

APPROVED

9/14/2020

**MINUTES
BOROUGH OF NEW MILFORD
6:30 PM CLOSED SESSION
7:00 PM PUBLIC MEETING
Monday, August 24, 2020**

CLOSED SESSION:

Mayor Putrino called the meeting to order. Mayor Putrino read the Open Public Meeting Law and Mission Statements.

Councilwoman Thea Sirocchi-Hurley	Present
Councilman Matthew Seymour	Present
Councilwoman Randi Duffie	Present
Council President Ira Grotsky	Present
Councilwoman Lisa Sandhusen	Present
Councilwoman Hedy Grant	Present
Mayor Michael Putrino	Present

Also Present: K. Kelly – Borough Attorney; C. Demiris – Administrator/Borough Clerk

Councilwoman Grant made a motion to go into closed session. Councilwoman Duffie seconded the motion. The motion carried. All present in favor, none opposed.

1. Personnel – Police Records

At the conclusion of the closed session, Councilwoman Duffie made a motion to return to open session. Councilwoman Grant seconded the motion. The motion carried. All present in favor, none opposed.

PUBLIC SESSION:

Mayor Putrino called the meeting to order, asked for a moment of silent prayer and/or reflection and led the flag salute. Mayor Putrino read the Open Public Meeting Law and Mission Statements. The meeting was held by electronic means in accordance with law.

Councilwoman Thea Sirocchi-Hurley	Present
Councilman Matthew Seymour	Present
Councilwoman Randi Duffie	Present
Council President Ira Grotsky	Present
Councilwoman Lisa Sandhusen	Present
Councilwoman Hedy Grant	Present
Mayor Michael Putrino	Present

Also Present: K. Kelly – Borough Attorney; C. Demiris – Administrator/Borough Clerk

UNFINISHED BUSINESS:

Councilwoman Grant made a motion to approve the minutes from the July 27, 2020 Work/Public Session meeting. Councilwoman Seymour seconded the motion. All present in favor, none opposed.

ADOPT ORDINANCE 2020:10

CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$46,000 FOR THE UNDERTAKING OF IMPROVEMENTS TO THE SUTTON PLACE TENNIS COURTS IN, BY AND FOR THE BOROUGH OF NEW MILFORD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE OPEN SPACE TRUST FUND OF THE BOROUGH

Councilwoman Duffie made a motion to open to the public for comment on this ordinance. Councilwoman Sandhusen seconded the motion. The motion carried. All present in favor, none opposed.

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

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

Councilwoman Grant made a motion to adopt this ordinance on the second and final reading. Councilman Seymour seconded the motion. The motion carried on a roll call vote. All present in favor, none opposed.

NEW BUSINESS:

1. Knights Field Concept Plan – Maser

Kevin Boyer, of Maser Consulting, reviewed the Knights Field concept plan and estimate, which had been sent previously to the governing body. He noted the access point on Cecchino Drive, made up of pervious concrete that leads to the dugouts for the softball field. He said the softball field will consist of a clay infield and sod outfield and that the 105' x 165' soccer field would be in the outfield of the softball field. He said there would be 40' sports field netting on the berm adjacent to Madison Avenue. He additionally noted four sports field lighting posts, two behind the dugouts and two in the outfield. He then noted the open grass area between the softball field and the parking lot. He said aside from the softball field outfield, the balance would be seeded and the entire field would be irrigated. He said an entrance to the parking lot has been added on Cecchino Drive and a deterrent, on the entrance on the Shop Rite side has been discussed, such as a gate or raised cobblestone.

Councilwoman Grant questioned the use of both sod and seed on the soccer field. Mr. Boyer said the sod was proposed for the softball field so it would be available for play

next year. He said it would take approximately two growing seasons for the sod and seed portions to mesh, after which there would be no difference between the two areas.

Councilwoman Duffie asked why we would not just sod both fields. Mr. Boyer said he proposed it this way in the interest of cost savings. Ms. Duffie asked how much more it would be to sod the whole area. Mr. Boyer said it would be approximately \$15,000 more. He suggested the project could be bid with the balance of the sod as an alternate.

