

Approved April 27, 2010

**MAYOR AND COUNCIL
SPECIAL MEETING
Park Ridge, NJ
February 2, 2010 - 8:20 pm**

A Special Meeting of the Mayor and Council of the Borough of Park Ridge was called to order at the above time, date, and place. Acting Mayor Levinson led those attending in the Pledge of Allegiance to the Flag.

Acting Mayor Levinson asked for a moment of silence before beginning the meeting.

ROLL CALL:

Present: Councilmembers Kane, Viola, Maughan, Maguire,
Acting Mayor Levinson, (Mayor Ruschman via telephone
listening but not participating)
Absent: None
Also Present: Robert Mancinelli, Esq., Borough Attorney
Helene Fall, Borough Administrator
Kelley O'Donnell, Borough Clerk

Acting Mayor Levinson read the Compliance Statement as required by Open Public Meetings Act, P.L. 1975, Chapter 231.

AGENDA CHANGES:

Borough Clerk advised Resolution #12 on the Consent Agenda was being pulled and tabled; Resolution #18 is being added, Approving Membership of Volunteer Fire Department Applicant.

MOMENT OF SILENCE:

Acting Mayor Levinson asked George Mehm to come forward explaining that the moment of silence was for a borough employee who had died last week.

Mr. Mehm stated that a week ago Friday the borough had lost one of their employees, Len Reiter, who was the Supervisor of Electric Distribution. He said Len had joined the borough 9 ½ years ago after retiring from a very successful career with Public Service, his last position with them being the head of their training facility.

Mr. Mehm said Len had worked very hard with the borough and one of the things he had wanted to ensure was that when he left, the borough would have an operation that would continue without a lot of issues and Mr. Mehm added, that over the 9 ½ years Len was with the borough, between the hirings and training done, while our electric utility will sorely miss him the people have been put in place to be able to step in and see the utilities through the next 100+ years.

He thanked the Council for the moment of silence and said he knew Len would have appreciated. Mr. Mehm told Mayor Ruschman that his letter was personally delivered to Len's wife, Peggy and his two children and they were extremely appreciative for the letter and for the fact that the Mayor had expressed the borough's respect for him by keeping the flags at half-mast and keeping the bunting up.

PUBLIC PRIVILEGE OF THE FLOOR:

Guy Battaglia, 243 Ellin Drive and said he wanted to speak to something with respect to the reinstatement of the town engineer, which after the fiasco with his property and drainage issues, it seemed good to have terminated the relationship with that engineer. He said he still had work to be done on his property and did not feel there would be very much objectivity in the process.

Acting Mayor Levinson asked if Mr. Battaglia wanted to bring specific concerns to the attention of the borough administrator.

Mr. Battaglia replied there were a litany of acts and actions that were taken against him by this individual. Everything, he said, has been well documented in correspondence throughout the borough for the last two-plus years. He said he would be happy to revisit each and every one of them but not necessarily tonight. He said the lists, violations and

actions are on record. He said there is now an aura of hostility in an area where he is trying to raise a family and this person let that situation gravitate and were one of the key aspects to it and he can't understand how the reinstatement of that could take place.

Acting Mayor Levinson asked the borough administrator to intercede with Mr. Battaglia. Ms. Fall said they could sit down after the meeting and arrange for a date.

George Heller, 80 Second Street asked what the purpose of resolution #4 was...who requested it...he said he had no objection to it but didn't know why it was there.

Ms. Fall said it came as a result of a conversation she and the Mayor recently had. She said as we got closer and closer to the 2010 Census date they wanted to make sure that all of the borough participated because every person counts especially with regard to the amount of monies that may be appropriated by the federal government. During the balance of February and March they wanted to concentrate very strongly on the census, getting out the word not only to the general public through our means but also through the public schools and various houses of worship and other public organizations. This is really just another way of focusing attention on the census.

Mr. Heller asked who had promoted the resolution.

Ms. Fall said she and Mayor Ruschman had had a discussion about it.

Mr. Heller confirmed that it was internally generated.

Mr. Heller asked the purpose of resolution 16.

Ms. Fall said this was a housekeeping resolution. In 2005 the borough had applied to the B.C. Community Development Block Grant Program for a project that involved a recreational shed. She said the county had first granted the money (\$50,000) and then determined that it was not a project that fell within their policies. They allowed the borough to apply, she said, that money to the tennis courts rehabilitation and the project has long since been completed. The paperwork is needed so the borough can get reimbursed for the money.

Barbara Coleman, 62 Linden asked, concerning the special election to be held on March 9th, whether there were any safeguards being put in place to ensure that only people who live in Park Ridge are voting here, such as driver's license, ID, something at the polls.

Borough Clerk said the poll workers do check licenses and most of the poll workers know the voters who are coming in but they will be extra careful this time.

Ms. Coleman said she has never been asked to show any form of ID and she would hope that everyone would be asked to show some kind of residency status.

Borough Clerk said driver's license is not necessarily proof of residency either.

Ms. Coleman said she just wanted to ensure that we would be more diligent this time.

Borough Clerk said they will be.

Lucy Heller, 80 Second Street said on that subject she didn't think that any poll workers could be faulted because everyone who voted had their name on the voting list. There are laws from the federal level down which have not been fully enforced that would allow this to take place at all. We have something called the motor/voter law and if anyone who gets a driver's license at a different address, the voting authority should be notified of that and they aren't. Obviously all the things that are supposed to be happening are not and she said as she understood it, the votes all cast were not all cast for either candidate. She said it was the judge's discretion that we have a new election; it was not proved that this election was invalidated.

Scott Brouwer, formerly of 228 Cambridge Oaks said he wanted to take this moment to express some comments. He said he wanted to share some facts that all might not be aware of leading up to the 2009 election.

He said the facts the media has chosen to cover are one-sided in nature and have painted an incomplete picture of what has transpired. To the detriment of himself, his wife and family this has opened up the door to have not only false but slanderous statements in the media. He said over the past 17 years he has lived and been registered to vote in Park Ridge twice, first from 1993 to 2000 and more recently 2006 to mid 2008 in his wife's family home.

He said they were automatically registered to vote in Park Ridge when they went through the process of having their mail forwarded so he never thought to register in his new town. He said they received their requests for mail-in ballots in-law's house in October 2009; they were filled out including their new town's address and mailed them back. They then received a mail-in ballot at their new town. After careful review of the ballot, he said there was only one criteria that applied to their situation and that you must live in the County within 30 days of the election. Given this, Mr. Brouwer said, they proceeded to vote.

He said he certainly did vote for his brother, Ken Brouwer but he did not know that he was ineligible to vote. He said he felt he was merely fulfilling their right to vote. He said the Judge found 11 of them ineligible to vote not illegal as they have been portrayed in the media. He said at no time did his brother ask him to vote for him.

He said it was unfair for his family and his brother to be dragged through this mud. He said his brother had done nothing but put his heart and time into the town since he moved here and has only the best intentions for the residents of Park Ridge.

George Mayer, 159A So. Maple Avenue said he was pleased that Mr. Brouwer voted for his brother and was also pleased that the borough would have another opportunity for a fair election on March 9th. He said it may be that Mr. Brouwer would be elected, legally, in which case he will serve on the council.

Paul Zawartkay, 8 Maple Leaf Drive said it didn't look as if either side intended to do anything wrong. He said he moved to Park Ridge three years ago and didn't vote in the first election since he was not registered here but also didn't go back to his old town, which was 61 miles away. He said the only reason he didn't go back to vote there since he was registered to do so, was because it was 61 miles away. He said it did not seem to him as if anybody did anything wrong and the way this came out, it looks as if the voters in question pretty much voted for each side equally and if the votes were taken away from each candidate; he said he believed Ken Brouwer would still have won. He said his taxes and his money are funding an unnecessary election and is upset that the borough is going to the people of Park Ridge for this election, when he doesn't think it is necessary. He said with all the information that has come out, it was pretty clear to him that Ken Brouwer should be the councilman. He said he felt Mr. Brouwer was the best to serve the borough in that position and all this is an unnecessary expense to go and rehash the whole thing again.

