN**

THIS AGREEMENT is made by and between:

COUNTY OF BERGEN, a body politic and corporate of the State of New Jersey, with administrative offices located at One Bergen County Plaza, Fifth Floor, Hackensack, New Jersey 07601-7076 hereinafter referred to as the "County" and

EACH MUNICIPALITY located within Bergen County signing this agreement, being a body politic and corporate of the State of New Jersey, with administrative offices located at the address set forth on the municipality's respective signature page, hereinafter referred to as the "Municipality."

WITNESSETH:

WHEREAS, the County of Bergen operates a Fire Academy through the County's Department of Public Safety; and

WHEREAS, the County of Bergen owns certain fire apparatus, including ladder vehicles and engines ("Fire Apparatus") used for training firefighters; and

WHEREAS, subject to the operational needs of the Fire Academy, the County seeks to make certain Fire Apparatus available to the municipalities within Bergen County on a temporary/emergency basis solely for use as front line fire apparatus; and

WHEREAS, Municipality seeks to ensure its ability to utilize the Fire Apparatus on a temporary/emergency basis as front line fire apparatus; and

WHEREAS, the County and Municipality have determined that by entering into this Shared Services Agreement governing the terms for borrowing the County's Fire Apparatus in advance of Municipality's need to utilize the Fire Apparatus, the parties will be able to facilitate the prompt availability of the Fire Apparatus at such time as Municipality has a need to utilize it;

WHEREAS, this Agreement is established in accordance with the Uniform Shared Services and Consolidation Act, P.L.2007, c.63 (C.40A:65-1, *et seq.*).

WHEREAS, the County has authorized this agreement by adoption of Resolution No. 1458-15 on December 16, 2015; and

WHEREAS, Municipality has authorized this agreement by adoption of the Resolution number set forth on the signature page of this Agreement, adopted on the date set forth therein;

NOW THEREFORE BE IT AGREED AS FOLLOWS:

- iii. The use to which the Fire Apparatus will be put;
- iv. The duration for which the Municipality wishes to borrow the Fire Apparatus. Because the County has a limited number of Fire Apparatus, and wishes to make Fire Apparatus available to as many municipalities as possible, the duration will, in the absence of extenuating circumstances, be limited to eight (8) weeks. In extenuating circumstances, the County may approve ;
- v. Any other information the Municipality wishes to include with its request;
- vi. Any other information required by the County, in its discretion, to evaluate the Municipality's request.

C. If the County, upon review of the written request, determines that the requested Fire Apparatus is available for loan, the County will loan the Fire Apparatus to the Municipality on the following terms:

- i. Prior to taking custody of the Fire Apparatus, the Municipality must provide the County with a certificate of insurance, demonstrating compliance with the insurance requirements below, naming the County, its officers, agents, employees, and volunteers as additional insureds.
- ii. Prior to taking custody of the Fire Apparatus, the Municipality's Contact Person will sign a statement indicating and agreeing to the following:
 - a. The make, model, vehicle identification number, serial number, or other vehicle-specific identification of the Fire Apparatus being borrowed;
 - b. The date on which the Fire Apparatus will be borrowed;
 - c. The date by which the Fire Apparatus will be returned;
 - d. The daily rate the Municipality will pay to the County for use of the Fire Apparatus for any period exceeding eight (8) weeks, if the County determines that extenuating circumstances warrant such extended loan.
 - e. That the Municipality has inspected the Fire Apparatus and independently determined that the Fire Apparatus is acceptable for the Municipality's purposes. Where the County has advised the Municipality of known recommended repairs or replacement of specific malfunctioning or nonfunctioning parts of the Fire Apparatus, the Municipality has reviewed same, and determined that, notwithstanding such recommended repairs or replacement, the Municipality agrees to take custody of the Fire Apparatus.

Fire Apparatus is required for Fire Academy use, and within twenty four (24) hours when the County determines that return of the Fire Apparatus is required in the interest of public safety.

- xii. The Municipality will take custody of the Fire Apparatus and return custody of the Fire Apparatus to the County at the Bergen County Fire Academy. Under no circumstances shall the County be required to retrieve the Fire Apparatus from another location.