Mr. Kelly asked if lining the soccer field would be done in house. Mr. Boyer said the contractor would generally do the first set of stripes and that there would be metal caps buried at the four corners as a guide for future striping.

Councilwoman Sandhusen asked if the sports lighting would provide sufficient light for pedestrian safety on the walkways for exiting the field. Mr. Boyer said the ambient light on the back of the sports lighting should be sufficient, but it would not fully light the grassy area between the fields and the parking lot. Councilwoman Sandhusen asked for the location of the electrical box, stating there is interest in adding an electric charging station in the future, which would need to be located near the box. Mr. Boyer said we would not know the location of the electrical box until we meet with the utility company, but it is likely that it would be located near the dugouts. He said we may need a larger transformer to accommodate a charging station, which would increase the cost.

Councilwoman Grant asked Mr. Boyer to investigate the cost for the larger transformer.

Mayor Putrino suggested getting Mr. Cahill's input, as he has some information on charging stations.

Council President Grotsky suggested there may be grants available for charging stations.

The Administrator said some of the project expenses may be eligible for a Bergen County Open Space grant.

Mayor Putrino asked if it would be necessary to add or move handicap parking spaces with the addition of the entrance on Cecchino Drive. Mr. Boyer said the existing spaces would still be compliant but that he could look at adding some near the entrance to the field.

Councilwoman Grant said she likes the concept and looks forward to when we can add landscaping and benches.

Council President Grotsky said he is in favor of going out to bid once we get pricing to sod the entire athletic field and for the larger transformer.

Councilwoman Duffie said she loves the plan; it is a wonderful use of the property and will make a great addition to the borough's existing inventory of fields. She said the open space is a blank canvas, where we will be able to host many types of events. She said she

and Councilwoman Sirocchi-Hurley will be meeting with Mr. Cahill and the arborist to discuss the landscape plan.

Councilwoman Sirocchi-Hurley asked if the proposed lighting would be sufficient to light the area of open space. Mr. Boyer said it would not light it in a way that would support nighttime activities. She asked if we could add decorative lighting at a later date. Mr. Boyer said he would look at increasing the size of the electric service to accommodate additional lighting.

Council President Grotsky made a motion to move forward with the concept plan. Councilwoman Duffie seconded the motion. The motion carried on a roll call vote. All present in favor, none opposed.

2. DOT Culvert Projects – Maser

The Administrator provided a quick review of the information previously provided. She said the Borough received a \$225,000 grant from the DOT for the repair and restoration of three culverts in town. She said the two smaller repairs were straight forward, each of which are estimated to cost approximately \$20,000. She said the third culvert, on Steuben Avenue, is more involved. It is estimated at approximately \$171,000 and would require DEP approval. She said \$70,000 of the \$171,000 would be for engineering, of which, only a portion would be covered by the DOT grant. The balance would have to be funded by the Borough. In addition, the cost for the Steuben Avenue culvert could be more if the DEP does not permit it to be lined and instead requires a full replacement. She said this would be predicated on being able to prove the lining does not reduce the capacity of the pipe. If the DEP calls for a full replacement, access to the one home on the other side of the culvert would be cut off and the resident would have to be relocated.

Mr. Boyer said the first two culverts are straightforward and can be done under a permit by rule from the DEP, as a repair of a lawfully existing structure. He said the Steuben Avenue culvert is a driveway serving one resident, but it is considered a public street. It is just 15' wide and therefore cannot be repaired in sections. He said lining the culvert, similar to a sanitary sewer repair, is not listed as a regulated activity for the DEP so it may require an individual permit.

Mayor Putrino asked how long it would take to obtain DEP approval. Mr. Boyer said before COVID it would have been 120 days. He said now the DEP has been given an indefinite period to review applications.

Councilwoman Sirocchi-Hurley asked, once approved, how long it would take to complete the project. Mr. Boyer said it would take one to two weeks to line the culvert and six weeks to reconstruct it. He said the DEP has been having virtual pre-application meetings, but they have been limited to very large projects. He said if the DEP does not agree to meet, we could file for a general permit for a repair to a lawful structure and wait 120 days to see if they come back with any comments.