Barbara Coleman, 62 Linden asked, in light of the expense of the new election, had the Mayor & Council discussed how it would be paid for?

Acting Mayor Levinson said the Budget Committee is still at the drawing board and will be meeting at the end of February. The Department Heads, she said, are still submitting so the committee hasn't been able to look at it but it obviously will affect the budget.

Barbara Coleman asked if the budget would be trimmed to accommodate this expense or be increased.

Acting Mayor Levinson said the borough is taking the burden of the cost.

ORDINANCES INTRODUCTION:

Ordinance No. 2010-004 – An Ordinance Amending Chapter 2, Administrative Organization of the Code of the Borough of Park Ridge

Acting Mayor Levinson asks for a motion to introduce on first reading by title Ordinance No. 2010-004, an ordinance amending Chapter 2, Administrative Organization of the Code of the Borough of Park Ridge.

A motion was made by Councilmember Maughan and seconded by Councilmember Kane to confirm.

AYES: Councilmembers Kane, Viola, Maughan, Maguire, Council President Levinson

Acting Mayor Levinson asks the Borough Clerk to read the ordinance by title.

BOROUGH OF PARK RIDGE

ORDINANCE NO. 2010-004

AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATIVE ORGANIZATION OF THE CODE OF THE BOROUGH OF PARK RIDGE, NEW JERSEY

BE IT ORDAINED by the Borough Council of the Borough of Park Ridge, in the County of Bergen and State of New Jersey that Chapter 2, Administrative Organization of the Code of the Borough of Park Ridge be and is hereby amended as follows to create the position of alternate zoning officer:

SECTION I.

Article IV. **Section 2-30 Appointive Officials Zoning Officer; appointment, term, duties** is hereby deleted in its entirety and replaced as follows:

Designation to the office of Zoning Officer, and designation of an alternate Zoning Officer to perform the duties of the Zoning Officer in the absence of the Zoning Officer, shall be made by the Mayor, with the advice and consent of the Borough Council of the Borough of Park Ridge. The term of office shall be for one year, commencing on January 1 of the year in which appointed. Any vacancy in the office shall be filled by the Borough Council for the unexpired term only. The duties of the Zoning Officer are set forth in Chapter , Zoning, of the Code of the Borough of Park Ridge.

SECTION II.

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency only.

SECTION III.

If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid.

SECTION IV.

This ordinance shall take effect immediately following final passage, adoption and publication as provided by law.

Acting Mayor Levinson asks the Borough Attorney to give a brief description of the ordinance.

Mr. Mancinelli explained the ordinance will amend the existing ordinance with respect to the appointment of the Zoning Officer, specifically allowing the borough to appoint an Alternate Zoning Officer in the absence of the Zoning Officer.

Acting Mayor Levinson asks is anyone present wishes to be heard.

There was no one present wishing to be heard on this ordinance.

Acting Mayor Levinson asks for a motion to pass this ordinance on first reading by title and that it be published in full in the Ridgewood News with notice of public hearing on February 9, 2010.

A motion made by Councilmember Maughan and seconded by Councilmember Kane to confirm.

AYES: Councilmembers Kane, Viola, Maughan, Maguire, Council President Levinson.

Ordinance No. 2010 – 005 An Ordinance Amending Chapter 64 Garbage, Rubbish and Trash of the Code of the Borough of Park Ridge, New Jersey.

Acting Mayor Levinson asks for a motion to introduce on first reading by title Ordinance No. 2010 – 005 An Ordinance Amending Chapter 64 Garbage, Rubbish and Trash of the Code of the Borough of Park Ridge, New Jersey.

A motion was made by Councilmember Maughan and seconded by Councilmember Viola to confirm.

AYES: Councilmembers Kane, Viola, Maughan, Maguire, Council President Levinson

Acting Mayor Levinson asks the Borough Clerk to read the ordinance by title.

BOROUGH OF PARK RIDGE

ORDINANCE NO. 2010-005

AN ORDINANCE AMENDING CHAPTER 64 GARBAGE, RUBBISH AND TRASH OF THE CODE OF THE BOROUGH OF PARK RIDGE, NEW JERSEY

BE IT ORDAINED by the Borough Council of the Borough of Park Ridge, in the County of Bergen and State of New Jersey that Chapter 64, Garbage, Rubbish and Trash, of the Code of the Borough of Park Ridge be and is hereby amended as follows:

SECTION I.

Article I. General Provisions are amended by the addition of the following

64-2.1 Use of Public Litter Containers for Disposal of Household or Commercial Garbage, Rubbish and Trash.

No person shall use a litter receptacle placed on the streets and roads by the Borough of Park Ridge for deposit of household or commercial garbage, rubbish and trash.

SECTION II.

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency only.

SECTION III.

If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid.

SECTION IV.

This ordinance shall take effect immediately following final passage, adoption and publication as provided by law.

Acting Mayor Levinson asks the Borough Attorney to give a brief description of this ordinance.

Borough attorney explained this was to tighten up the existing ordinance with the addition of Section 64-2.1 that prohibits any person from using a litter receptacle placed on the street or road by the Borough of Park Ridge for the deposit of household or commercial garbage or rubbish.

Acting Mayor Levinson asks if any present wishes to be heard concerning the introduction of this ordinance.

George Heller, 80 Second Street said he didn't understand what the change was.

Mr. Mancinelli responded that it was a new section that prohibits any person from using a public receptacle for household or commercial garbage. Apparently there have been some issues with people going through town and using that as the personal trash receptacle.

Acting Mayor Levinson asks for a motion to pass this ordinance on First reading by title and that it be published in full in The Ridgewood News with notice of public hearing to be held on February 9, 2010.

A motion was made by Councilmember Maughan and seconded by Councilmember Kane to confirm.

Ordinance 2010-006 – An Ordinance appropriating \$99,228 as a Capital Improvement for ADA Improvements to the Bathrooms at the Municipal Pool, this Project to be Financed Entirely from Community Development Block Grant Funds.

Acting Mayor Levinson asks for a motion to introduce on first reading by title Ordinance 2010-006 – An Ordinance appropriating \$99,228 as a Capital Improvement for ADA Improvements to the Bathrooms at the Municipal Pool, this Project to be Financed Entirely from Community Development Block Grant Funds.

A motion was made by Councilmember Maughan and seconded by Councilmember Maguire to confirm.

AYES: Councilmember Kane, Maughan, Maguire, Council President Levinson.

NAYS: Councilmember Viola

Acting Mayor Levinson asks the Borough Clerk to read the ordinance by title.

**BOROUGH OF PARK RIDGE
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO. 2010-006**

AN ORDINANCE APPROPRIATING \$99,228 AS A CAPITAL IMPROVEMENT FOR ADA IMPROVEMENTS TO THE BATHROOMS AT THE MUNICIPAL POOL THIS PROJECT TO BE FINANCED ENTIRELY FROM COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

WHEREAS, the Borough Council of the Borough of Park Ridge adopted a Resolution at its August 26, 2008 meeting to enter into a grant agreement for 2008 - 2009 Community Development Block Grant Funds for ADA Improvements to Municipal Pool as part of its cooperative participation in the 2008 Community Development Program; and

WHEREAS, the Borough Council of the Borough of Park Ridge adopted a Resolution at its September 8, 2009 meeting to enter into a grant agreement for 2009 - 2010 Community Development Block Grant Funds for ADA Improvements to Municipal Pool as part of its cooperative participation in the 2009 Community Development Program.

BE IT ORDAINED by the Borough Council of the Borough of Park Ridge, in the County of Bergen and State of New Jersey as follows:

SECTION 1. There is hereby authorized and appropriated the sum of \$42,252 which appropriation is to be financed from a Community Development Block Grant Contract PV-PR-03-08 and the sum of \$42,252 and the sum of \$56,976 which appropriation is to be financed from a Community Development Block Grant Contract PV-PR-03-09.