3. Term.

The term of this Agreement shall commence on the Effective Date, and shall remain in effect for a period of ten years. This Agreement will continue in effect on the terms and conditions provided herein for the full term of the Agreement, unless either Party elects to terminate said Agreement upon thirty (30) days' notice to the other Party. Said election to terminate does not relieve the Municipality from any responsibility for defense or indemnification of any claims against the County or its obligations for maintenance or repair of the Fire Apparatus occasioned by Municipality's use of the Fire Apparatus. The County shall have no liability to the Municipality for any losses or additional costs that may be incurred by the Municipality as a result of the County's termination of this Agreement.

4. Compensation.

- A. Subject to availability, the County agrees to permit the Municipality to borrow the Fire Apparatus free of charge for a period not to exceed eight (8) weeks, and the Municipality agrees to return the Fire Apparatus by the date set forth in the statement described in paragraph 2(C)(ii), supra, which the Municipality's Contact Person will sign prior to the Municipality taking custody of the Fire Apparatus.
- B. If the County determines that the Municipality has demonstrated extenuating services justifying the borrowing of the Fire Apparatus for more than eight (8) weeks, but not more than twenty four (24) weeks, the Municipality Agrees to pay the County, and the County agrees to accept payment at the daily rate charged by the County for use of the County Fire Apparatus at the time the Municipality seeks to borrow the County Fire Apparatus.
- C. The daily rates may be increased by the County periodically. The then effective rate shall be set forth in the in the statement described in paragraph 2(C)(ii), supra, which the Municipality's Contact Person will sign prior to the Municipality taking custody of the Fire Apparatus. The current daily rates are as follow:
 - a. First eight weeks – No charge, as set forth in Paragraph 4(A), above.
 - b. Ninth through sixteenth weeks – Twenty five dollars (\$25) per day.
 - c. Seventeenth through twenty fourth weeks – Fifty dollars (\$50) per day.

including but not limited to any claim alleging liability based upon any known or unknown defective, malfunctioning, or nonfunctioning part of the Fire Apparatus.

The Municipality, upon notice from the County, shall resist and defend, at the expense of the Municipality, such action or proceeding with counsel satisfactory to the County. In addition, the County may engage separate counsel to appear on its behalf in such action or proceeding without waiving its rights or the Municipality's obligation to defend, indemnify, and hold harmless the County, including its officers, employees, and agents, under this paragraph.

The Municipality shall be solely responsible for any and all theft and/or damage which shall be occasioned by the Municipality's use, or occur while the Fire Apparatus is being utilized or in the custody of the Municipality, and all such costs shall be borne solely by the Municipality.

9. Insurance.

During the term of this Agreement, the Municipality shall maintain workers' compensation insurance with statutory limits and a minimum of \$ 1,000,000/\$1,000,000/\$1,000,000 Employers Liability limits, and automobile liability insurance with a minimum liability limit of \$1,000,000.00 Combined Single Limit in full force and effect, covering all employees in the Fire Apparatus used in this performance hereunder. In addition, the Municipality shall maintain general liability insurance at limits not less than one million (\$1,000,000.00) dollars covering any claims arising out of the use of the Fire Apparatus other than those claims covered by the aforementioned automobile liability insurance. The Municipality shall not take any action to cancel or materially change any of the insurance requirements under this Agreement without the County's prior written approval of such cancellation or change. The Certificates must provide for thirty (30) days' notice of cancellation in the event that a Municipality's policy is cancelled for any reason. The Municipality expressly understands and agrees that any insurance protection required by this Agreement shall in no way limit the Municipality's obligations assumed in this Agreement and shall not be construed to relieve the Municipality from liability in excess of such coverage.

It is understood that, while the County of Bergen is the titled owner to the Fire Apparatus, the Municipality, being responsible for the operator of the Fire Apparatus, will be solely responsible for the provision of motor vehicle liability insurance coverage for the Fire Apparatus during such time as the Municipality has custody of the vehicle, with said insurance providing defense and indemnification to the County Indemnified Parties, as Additional Insureds.

10. Dispute Resolution.

In the event a dispute shall arise concerning the terms and conditions of this Agreement, the parties hereto agree to first meet informally. If informal discussion cannot resolve the dispute, the parties agree to pursue mediation prior to commencing court action. Nothing set forth herein shall be construed as relieving the Municipality of returning the Fire Apparatus to the County immediately upon demand, regardless of the status of any dispute resolution process.

16. No Assignment.

This Agreement may not be assigned by either party without the written consent of the other. Under no circumstances shall the Municipality grant custody of the Fire Apparatus to any third party without the express written consent of the County's Contact Person.