Mayor Putrino asked how Mr. Boyer would prioritize the three culverts. Mr. Boyer said Steuben would be the first priority as it would be a catastrophic failure if it were to collapse; the other two are not as critical.

Councilwoman Duffie asked if the projects could be separated and done in parts. The Administrator responded that the grant is for all three and the engineering estimate assumes that all three would be done together. She asked if Steuben Avenue needed the full replacement. Mr. Boyer said the liner would work if the DEP accepts it.

Councilwoman Sirocchi-Hurley asked the age of the culverts. Mr. Boyer said they are probably 60 to 70 years old.

Mr. Kelly said we would need the resident's consent to relocate them. He said there are typically delays in construction projects and it could end up being much longer than six weeks for a full reconstruction. He said he would recommend pursuing the project under the general permit as outlined by Mr. Boyer.

Mr. Boyer said there is very little likelihood the DEP would not approve the lining as it will be far less of a disturbance to the surrounding area and we can demonstrate that there will be no detrimental impact upstream or downstream.

Councilwoman Sandhusen asked how long the liner would last. Mr. Boyer said it would last at least 30 to 40 years. She asked how it would be rated for safety for emergency vehicles. Mr. Boyer said the size of the liner used would be typical for emergency access. Councilwoman Sandhusen mentioned the erosion near the Floral Court culvert and asked if the project would include anything to mitigate future erosion. He said the only way to mitigate future erosion would be to reestablish native growth. He said it is likely that anything that was added to stimulate native growth would be removed by adjacent homeowners within a few years. He said the area will be seeded. Councilwoman Sandhusen asked about the removal of sidewalk slabs adjacent to the Floral Court culvert. Mr. Boyer said the sidewalk currently dead ends after the culvert, as proposed the sidewalk would end just before the culvert.

The governing body agreed to move forward with the project. The Administrator will prepare an ordinance, to appropriate the funding, for introduction on September 14th.

3. Northvale Fire Department Request

The Administrator reviewed the request, which had been forwarded previously to the governing body. She said the Deputy Chief of the Northvale Fire Department has asked for the donation of the rescue tools from the old NMFD tower truck, which was recently replaced.

Mr. Kelly said if the fair market value of the item exceeds \$2,500 it must be sold by auction. He said it could however be sold to another government entity without public advertising.

Mr. Kelly asked if the tool was part of the grant application for the truck and if there was any representation on the application that the tool is unsafe or out of service. He suggested checking the application to confirm.

Chief Mury said the old tool has been replaced but that it is still good and has a trade-in value of approximately \$1,200. He said he thinks Northvale would be amicable to paying a nominal fee for the tool. He said he would verify the trade-in value.

Councilwoman Sirocchi-Hurley asked if it would affect the grant if we were to receive money from Northvale. Mr. Kelly said the intent is not to sell it; they are requesting a donation.

Council President Grotsky said if we can make it work, he thinks we should do it. The rest of the governing body agreed.

Mr. Kelly said, in order to comply with statutory requirements, the request must come from the Northvale governing body, not the Fire Department.

4. Prospect Avenue Resident Concerns

Councilwoman Duffie referenced the emails received from residents in the area with complaints about parking, public drunkenness/urination, and trash on lawns. She said some of the responsibility should fall to the business owners in the neighborhood.

Mr. Kelly said there have been several issues that have been being addressed. He said the Police Department has been working on the parking issue and he had just recently issued a cease and desist letter to one of the restaurants regarding their non-compliance with their outdoor dining permit. He said the patrons had not been complying with the requirements for social distancing and mask wearing. He said in addition, the business had advertised a DJ, which is not permitted under the terms of the outdoor dining permit. He said they have been notified, on multiple occasions, about the music outdoors and they have not complied. He said he spoke with their attorney, who has advised that his client will comply. He said he also suggested to their attorney that they may wish to consider offering valet parking to mitigate the impact to the neighborhood.