SECTION 2. The purpose for which this appropriation is authorized is to provide for ADA Improvements to the Bathrooms at the Municipal Pool and other items all part of the design plan prepared by Joseph Bruno AIA and approved by the Governing Body of the Borough of Park Ridge.

SECTION 3. The cost for this project shall be financed entirely from the program grants to be received from the County of Bergen under Contracts as hereinbefore cited, pursuant to the terms of the Federal Housing and Community Development Act.

SECTION 4. It is hereby determined and stated that:

(a) Said purpose is not a current expense. It is an improvement which the Municipality may lawfully make, and no part of the cost of said improvement has been or shall be specifically assessed to properties specifically benefitted.

(b) It is not necessary to finance said purpose by the issuance of obligations by the Borough of Park Ridge pursuant to the Local Bond Laws of the State of New Jersey for the reason that monies sufficient to cover the whole cost thereof shall be made available through the County of Bergen.

(c) No monies will be required to be raised from any other sources.

SECTION 5. This ordinance shall take affect twenty (20) days after passage and publication as provided by law.

Acting Mayor Levinson asks the CFO, Colleen Ennis, to give a brief description of this ordinance.

Colleen Ennis, CFO, said the borough was fortunate to receive two Community Development Block Grants for the ADA improvements to the bathrooms at the municipal pool and this ordinance is the mechanism in place for us to appropriate the funds for such purposes.

Acting Mayor Levinson asks if anyone present wishes to be heard.

Lucy Heller, 80 Second Street asked for an explanation of ADA.

Acting Mayor Levinson explained it was the American Disabilities Act.

Guy Battaglia, 243 Ellin Drive said as a father with children growing up in the town using the ball fields and recreation facilities, he would suggest that all the bathroom facilities be ADA updated and not just the pool.

Councilmember Viola responded that this was more to upgrade the facilities to make them accessible to the handicapped people with disabilities, which is the point of the ADA. He said Mr. Battaglia's point was very valid and important but...

Mr. Battaglia said he saw the councilman's point because the field facilities do not need that type of upgrading.

Councilmember Viola said that he hoped that this council in the future would make it a policy of Park Ridge that we upgrade all public facilities to be ADA compliant and that we use.... I have an objection to this ordinance because it says that this is the only money that is going to be used and I strenuously object to that because that is not enough money to make these bathrooms ADA compliant and I think it is wrong to limit it to \$99,000, if that is what it is...

Mr. Battaglia said he agreed with him.

Acting Mayor Levinson said, to clarify this, the grant has been appropriated and what we are introducing tonight is the improvements and we are going out to bid in the next couple of weeks. The cost is at \$70,000, as proposed by the architect so this is just saying there was a grant received and it is not taking taxpayer money or pool patron money...this is grant money. And she said, she also believed there was a similar grant that was granted to the Elks, which was rejected by them because they wanted to spend more and at that time they couldn't.

Councilmember Viola said that according to this they couldn't either because I will read you exactly what the ordinance says...it's important because you brought it up...it says *An Ordinance Appropriating \$99,228 as a Capital Improvement for ADA Improvements*.... I notice, he said, that it doesn't say ADA compliant, it says *ADA Improvements*...so that doesn't mean it is necessarily ADA compliant and again, I reiterate that this town has a moral responsibility because we do have a handicapped house facility here, to make things not ADA Improvements but *ADA Compliant*...and in addition it says *ADA Improvements to the Bathrooms at the Municipal Pool, This Project to be Financed Entirely from Community Development Block Grant Funds*....and in Section 3, it says *the cost of this project shall be financed entirely from the program grants to be received from the County of Bergen under contracts heretofore cited pursuant to the terms of*....again, I reiterate my objections to this because there is nothing in this ordinance to make them ADA compliant...it says ADA Improvements. I believe this is wrong, the Councilmember said, and I would hope that when the ordinance comes to fruition here, that the remaining members of this council vote against it for that reason.

Acting Mayor Levinson asked the borough administrator to make a comment.

Ms. Fall said the name of the project that was approved by the County was ADA Improvements...it clearly is to make them ADA Compliant.

The councilmember said that was not what it says.

Ms. Fall responded that she understood the wording was important and suggested that she strike the words *for ADA Improvements* and put *for ADA Barrier Free Compliant Bathrooms* instead.

Councilmember Viola said that's a whole different thing.

And Ms. Fall said that absolutely that was the intent of the ordinance and it was her wording and that two bathrooms were going to be constructed that would be fully compliant.

Borough Attorney Mancinelli said that since the ordinance has already been voted on and has been recorded what we can do at the second reading is present it in a revised form as opposed to revising it in its present form since a vote was already taken. We can correct the language when it is introduced at the next meeting for final adoption and hopefully we will have the language in it that is satisfactory.

Acting Mayor Levinson said she would appreciate that just as a courtesy. Councilmember Viola was liaison to the Pool Commission last year and knows all about this.

But to correct the language, Mr. Mancinelli repeated, after a vote, the procedure is to wait until the vote at the next meeting.

Ms. Fall said she would make it Barrier Free and ADA Compliant...

Councilmember Viola said he apologized for not bringing it up before.

Acting Mayor Levinson said the wording was important and that maybe they could respond to Mr. Battaglia's comment with the next Community Development round and upgrade everything.

Councilmember Viola agreed saying he thought that was important and that all public facilities should be made ADA compliant.

Acting Mayor Levinson asks for a motion to pass this ordinance on first reading and that it be published in full in The Ridgewood News with notice of public hearing on February 9, 2010.

A motion was made by Councilmember Maughan and seconded by Councilmember Kane to confirm.

AYES: Councilmembers Kane, Viola, Maughan, Maguire, Council President Levinson

ORDINANCES – PUBLIC HEARING:

Ordinance No. 2010-001 An Ordinance Establishing the Classification and Compensation for Certain Employees

Acting Mayor Levinson asks for a motion to open the Public Hearing on Ordinance No. 2010-001- An Ordinance Establishing the Classification and Compensation for Certain Employees.

A motion was made by Councilmember Maughan and seconded by Councilmember Maguire to confirm.

AYES: Councilmembers Kane, Viola, Maughan, Maguire, Council President Levinson

Acting Mayor Levinson asks the Borough Clerk to read the ordinance by title.

**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2010-001**

AN ORDINANCE ESTABLISHING THE CLASSIFICATION AND COMPENSATION FOR CERTAIN EMPLOYEES OF THE BOROUGH OF PARK RIDGE, BERGEN COUNTY, NEW JERSEY FOR THE YEARS 2009 AND 2010.

BE IT ORDAINED by the Mayor and Council of the Borough of Park Ridge in the County of Bergen, State of New Jersey that the compensation paid certain employees of the Borough of Park Ridge shall be as follows:

SECTION 1. Each of the positions of employment hereinafter named that is not established or created by virtue of any statute or of any ordinance, resolution or other lawful authority heretofore exercised by the Borough of Park Ridge, is hereby established, created, ratified and confirmed.