17. No Third Party Beneficiaries.

This Agreement shall inure to the benefit of the Parties hereto and their successors and permitted assignees. No other person, corporation, company, partnership or other entity shall be deemed a third party or other beneficiary of this Agreement.

18. Counterparts.

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

19. Entire Agreement.

This Agreement sets forth the entire understanding of the parties hereto with respect to the transactions contemplated herein. No change or modification of this Agreement shall be valid unless the same shall be in writing and signed by all the parties hereto.

20. Severability.

If any clause, sentence, paragraph, section or part of this Agreement shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof, directly involved in the controversy in which such judgment shall have been rendered.

21. Title and Headings.

Titles and headings to sections or paragraphs herein are inserted merely for convenience of reference and are not intended to be a part of or to affect the meaning or interpretation of this Agreement.

22. Recitals.

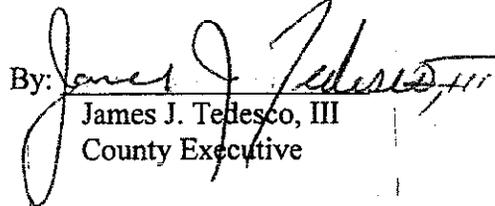
The recitals set forth above are incorporated into the body of this Agreement as if set forth at length herein.

IN WITNESS WHEREOF, the COUNTY OF BERGEN and the Borough/City/Township/Village of _____ ("Municipality") have executed this SHARED SERVICES AGREEMENT FOR SHORT TERM EMERGENCY SHARING OF FIRE APPARATUS BETWEEN THE COUNTY OF BERGEN AND ANY MUNICIPALITY WITHIN THE COUNTY OF BERGEN ("Agreement"), consisting of recitals and twenty four enumerated paragraphs on ten pages plus signature pages, and agree to be bound to the terms thereof, as of the Effective Date.

ATTEST:

COUNTY OF BERGEN



By: 
James J. Telesco, III
County Executive

Dated: 12/17/15

Authorized by Freeholder Resolution No. 1458-15, adopted on December 16, 2015, a copy of which is annexed hereto.

ATTEST:

(Name of Municipality)

By: _____

Dated: _____

Title: _____

Authorized by Resolution No. _____ of the Municipality, adopted on _____, a copy of which is annexed hereto.

All notices to the Municipality pursuant to Paragraph 13, "Notices," shall be sent to the following (to be completed by Municipality):

WHEREAS, the County has determined that by entering into a Shared Services Agreement governing the terms for borrowing the County's Fire Apparatus in advance of a municipality's need to utilize the Fire Apparatus, the parties will be able to facilitate the prompt availability of the Fire Apparatus at such time as a municipality has a need to utilize it;

WHEREAS, the County is authorized to enter into shared services agreements in accordance with the Uniform Shared Services and Consolidation Act, P.L.2007, c.63 (C.40A:65-1, *et seq.*).

WHEREAS, County Counsel has prepared a form of Shared Services Agreement, entitled "SHARED SERVICES AGREEMENT FOR SHORT TERM EMERGENCY SHARING OF FIRE APPARATUS BETWEEN THE COUNTY OF BERGEN AND ANY MUNICIPALITY WITHIN THE COUNTY OF BERGEN" ("Shared Services Agreement"), a copy of which is annexed to this Resolution, as Exhibit A; and

WHEREAS, the Shared Services Agreement sets forth the terms under which the County will, subject to availability, loan Fire Apparatus to municipalities on an emergent, temporary basis, such as in circumstances of breakdown or destruction of a municipality's firefighting vehicles,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CHOSEN FREEHOLDERS, upon the recommendation of Ralph Rivera, Director of the Department of Public Safety and Richard Blohm, Director of the Division of Public Safety Education, as follows:

1. The recitals set forth above are incorporated into the body of this resolution as if set forth at length herein.
2. The Board of Chosen Freeholders hereby endorses the County Executive's proposed Fire Apparatus Loaner Program, and approves the terms thereof, as set forth in the Shared Services Agreement annexed to this Resolution as Exhibit A.
3. The County Executive is hereby authorized to sign the Shared Services Agreement in the form annexed as Exhibit A, together with any other documents necessary to implement the Fire Apparatus Loaner Program as set forth therein, the Agreement and all other documents to be in forms approved by County Counsel.