Chief Clancy said the traffic and quality life issues are not acceptable and he said complaints in the area have increased in the last few months. He said it is important for people to speak up at the time they see something and to contact the Police Department directly so that it can be addressed in the moment. He said he has stepped up patrols in the area and that PD is taking the matter very seriously.

Mr. Kelly confirmed that it is difficult to take any action without an accurate record. He stressed the importance of contacting the Police Department directly with complaints.

Chief Clancy said he will continue the quality of life detail for the time being. He said signs have been posted on the north side of Prospect Avenue in an attempt to push the parking to the municipal lot. He acknowledged that with parking on both sides of Prospect Avenue it would be difficult to get an emergency vehicle down the block. He said Lt. DiGenio is working on the parking issue and that they are considering limiting parking to one side of the street on a full-time basis.

Councilwoman Sirocchi-Hurley asked about alcoholic drinks to go. Mr. Kelly confirmed that one of the Governor's Executive Order permits serving alcoholic drinks to go.

Councilwoman Grant asked if there had been any incidents at any of the other establishments offering outdoor dining. Chief Clancy said there have not been any incidents lately but occasionally they have had issues with some of the other establishments in town. He clarified that the quality of life detail was deployed throughout town, but the focus had been on the north end of town because of the recent complaints.

Councilwoman Duffie thanked Chief Clancy for the department's efforts. She said this establishment has continually had issues; it did not just start recently. She said she will encourage anyone who contacts her with a complaint to report things directly to the Police Department to help create a record.

5. Demarest Avenue Lane Use Recommendation – PD

Chief Clancy referred to the recommendation from the Traffic Division. He said there have been few issues, with the addition of Shop Rite, but the use of Demarest Avenue as a cut through continues to linger. He said in the interest of safety, the intersection of Demarest Avenue and River Road should be made a right or left turn only.

The ordinance will be prepared for introduction on September 14th.

6. Online Payments – Seamless Docs

The Administrator said she had been tasked with finding a way to increase the Borough's ability to take online applications and payments. She said she had explored a few options and believes the platform offered by SeamlessDocs offers the best solution to meet the Borough's objectives. She referenced the proposal, which had been forwarded previously to the governing body, and said the Digitize subscription would meet the current need. She said this would provide for the digitization of up to fifty forms with three user licenses. She said this could be upgraded as necessary. She said in addition to the annual subscription fee of \$4,500 and the annual payment integration fee of \$2,500 there would be an initial on-boarding fee of \$1,595.

Councilwoman Grant said she had seen a demonstration of the platform at the League of Municipalities and was very impressed.

Council President Grotsky asked if there would be a fee for use of a credit card. The Administrator said there would be convenience fee for the use of a credit card.

Councilwoman Sandhusen asked if the online applications would be in addition to, and not instead of, paper applications. The Administrator said that it would be in addition to paper applications.

7. Schedule Updates

Mayor Putrino reviewed the following:

- The Recycling Center has resumed normal business hours – Monday through Saturday from 7:00 AM to 3:30 PM
- The Municipal Alliance will be sponsoring the Fishing Derby on September 13th – Pre-Registration is required
- Fall Sports – Tentatively scheduled to begin mid-September
- The Classic Car Show is scheduled for October 4th at the former Shop Rite parking lot

8. Administrator's Report

The Administrator reported that a post-event meeting was held, with all emergency services personnel, on August 20th to discuss the Borough's response to tropical storm Isaiah. She said there was a good exchange of information.

The Administrator reported that, per the Governor's Executive Order, most of the voting for the General Election will be via vote-by-mail. She said only provisional voting and ADA accessible voting will take place in person. She said the County will be holding a meeting after Labor Day to provide municipalities with additional information and to outline expectations for Election Day.

Councilwoman Grant asked if there would be just one polling location. The Administrator said it has yet to be determined.

The Administrator said the next Mayor and Council meeting is September 14th.

APPOINTMENTS:

JOE LOONAM – ZONING BOARD OF ADJUSTMENT

EMILY ARTOLA – ENVIRONMENTAL & ENERGY COMMISSION

Council President Grotsky made a motion to approve the appointment of Joe Loonam to the Zoning Board of Adjustment. Councilwoman Grant seconded the motion. The motion carried. All present in favor, none opposed.