SECTION 2: As provided in a collective bargaining agreement between the Borough of Park Ridge and the Park Ridge Utility Employees Association, the Park Ridge Borough Employees Association, and the Park Ridge Police Department Employees Association, the salary to be paid employees covered under this agreement for the year 2009 (as noted below) and 2010 (as noted below) are hereby fixed as follows:

I. PARK RIDGE UTILITY EMPLOYEE'S ASSOCIATION – contractual ranges remain at 2009 level since 2010 ranges are not yet determined

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>BASIS</u>
Supervising Line Worker	\$65,596	\$87,461	Per Annum
Senior Line Worker	62,544	83,392	Per Annum
Line Worker	59,490	79,319	Per Annum
Lineworker, Trainee	48,157	64,210	Per Annum

Supervisor, Roads	56,964	75,952	Per Annum
Supervisor, Water	57,293	76,391	Per Annum
Electric Meter Repairer	55,390	73,853	Per Annum
Mechanic	54,551	72,735	Per Annum
Meter Reader – A	52,086	69,448	Per Annum
Meter Reader - B	45,695	60,927	Per Annum
Senior Road Repairer	52,307	69,742	Per Annum
Senior Water Repairer	52,638	70,183	Per Annum
Road Repairer & Maint.Repairer	47,827	63,769	Per Annum
Water Repairer	48,157	64,210	Per Annum
Sewer Maint. Wkr/Water Repairer	48,157	64,210	Per Annum
Laborer Part Time	6.50	20.00	Per Hour

II. PARK RIDGE BOROUGH EMPLOYEE'S ASSOCIATION – 2010 contractual ranges

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>BASIS</u>
Municipal Court Administrator	\$46,896	\$62,528	Per Annum
Principal Accounts Clerk	46,896	62,528	Per Annum
Sr. Acct. Clk/Reg. Sec. Bd. Of Health	46,896	62,528	Per Annum
Principal Clerk Typist	46,202	61,602	Per Annum
Senior Accounts Clerk	45,162	60,216	Per Annum
Senior Cashier	45,162	60,216	Per Annum
Police Records Clerk	45,162	60,216	Per Annum
Accounts Clerk	34,760	43,449	Per Annum
Deputy Mun. Court Clerk (P.T.)	23,270	31,027	Per Annum
Technical Assistant (P.T. 25 hrs.)	33,599	42,949	Per Annum
Secretary, Planning Bd. (P.T.)	19,366	25,821	Per Annum
Secretary, Zoning Bd. Adj. (P.T.)	12,921	17,228	Per Annum
Clerk Typist	30,152	37,289	Per Annum
Clerical Assistant	8.00	29.69	Per Hour
School Crossing Guard	-	20.30	Per Hour

**III. NEW JERSEY STATE POLICEMEN'S BENEVOLENT ASSOCIATION
LOCAL 206 PARK RIDGE UNIT – 2009 contractual amounts**

For Employees Hired on or before December 31, 2009

<u>POSITION</u>	<u>MAXIMUM</u>	<u>BASIS</u>
Lieutenant	\$119,650	Per Annum
Sergeant	110,500	Per Annum
Police Officer 1	101,557	Per Annum
Police Officer 2	90,650	Per Annum
Police Officer 3	79,746	Per Annum
Police Officer 4	68,842	Per Annum
Police Officer 5	57,937	Per Annum
Police Officer 6	51,851	Per Annum
Police Officer 7	43,577	Per Annum
Probationary	35,467	Per Annum

For Employees Hired on or after January 1, 2010

<u>POSITION</u>	<u>MAXIMUM</u>	<u>BASIS</u>
Lieutenant	\$119,650	Per Annum
Sergeant	110,500	Per Annum
Police Officer 1	101,557	Per Annum
Police Officer 2	91,995	Per Annum
Police Officer 3	82,694	Per Annum
Police Officer 4	73,392	Per Annum
Police Officer 5	64,463	Per Annum
Police Officer 6	54,788	Per Annum
Police Officer 7	47,941	Per Annum
Police Officer 8	41,090	Per Annum
Probationary	32,510	Per Annum

**IV. NEW JERSEY STATE POLICEMEN'S BENEVOLENT ASSOCIATION
LOCAL 206 PARK RIDGE UNIT – 2010 contractual amounts**

For Employees Hired on or before December 31, 2009

<u>POSITION</u>	<u>MAXIMUM</u>	<u>BASIS</u>
Lieutenant	\$124,316	Per Annum
Sergeant	114,809	Per Annum
Police Officer 1	105,518	Per Annum
Police Officer 2	94,186	Per Annum
Police Officer 3	82,856	Per Annum
Police Officer 4	71,527	Per Annum
Police Officer 5	60,197	Per Annum
Police Officer 6	53,873	Per Annum
Police Officer 7	45,276	Per Annum
Probationary	36,850	Per Annum

For Employees Hired on or after January 1, 2010

<u>POSITION</u>	<u>MAXIMUM</u>	<u>BASIS</u>
Lieutenant	\$124,316	Per Annum
Sergeant	114,809	Per Annum
Police Officer 1	105,518	Per Annum
Police Officer 2	95,583	Per Annum
Police Officer 3	85,919	Per Annum
Police Officer 4	76,254	Per Annum
Police Officer 5	66,977	Per Annum
Police Officer 6	56,925	Per Annum
Police Officer 7	49,811	Per Annum
Police Officer 8	42,693	Per Annum
Probationary	32,510	Per Annum

SECTION 3. Except as stated in Section 2 above, all other manner of compensation, fringe benefits, vacation, holidays and administration of departmental affairs shall be continued in written agreements between the Borough of Park Ridge and the Park Ridge Borough Employees Association (which agreement will expire on December 31, 2010), the Park Ridge Utility Employees Association (which agreement expired on December 31, 2009) and the New Jersey State Policemen’s Benevolent Association Local 206 Park Ridge Unit (which agreement will expire on December 31, 2012). All manner of remuneration shall be effective on January 1, 2009 or January 1, 2010 as indicated hereinbefore.

SECTION 4. All ordinances or parts thereof inconsistent herewith are expressly repealed.

SECTION 5. This ordinance shall become effective after final passage and publication as required by law.

Acting Mayor Levinson asks CFO Ennis to give a brief description of the ordinance.

CFO Ennis stated this established salary ranges for contractual employees as per contract, specifically the Park Ridge Utility employees, the Park Ridge Association employees and Park Ridge PBA #206 Local. It outlines the minimum and maximum as per contracts but noted that the Park Ridge Utility workers’ contract is presently under negotiations, so it only reflects the rates as of 2009.

Acting Mayor Levinson asks if anyone present wishes to be heard.

There was no one present wishing to be heard.

A motion made by Councilmember Maughan and seconded by Councilmember Kane to confirm that the Public Hearing be closed and that the ordinance be adopted and notice of final passage be published in the Ridgewood News.

AYES: Councilmembers Kane, Viola, Maughan, Maguire

ABSTAIN: Council President Levinson

Ordinance No. 2010-002 An Ordinance Authorizing Improvements to the Park Ridge Train Station as a General Improvement and Appropriating \$79,000 to be Entirely Funded by a Grant under the New Jersey Transportation Trust Fund Authority Act Discretionary Aid Program for Fiscal Year 2009.

Acting Mayor Levinson asks for a motion to open the public hearing on Ordinance No. 2010-002 - An Ordinance Authorizing Improvements to the Park Ridge Train Station as a General Improvement and Appropriating \$79,000 to be Entirely Funded by a Grant under the New Jersey Transportation Trust Fund Authority Act Discretionary Aid Program for Fiscal Year 2009.

A motion was made by Councilmember Maughan and seconded by Councilmember Maguire to confirm.

AYES: Councilmembers Kane, Viola, Maughan, Maguire, Council President Levinson
Acting Mayor Levinson asks the Borough Clerk to read the ordinance by title.

**BOROUGH OF PARK RIDGE
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO. 2010-002**

AN ORDINANCE AUTHORIZING IMPROVEMENTS TO THE PARK RIDGE TRAIN STATION AS A GENERAL IMPROVEMENT AND APPROPRIATING \$79,000 TO BE ENTIRELY FUNDED BY A GRANT UNDER THE NEW JERSEY TRANSPORTATION TRUST FUND AUTHORITY ACT DISCRETIONARY AID PROGRAM FOR FISCAL YEAR 2009.

BE IT ORDAINED by the Borough Council of the Borough of Park Ridge, in the County of Bergen and State of New Jersey that:

SECTION 1. There is hereby authorized and appropriated the sum of \$79,000. The full sum of the appropriation is to be funded from the New Jersey Transportation Trust Fund Authority Act for Fiscal Year 2009 pursuant to an award transmitted by letter dated January 22, 2009, from the State of New Jersey, Bureau of Local Aid – Newark, Department of Transportation.

SECTION 2. The purpose for which this appropriation is authorized is to make pedestrian improvements to the Park Ridge Train Station as appropriate and other items which shall be part of the design plan prepared by the Engineer and approved by the Borough of Park Ridge.

SECTION 3. The appropriation hereby authorized shall be completely funded under the 1984 New Jersey Transportation Trust Fund Authority Act, as may be amended and no part shall be financed by bonds or notes of the Borough of Park Ridge.

SECTION 4. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency only.

SECTION 5. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid.

SECTION 6. This ordinance shall take effect immediately following final passage, *adoption and publication as provided by law.*

Acting Mayor Levinson asks the CFO, Colleen Ennis, to give a brief description of this ordinance.

CFO Ennis advised the borough had received \$79,000 grant from the N.J. Transportation Trust Fund and the funds will be used to make improvements in and around the train station and the ordinance allows for the authorization of the \$79,000.

Acting Mayor Levinson asks is anyone present wishes to be heard.

There was no one wishing to be heard.

A motion was made by Councilmember Maughan and seconded by Councilmember Kane to confirm that the Public Hearing be closed and that the ordinance be adopted and notice of final passage be published in the Ridgewood News.

AYES: Councilmembers Kane, Viola, Maughan, Maguire, Council President Levinson

Ordinance No. 2010 – 003 An Ordinance Amending Chapter 52, Dogs, Cats and Other Animals of the Code of the Borough of Park Ridge, New Jersey.

Acting Mayor Levinson asks for a motion to open the Public Hearing on Ordinance 2010-003, An Ordinance amending Chapter 52, Dogs, Cats and other animals of the Code of the Borough of Park Ridge.

A motion was made by Councilmember Maughan and seconded by Councilmember Kane to confirm.

AYES : Councilmember Kane, Viola, Maughan, Maguire, Council President Levinson

Acting Mayor Levinson asks the Borough Clerk to read the Ordinance by title.

BOROUGH OF PARK RIDGE**ORDINANCE NO. 2010-003****AN ORDINANCE AMENDING CHAPTER 52, DOGS, CATS AND OTHER ANIMALS OF THE CODE OF THE BOROUGH OF PARK RIDGE, NEW JERSEY**

BE IT ORDAINED by the Borough Council of the Borough of Park Ridge, in the County of Bergen and State of New Jersey that Chapter 52, Dogs, Cats and Other Animals of the Code of the Borough of Park Ridge be and is hereby amended as follows:

SECTION I.**Article 1. Dogs Section 52-4 Fees; expiration date; Seeing Eye Dogs**

Subsection "A" is hereby replaced as follows:

The person applying for the license and registration tag shall pay a fee of \$10 for each spayed and/or neutered dog, which includes the sum of \$1 for the registration tag of each dog and a surcharge of the sum of \$0.20 to be remitted to the Pilot Clinic Fund of the State of New Jersey. The person applying for the license and registration tag shall pay a fee of \$13 for each nonspayed and/or nonneutered dog of reproductive age, which includes the sum of \$1 for the registration tag of each such dog, a surcharge of the sum of \$0.20 to be remitted to the Pilot Clinic Fund of the State of New Jersey and a surcharge of the sum of \$3 to be remitted to the Animal Population Control Fund of the State of New Jersey. The same fees shall apply for annual renewals of license and registration tags, and said licenses, registration tags and renewals thereof shall expire on the last day of January of each year.

SECTION II.**Add to Article 1, Dogs New Section 52-4.a License fee waived for senior citizens.**

The fee for licensing any dog as required by this article is waived for senior citizens of the Borough. A "senior citizen" is defined as a permanent resident of the Borough 65 years of age or older. Seniors shall be required to pay \$5 for the cost of the tag for each dog.

SECTION III.**Article II Cats Section 52-35 Fees; license Subsection "A" is hereby replaced as follows:**

The person applying for the license and registration tag shall pay to the Borough Clerk a fee of \$10 for the licensing of each cat who has been spayed or neutered and \$13 for each cat nonspayed or nonneutered. Each license and tag shall be renewed annually, and for each annual renewal, the fee for the license and of the registration tag shall be the same as for the original license and registration tag. The licenses, registration tags and renewals thereof shall expire on the last day of January in each year.

SECTION IV**Article II Cats Section 52-36.3 Subsection "A" License fee waived for senior citizens is hereby replaced as follows:**

The fee for licensing any cat as required by this article is waived for senior citizens of the Borough. A "senior citizen" is defined as a permanent resident of the Borough 65 years of age or older. Seniors shall be required to pay \$5 for the cost of the tag for each cat.

SECTION V.

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency only.

SECTION VI.

If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid.

SECTION VII.

This ordinance shall take effect immediately following final passage, adoption and publication as provided by law.

Acting Mayor Levinson asks CFO Ennis to give a brief description of this ordinance.

CFO Ennis said Chapter 52 sets the rates for dog and cat licenses, part of the fee going to the State and the remaining part is borough revenue. It had been determined, she said, that the borough was not covering their costs in terms of being able to send the appropriate amount to the State. The borough looked at what the State set as a maximum and decided to cover the costs.

Acting Mayor Levinson asks if anyone present wishes to be heard.

George Heller, 80 Second Street asked what were the “other animals”.

Acting Mayor Levinson replied it was any animal.

Borough Administrator stated that was the name of the chapter and if you read Chapter 52 in its entirety it refers to dogs, cats and other animals. She said they were only amending the fee portion.

A motion was made by Councilmember Maughan and seconded by Councilmember Kane to confirm to close the Public Hearing on the ordinance and that the ordinance be adopted and notice of final passage be published in the Ridgewood News.

AYES: Councilmembers Kane, Maughan, Maguire, Council President Levinson

ABSTAIN: Councilmember Viola

CONSENT AGENDA:

Acting Mayor Levinson asks if any Councilmember would like to abstain from voting on any resolutions.

Councilmember Kane stated he was abstaining from Resolution #8.

Acting Mayor Levinson asks for a motion to accept the consent agenda.

A motion was made by Councilmember Viola and seconded by Councilmember Maughan to confirm to accept the Consent Agenda with the abstentions no noted.

AYES: Councilmembers Kane, Viola, Maughan, Maguire, Council President Levinson.

RESOLUTIONS:**BOROUGH OF PARK RIDGE****RESOLUTION NO. 010-022**

**AUTHORIZE CHANGE ORDER NO. 2 AND FINAL PAYMENT TO
D & L PAVING - PASCACK VALLEY COOPERATIVE PRICING SYSTEM – 2009 ROAD
REPAVING PROGRAM**

WHEREAS, by Resolution No. 09-118 the Park Ridge Mayor and Borough Council awarded a contract to D&L Paving Contractors, Inc. as part of the Pascack Valley Cooperative Pricing Program in an amount not to exceed \$160,607.45 for paving of various road throughout the Borough of Park Ridge; and

WHEREAS, the contractor has submitted Voucher No. 2 & Final/Change order No. 2 & Final, dated December 28, 2009 in the amount of \$3,229.77 bringing the total contract amount to \$160,655.56; and

WHEREAS, the contractor has also submitted the original maintenance bond, No. 4-075-478 as issued by the Ohio Casualty Company in the penal sum of \$24,098.33 which sum represents 15 percent of the completed contract total guaranteeing against defective quality work or materials for a 2 year period, in accordance with the requirements of the Contract Documents and Bid Specification; and

WHEREAS, Azzolina & Feury Engineering, Inc., the Project Engineer, by letter dated December 28, 2009 has recommended to the Mayor and Borough Council payment of the \$3,229.77 as hereinbefore described, as reviewed on January 5, 2010 and the Borough Administrator concurs; and

WHEREAS, the Chief Financial Officer has certified the funds are available in account no. C-04-55-922-00-001 for said total contract change as hereinbefore described.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Park Ridge, that said Voucher 2 & Final/Change Order No. 2 & Final be approved for payment in the amount of \$3,229.77 and the maintenance bond be accepted subject to the review of said bond by the Borough Attorney.