Councilwoman Sandhusen made a motion to approve the appointment of Emily Artola to the Environmental and Energy Commission. Councilwoman Duffie seconded the motion. The motion carried. All present in favor, none opposed.

INTRODUCE ORDINANCE 2020:11

AN ORDINANCE TO AMEND CHAPTER II OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED 'POLICE DEPARTMENT', THEREBY AMENDING SUBSECTION 2-19.1, ENTITLED "COMPOSITION OF THE NEW MILFORD POLICE DEPARTMENT"

Council President Grotzky made a motion to introduce this ordinance on the first reading. Councilwoman Sirocchi-Hurley seconded the motion. The motion carried on a roll call vote. All present in favor, none opposed.

The ordinance will be advertised, and a public hearing will be held on September 14, 2020.

RESOLUTIONS:

- 2020:189 Closed Session
- 2020:190 Payment of Bills and Vouchers
- 2020:191 Authorize Renewal of Shared Services Agreement with New Milford Board of Education – Geese Clearing Services
- 2020:192 Authorize Salary for Adm. Asst./Records Clerk – Teresa Hartmann
- 2020:193 Appoint Part-Time Records Clerk – John Heinemann
- 2020:194 Approve OBS Proposal for Video Streaming Application
- 2020:195 Authorize Renewal of Employee Medical Benefits Program with CIGNA
- 2020:196 Appoint Special Hearing Officer – James Carroll
- 2020:197 Authorize 2020-2021 Liquor License Renewals

COUNCIL

Council President Grotzky reported that third quarter tax collections are on target.

Councilman Seymour said planning has begun for this year's Domestic Violence Awareness Symposium, which will be held virtually.

Councilwoman Duffie extended her thanks to the DPW, FD, PD and NMVAC for answering the call during Tropical Storm Isaiiah. She additionally acknowledged the Health Department, whom she said has been in the eye of the storm throughout the COVID-19 pandemic.

Councilwoman Duffie said she and Councilwoman Sirocchi-Hurley are preparing to get to work with the 100th Anniversary Committee and they have been working with the Mayor to develop a logo. In addition, she said the Beautification Committee will be planting flowers in the coming weeks.

Councilwoman Grant reported that New Milford's Census response rate has reach 80%. She said enumerators are now going door-to-door. She additionally reported that there has been some progress with the Library sculpture garden, with the expectation of the installation of the pedestals within the next few weeks.

Councilwoman Sirocchi-Hurley said the Stigma Free Committee will be meeting the third week in September and the Historic Commission will also be meeting soon. She thanked the Alumni in Recovery organization for sponsoring the recent Black Poster Project and mentioned that September is Recovery Month. She said that Public Events will be meeting to discuss the Veteran's Day ceremony and said that she will be working with the food pantry to set up a date for a collection.

Councilwoman Sandhusen thanked County Chairwoman Amoroso for interviewing her on Breastfeeding Awareness Month for the Commissioner's podcast. She said the podcast can be found on the Commissioner's website. She reported that both the Shade Tree Commission and the Environmental and Energy Commission will be meeting virtually and that links for the meetings can be found on the Borough website. She said the Green Team is working on a date for their organizational meeting and that Municipal Alliance is requiring pre-registration for the Fishing Derby to help ensure the safety of the participants.

COMMENTS FROM THE PUBLIC

Councilwoman Grant made a motion to open to the public. Councilwoman Sirocchi-Hurley seconded the motion. The motion carried. All present in favor, none opposed.

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

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

VOTE ON RESOLUTIONS

Councilwoman Grant made a motion to approve the consent agenda consisting of resolutions 2020:189 through 2020:197. Councilwoman Duffie seconded the motion. The motion carried. All present in favor, none opposed.

ADJOURNMENT

Being no further business before the governing body, Councilwoman Sirocchi-Hurley made a motion to adjourn. Councilwoman Grant seconded the motion. The motion carried. All present in favor, none opposed.

Respectfully submitted,



Christine Demiris, RMC, CMC
Borough Clerk