BOROUGH OF PARK RIDGE

RESOLUTION NO. 010-023

MEDICAL OPT- OUT PROGRAM

BE IT RESOLVED BY the Mayor and Borough Council of the Borough of Park Ridge that the following Medical Benefits Coverage Waiver Program be and is hereby created for all eligible Borough of Park Ridge Employees:

1. Employees who are eligible for medical benefits coverage may voluntarily annually opt-out of the Borough provided medical coverage to which they are entitled only if they are covered under other health coverage.
2. In place of health benefit coverage, the Borough of Park Ridge will pay to employees who voluntarily opt-out up to 50% of the savings which the Borough derives. Payment is based upon the plan which the employee is enrolled in at the time the employee opts out. Should the employee's plan eligibility change i.e. at the time of opt-out the employee is eligible for family coverage but over the course of time becomes eligible for a reduced coverage such as husband/wife, etc., the employee's payment shall reflect the level of coverage to which the employee would be eligible at the time the payment is made.
3. The eligible employees who have opted out of the medical coverage may resume coverage when they are no longer covered by the other health coverage, provided that the employee notifies the Borough of Park Ridge within 60 days of the loss of the other coverage and provide proofs of loss of that coverage.
4. If the application for voluntary opt-out is received by the Borough of Park Ridge by the 5th of the month, the change will take place on the first of the following month.
5. The reinstatement application for medical coverage must be filed within 60 days of the loss of other health coverage with the Borough of Park Ridge. If this timetable is followed, the coverage will be retroactive to the date of loss. If the 60 day time limit has passed, the employee must wait until the next open enrollment period to reenroll.
6. Employees who have voluntarily opted-out of the medical coverage may opt-in to the medical coverage during the annual enrollment period. The effective date of coverage shall be January 1st of the following year, or as provided by the Borough of Park Ridge's medical insurance.

- 7. Payment of the opt-out amount will be made to the employee on a quarterly basis.
- 8. Payments made to employees who have voluntarily opted-out are not considered wages or salary earned for pension purposes. Payments are subject to all applicable State and Federal taxes.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-024**

AUTHORIZING THE 2009 RECYCLING TONNAGE GRANT APPLICATION

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 has promulgated 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 the 2009 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council of the Borough of Park Ridge 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.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the Borough of Park Ridge hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Helene V. Fall, Borough Administrator 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.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-025**

COMPLETE COUNT COMMITTEE – 2010 CENSUS

WHEREAS an accurate census count is vital to our community and residents' well-being by helping planners determine where to locate schools, day care centers, roads and public transportation, hospitals and other facilities, and achieving an accurate and complete count of the nation's growing and changing population;

WHEREAS more than \$435 billion per year in federal and state funding is allocated to states and communities based, in part, on census data;

WHEREAS census data help determine how many seats each state will have in the U.S. House of Representatives and often is used for the redistricting of state legislatures, county and city councils and voting districts;

WHEREAS the 2010 Census creates jobs that stimulate economic growth and increase employment;

WHEREAS the information collected by the census is confidential and protected by law;

NOW, THEREFORE, BE IT RESOLVED that Borough of Park Ridge New Jersey is committed to partnering with the U.S. Census Bureau to help ensure a full and accurate count in 2010.

As a 2010 Census partner, we will:

1. Support the goals and ideals for the 2010 Census and disseminate 2010 Census information to encourage those in our community to participate.
2. Encourage people in our community to place an emphasis on the 2010 Census and participate in events and initiatives that will raise overall awareness and ensure a full and accurate census.
3. Support census takers as they help our community complete an accurate count.
4. Create or seek opportunities to collaborate with other like-minded groups in our community by participating in Complete Count Committees and/or utilizing high-profile, trusted voices to advocate on behalf of the 2010 Census including:
 - a. Park Ridge Public Schools
 - b. Park Ridge Borough-based organizations
 - c. Community Organizations
 - d. Multi-Family Dwellings
 - e. Group Homes and other similar residences

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the New Jersey League of Municipalities.

BOROUGH OF PARK RIDGE

RESOLUTION NO. 010-026

AUTHORIZE RECEIPT OF BIDS – WATER METERS

WHEREAS, throughout the period of a year, the water department needs to purchase various sizes of water meters; and

WHEREAS, over a one (1) year period, the anticipated total annual expenditure for said water meters is over \$21,000.00; and

WHEREAS, the provisions of New Jersey Statute 40A:11-4 requires the public advertising for bids when the total annual expenditure for similar materials or supplies is over \$21,000;

WHEREAS, the Board of Public Works has recommended that the Mayor and Council authorize the receipt of sealed bids for the purchase of various sizes of water meters.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge hereby authorize the receipt of sealed bids for the purchase of various sizes of water meters.

BOROUGH OF PARK RIDGE

RESOLUTION NO. 010-027

AUTHORIZE REAPPOINTMENT OF LARRY COSLOW AS CONSULTANT – 2010

WHEREAS, Larry Coslow retired from his full-time position of General Supervisor of Water and Sewer on December 31, 2007; and

WHEREAS, although he was retired from his full time position, upon recommendation by the Board of Public Works, the Borough hired Larry Coslow for management consulting services and the use of his water and sewer licenses in 2008 and 2009; and

WHEREAS, on September 1, 2008, William Hahn was promoted to the position of the General Supervisor of the Water and Sewer Departments; and

WHEREAS, the Board of Public Works would like to continue to utilize Larry Coslow for technical assistance as a management consultant and as a backup licensed operator; and

WHEREAS, subject to the execution of an Independent Contractor's Agreement with the Borough, Mr. Coslow has agreed to stay on as a consultant for a monthly fee of \$500.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge to accept this recommendation of the Board of Public Works to appoint Larry Coslow as a consultant for the year 2010; and

BE IT FURTHER RESOLVED, that the Borough Attorney is authorized to draft a consulting agreement with Larry Coslow of One Market Street, #320, Camden, NJ 08102 and the Mayor to execute said agreement.

BOROUGH OF PARK RIDGE

RESOLUTION NO. 010-028

Authorize Participation in the PARIS Grants Program

Shared Service with Bergen County

WHEREAS, the State of New Jersey has launched its pioneering Public Archives and Records Infrastructure Support (PARIS) grant program to meet the strategic records management, preservation, and storage needs of county and municipal governments; and

WHEREAS, a top priority of the PARIS grants program is to achieve efficiencies of cost and operation through shared services and to create a service structure for municipalities that do not have the resources to create one for themselves; and

WHEREAS, in the 2010-11 grant cycle, priority funding will be given to county shared services projects with its constituent municipalities; and

WHEREAS, the Borough of Park Ridge desires to collaborate with the County of Bergen in the performance of PARIS Grant Shared Services; and

WHEREAS, the Borough of Park Ridge is acknowledging that their eligible funding of \$40,000.00 will be leveraged with the County of Bergen; and

WHEREAS, the Borough of Park Ridge is acknowledging that the County of Bergen would be both the lead agency and the applicant for such a proposal; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge, that the Borough of Park Ridge does support and commit to cooperation and participation in the PARIS grant for the purposes set forth above, and to execute and deliver all documents required incident thereto.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-029**

AUTHORIZE TEMPORARY CLERK TYPIST

WHEREAS, the Borough Clerk and the Finance Director have recommended that a temporary Clerk Typist be hired for a period not to exceed six (6) months to provide administrative assistance to the Borough Clerk and utility processing and related work to Finance Director on a 50/50 shared day, 35 hours per week, Monday through Friday, 8:30 AM to 4:30 PM or on a schedule as agreed to by the Borough Clerk and Finance Director; and

WHEREAS, the Borough of Park Ridge has received applications for said temporary position and the Borough Clerk and Finance Director have recommended that Thomas Mazzarella, 129 North Avenue, Park Ridge, NJ be hired for this temporary position at the hourly rate of \$17.18 and the Borough Administrator concurs.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that said person be hired on a temporary basis for the period February 1, 2010 through July 31, 2010.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-030**

AUTHORIZE REDUCTION OF PERFORMANCE BOND

WHEREAS, 37 PARK AVENUE, LLC, 37 Park Avenue, known as Lot 4 of Block 1505 on the Tax Map of the Borough of Park Ridge has posted a cash Performance Bond in the amount of \$96,660.00; and

WHEREAS, the cash Performance bond was reduced to \$80,910.00 in October 2009; and

WHEREAS, the Cash Performance bond was further reduced to \$74,910.00 in December 2009; and

WHEREAS, the Cash Performance bond was further reduced to \$63,910.00 in December 2009; and

WHEREAS, the applicant has requested their Cash Performance bond be further reduced; and

WHEREAS, the Borough Engineer has recommended that a Hold Harmless and Indemnification Agreement be executed in order to release funds for the retaining wall; and

WHEREAS, the agreement was prepared by the Borough Attorney and executed by all parties and a copy sent to the Borough Engineer; and

WHEREAS, the Borough Engineer has now recommended the cash performance bond be further reduced by \$20,000.00 for the retaining wall; and

WHEREAS, a copy of the engineer's report has been attached.

WHEREAS, the Planning Board has recommended to the Mayor and Council that the Cash Performance Bond of \$63,910.00 be reduced by \$20,000.00 leaving a balance of \$43,910.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the Cash Performance Bond of \$63,910.00 be reduced by \$20,000.00 leaving a balance of \$43,910.00.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-031**

AUTHORIZING SPILL FUND CLAIM SETTLEMENT

WHEREAS, the Board of Public Works on behalf of the Borough of Park Ridge had filed a claim with the New Jersey Spill Compensation Fund in 1985 for remediation of some of the wells in the existing Park Ridge Water Supply System; and

WHEREAS, the Borough received Three Hundred Twenty Two Thousand One Hundred Fifty Six Dollars and No Cents for its Spill Fund Claim; and

WHEREAS, there has been litigation involving the Borough and Handy & Harmon, et al. seeking additional recovery for remediation costs to the Park Ridge Water Supply Systems; and

WHEREAS, such litigation has been resolved and the State of New Jersey now seeks repayment of its Spill Fund Claim; and

WHEREAS, the Board of Public Works have agreed to make a payment of Two Hundred Twenty Five Thousand Dollars (\$225,000.00) which has been accepted by the State of New Jersey as full and final satisfaction for the claim in the amount of Three Hundred Twenty Two Thousand One Hundred Fifty Six Dollars and No Cents (\$322, 156.00).

WHEREAS, the Board of Public Works accepts this proposed agreement, a copy of which is attached, and advises the Mayor and Council to authorize the settlement.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Park Ridge authorize the Spill Fund Claim Settlement with the State of New Jersey in the amount of Two Hundred Twenty Five Thousand Dollars (\$225,000.00) as full and final satisfaction for the claim in the amount of Three Hundred Twenty Two Thousand One Hundred Fifty Six Dollars and No Cents (\$322,156.00).

BE IT FURTHER RESOLVED that a true copy of this resolution shall be forwarded to the Chief Finance Officer.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-032**

**AUTHORIZING EXECUTION OF MUTUAL AID AGREEMENT
WITH PPANJ**

WHEREAS, the Borough of Park Ridge Electric Department is a member of the New Jersey Public Power Association of New Jersey (PPANJ), comprised of all municipal and rural electric cooperatives in New Jersey; and

WHEREAS, the PPANJ has organized a mutual aid procedure, whereby during emergencies each member can call for assistance from the members if needed; and

WHEREAS, the member receiving the assistance would later reimburse the aiding municipality for all expenses related to the rendering of the aid, after a detailed invoice was provided; and

WHEREAS, to be eligible for reimbursement for said expenses by FEMA, or other federal emergency funds, it is necessary to have an agreement in place; and

WHEREAS, the attorney for the PPANJ has drafted a mutual aid agreement, a copy of which is attached; and

WHEREAS, the Board of Public Works has recommended that the Mayor and Council authorize William Beattie, Director of Operations to execute the attached agreement on behalf of the Borough of Park Ridge.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge authorize William Beattie, Director of Operations to execute a Mutual Aid Agreement with the members of the New Jersey Public Power Association of New Jersey (PPANJ).

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-033**

APPOINT APPOINTING AUTHORITY AGENT

BE IT RESOLVED that the Governing Body of the Borough of Park Ridge does hereby Borough Administrator Helene V. Fall to act as Appointing Authority agent with respect to the NJ Civil Service Commission.

BE IT FURTHER RESOLVED that Finance Director/CFO Colleen Ennis be appointed as alternate to act in the absence of the Borough Administrator.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-034**

APPOINT FUND COMMISSIONERS 2010

BE IT RESOLVED that the Governing Body of the Borough of Park Ridge does hereby appoint the following fund commissioners for the year 2010:

Bergen County Municipal Joint Insurance Fund:
Borough Clerk Kelley R. O'Donnell as Fund Commissioner
Borough Administrator Helene V. Fall as Alternate

Bergen Municipal Employees Benefit Fund:
Borough Administrator Helene V. Fall as Fund Commissioner
Borough Clerk Kelley R. O'Donnell as Alternate

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-035**

**AUTHORIZE GRANT AGREEMENT – BERGEN COUNTY OPEN SPACE TRUST FUND –
TENNIS COURT REHABILITATION
COTNRACT NO. OST-PR-05**

BE IT RESOLVED that the Governing Body of the Borough of Park Ridge wishes to enter into a grant agreement with the County of Bergen for the purpose of confirming the use of \$50,000 in Program Year 2005 Open Space Trust Funds for Tennis Court Rehabilitation in the Borough of Park Ridge; and

BE IT FURTHER RESOVLED, that the Mayor and Borough Council hereby authorizes the Mayor and Borough Clerk to be a signatory to the aforesaid grant agreement; and

BE IT FURTHER RESOLVED that the Mayor and Borough Council hereby authorizes the CFO and Borough Administrator to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED that the Mayor and Borough Council recognizes that the Borough of Park Ridge is liable for a dollar for dollar match of any funds awarded in accordance with the Trust requirements.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-036**

**AUTHORIZE GRANT AGREEMENT
BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT
SENIOR ACITIVITES
CONTRACT NO. PS-PARKRGRS09**

BE IT RESOLVED, that the Governing Body of the Borough of Park Ridge wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$3,000 in Program Year 2009 in Community Development Block Grant Funds for Senior Citizens Activities in the Borough of Park Ridge; and

BE IT FURTHER RESOVLED, that the Mayor and Borough Council hereby authorizes the Mayor and Borough Clerk to be a signatory to the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Council hereby authorizes the CFO and/or Borough Administrator to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Council recognizes that the Borough of Park Ridge is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-037**

PAYMENT OF BILLS

BE IT RESOLVED, by the Mayor and Council of the Borough of Park Ridge that the following approved bills in the sum of \$1,026,267.92 be paid; and that the Mayor, Clerk and Financial Officer are hereby authorized and directed to issue warrants in payment of same.

PAYMENT OF BILLS February 2, 2010		
CAPITAL	SEE ATTACHED DETAIL	\$23,274.00
CURRENT FUND	SEE ATTACHED DETAIL	\$1,002,146.59
DOG ACCOUNT	SEE ATTACHED DETAIL	\$0.00
POOL	SEE ATTACHED DETAIL	\$477.33
MUNICIPAL OPEN SPACE	SEE ATTACHED DETAIL	\$0.00
TRUST	SEE ATTACHED DETAIL	\$370.00
UNEMPLOYMENT	SEE ATTACHED DETAIL	\$0.00
COAH	SEE ATTACHED DETAIL	\$0.00
TOTAL		\$1,026,267.92

MAYOR & COUNCIL MEETING - FEBRUARY 2, 2010

BILL LISTING

TRUST

DATE	VENDOR	AMOUNT
2/2/10	CERTIFIED LABORATORIES	\$370.00

CAPITAL

DATE	VENDOR	AMOUNT
2/2/10	LENI NETWORK	\$23,274.00

POOL

DATE	VENDOR	AMOUNT
2/2/10	NJ POOL MANAGERS ASSOC	450.00
2/2/10	VERIZON	27.33
	TOTAL POOL	477.33

CURRENT

DATE	VENDOR	AMOUNT
2/2/10	AT&T	338.69
2/2/10	AVAYA	518.01
2/2/10	B&C COMMUNICATIONS	405.00
2/2/10	BERGEN COUNTY TREASURER	909,849.73
2/2/10	BERGEN & PASSAIC REG ASSOC	20.00
2/2/10	BOB'S TROPHY SHOP	196.00
2/2/10	BOGERT WELDING	375.00
2/2/10	CAROUSEL INDUSTRIES	772.00
2/2/10	COUNTY OPEN SPACE TRUST FUND	50,243.17
2/2/10	DANIEL J. KNOTHE	28.59
2/2/10	DELAGE LANDEN	495.00
2/2/10	DRISCOLL'S LOCK & KEY	10.70
2/2/10	DURIE LAWNMOWER	37.95
2/2/10	FEDERAL EXPRESS	72.60
2/2/10	IDM MEDICAL SUPPLY	57.00
2/2/10	JOHN CRUM PRINTING	254.00
2/2/10	JOHN HARTEL	45.99
2/2/10	MCNERNEY & ASSOC	200.00
2/2/10	NETWORK BILLING SYSTEMS	608.65
2/2/10	MUNICIPAL CLERKS' ASSOC	470.00
2/2/10	NORTH JERSEY FIRE PROTECTION	1,200.00
2/2/10	P&A AUTO PARTS	1,604.80
2/2/10	PARK RIDGE FLORIST	96.95
2/2/10	PARK RIDGE H.S. P.E.P.	350.00
2/2/10	PSEG	3,722.65
2/2/10	RICOH	1,105.10
2/2/10	RONNIE'S HOT BAGELS	149.00
2/2/10	RUBENSTEIN, MEYERSON, FOX, MANCINELLI & CONTE, P.A.	20,045.33
2/2/10	RUDERMAN & GLICKMAN	864.00
2/2/10	RUGGED OUTFITTERS	109.00
2/2/10	RUTGERS UNIVERSITY	645.00
2/2/10	STATE LINE FIRE & SAFETY	213.00
2/2/10	SWIFTREACH	426.63
2/2/10	TIMBER TREE	2,050.00
2/2/10	VANWELL ELECTRONICS	85.00
2/2/10	VERIZON TELEPHONE	4,422.59
2/2/10	VERIZON WIRELESS	59.46

TOTAL FOR CURRENT: \$1,002,146.59

TOTAL PAYMENT OF BILLS \$1,026,267.92

BOROUGH OF PARK RIDGE

RESOLUTION NO. 010-038

APPROVE MEMBERSHIP OF VOLUNTEER FIRE

DEPARTMENT APPLICANT

WHEREAS, Fire Chief Robert Ludwig has approved an application prepared by Christopher M. Decker, 112 Hawthorne Avenue, for the Park Ridge Volunteer Fire Department,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge hereby approve the membership of Christopher M. Decker in the Park Ridge Volunteer Fire Department.

REPORTS OF THE GOVERNING BODY:

Acting Mayor Levinson asked if any Councilmembers had reports to give since the meetings were shifted she said she wanted to give everyone a chance.

Councilmember Maguire: the planning board submitted an Affordable Housing Plan and are currently undergoing mediation with COAH; board is working on recommending ordinance changes due to the Master Plan goals that were adopted last year; PKRG has a new group of folks coming in who are going to be very active but they still need volunteers; Utility Board will have the solar panels installed in the Spring and the Mill Pond Dam project has been slowed due to the weather, although it is 90% complete.

Councilmember Kane – no report

Councilmember Viola – no report

Councilmember Maughan – no report

Acting Mayor Levinson said she just had two things...the Chamber of Commerce has a meeting next Wednesday and anyone who has a business in town is encouraged to attend in the Community Center at 6:30pm.

Also, she said, there was a school employee who was directly affected by the earthquake in Haiti, however, all three schools raised almost \$9,000 so the community has generously participated and she said, the Plaza at Mill Pond is doing collection of items.

Acting Mayor Levinson said she had received a letter, as the town Acting Hospice Liaison that they met their \$300,000 goal however, they need to raise another \$150,000. She said there will be upcoming fund raisers and be on the watch for them.

NEW BUSINESS:

Borough Attorney Mancinelli stated that under the court order, specifically pursuant to the ruling of NJ Statute Annotated 40A:60-6d (?) a municipality is required to hold a special election within 45 to 50 days of when the seat became open. He said Judge Robert Wilson ruled on January 20, 2010 that the seat formerly held by Mr. Brouwer was now declared to be an open seat and that is what kicks off the time frame.

There is some inconsistency with the state statutes with respect to additional notice in the newspaper and in order for us to comply with, what we believe to be the more compelling directive of the court order, we are unable to provide, by five days, the Notice that another section of the state statute requires for publication in the newspaper.

I have spoken with the Attorney General's office and the attorney representing the Bergen County Board of Elections and Superintendent and based upon those conversations and a review of the applicable statutes and the inconsistency with two of the statutes, it's interesting to note that according to the County Board of Elections, they have not experienced something like this in over 25 years and they do not have a specific set of rules as to how the municipality should run a Special election.

So, it was my opinion, and through the sole discretion of our Borough Clerk, who is granted wide latitude in making certain decisions with respect to selection of dates and other mechanisms that trigger timings, filings of appeals, petitions for positions, it was determined that March 9, 2010 would be the day we would hold the election. Petitions must be returned by 4:00 on February 16th and on February 17th at 1:00pm the Clerk will draw positions for the ballot. We do not know how many candidates we have right now. For those who do not know this, he said, this election is just not limited to the two parties involved in the election contest, pursuant to the ruling of the court and specifically as per the State statute, this election is open to anyone in the public who qualifies by way of a petition. So, he said, there are petitions out there being circulated but to date no one has submitted a petition.

I just wanted to go on the record on behalf of the governing body and specifically with respect to decisions made by our Borough Clerk. We understand and recognize that there is going to be an issue with, perhaps, an objection with timing by five days but as I stated earlier, it is my opinion and that of our Attorney's General's office and the County Board of Elections that our Clerk had the absolute discretion to make a decision inconsistent with the statute and we stand behind that decision and hopefully we won't have any issues

going forward.

APPROVAL OF MINUTES:

Motion made by Councilmember Maughan with second by Councilmember Kane to confirm to adopt the minutes with abstentions as noted.

Closed and Work Session – dated December 8, 2009

Councilman Maguire to abstain

Closed and Work Session – dated December 22, 2009

Councilman Viola to abstain

Closed and Work Session – dated January 5, 2010

Special Public Work Session – January 12, 2010

Public Hearing Minutes – dated July 14, 2009

Councilman Maguire to abstain

Public Hearing Minutes – dated October 13, 2009

Councilman Maguire to abstain

Public Hearing Minutes – dated October 27, 2009

Councilman Maguire to abstain

Public Hearing Minutes – dated November 10, 2009

Councilmembers Maguire & Maughan to abstain

Public Hearing Minutes – dated November 24, 2009

Councilman Maguire to abstain

Public Hearing Minutes – dated December 8, 2009

Councilmembers Maguire & Maughan to abstain

AYES: Councilmembers Kane, Viola, Maughan, Maguire, Council President Levinson

ADJOURN:

A motion was made by Councilmember Maughan and seconded by Councilmember Viola to confirm to adjourn the special meeting of the Mayor and Council.

Meeting adjourned at 9:13 pm.

Respectfully submitted,



Kelley O'Donnell, RMC

Borough Clerk