

Approved April 27, 2010

Municipal Building
Park Ridge, NJ
February 23, 2010-8:20 pm

A Regular Meeting of the Mayor and Council was called to order at the above time, date and place. Boy Scout Troop 80 led those attending in the Pledge of Allegiance to the Flag.

ROLL CALL:

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

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

SUSPEND REGULAR ORDER OF BUSINESS:

A motion was made by Councilmember Viola and seconded by Councilmember Maguire to suspend the regular order of business.

AYES: Councilmembers Kane, Viola, Maughan, Maguire

Acting Mayor Levinson stated that tonight was a very special meeting and she had the privilege and pleasure of presenting the following proclamation and that the entire governing body was excited to be a part of it as well. She said that after the reading of the proclamation she would ask Ken Dutcher to say a few words.

PROCLAMATION:

BOY SCOUTS OF AMERICA – 100TH ANNIVERSARY

WHEREAS, the Boy Scouts of America was established February 8, 1910 and for 100 years has created a strong foundation of leadership, service and community for millions of American youths showing them how to be good citizens; and

WHEREAS, the Boy Scouts of America provide a program that helps our community youth grow physically, mentally and spiritually and therefore helps our youth to become tomorrow's leaders; and

WHEREAS, a scout is trustworthy, loyal, helpful, friendly, courteous and kind and a scout is obedient, cheerful, thrifty, brave, clean and reverent; and

WHEREAS, with every rank of advancement comes new challenges, new adventures and new friends for everyone involved with scouting; and

WHEREAS, the Boy Scouts of America share memories that will last a lifetime and now celebrates its legacy and reaffirms its commitment to inspire and prepare future generations; and

WHEREAS, Park Ridge Troop and Pack 80 have been an integral part of the Park Ridge community since 1926; and

WHEREAS, Our Lady of Mercy Academy Cub Scout Pack 345 have been a part of the parish community for over 50 years; and

WHEREAS, our volunteer leaders are performing an outstanding service for our boys in our community; and

WHEREAS, we sincerely thank Park Ridge Elks BPO #2234 who have sponsored Troop and Pack 80 for many years; and

WHEREAS, all Park Ridge Cub Scouts, Boy Scouts and Eagle Scouts continue to be an active part of our community by performing a good turn daily by providing many hours of community service to Park Ridge and its surrounding communities.

NOW, THEREFORE, BE IT RESOLVED that I, Tamara M. Levinson, Acting Mayor, proclaim that the Boy Scouts of America and its Borough of Park Ridge Cub Scouts, Boy Scouts, Eagle Scouts, their leaders and sponsoring organizations are hereby honored by

the Borough of Park Ridge Mayor and Council for making a difference in Park Ridge through their commitment to and their dedication of scouting core values, leadership, character, community service, achievement and stewardship of the environment.

Acting Mayor Levinson then asked the scouts to rise and recite their Oath and Laws.

Scout Leader Dutcher asked the audience to listen closely and note that these were very powerful words and still as timely today as the day when first written.

Mr. Dutcher thanked the governing body for extending this opportunity to the scouts. He also thanked all who came this evening. He said Troop 80 was among the very first troops organized in Bergen County. He thanked Joe Bruno for his work with Cub Pack 80. He said four Eagle Scouts were present this evening and that they had worked hard over six or seven years to attain the rank of Eagle Scout. He also thanked the Elks Lodge, who he said, were a tremendous booster and supporter of scouting and again thanked all who were out this evening in support of scouting.

Acting Mayor Levinson gave a copy of the proclamation to the scouts.

Councilmember Kane reminded the scouts to do a good turn daily and said it was coming from a former Eagle Scout.

AGENDA CHANGES:

Borough Clerk advised that the three ordinances scheduled for public hearing this evening; Ordinances 2010-004, 2010-005 and 2010-006, are being tabled due to the fact that they were not properly advertised as required the public hearing will be held on March 15, 2010.

In addition, she said, under the Consent Agenda are two resolutions 010-059, which authorizes the unemployment claim reimbursement and 010-060, adoption of the temporary capital budget.

PUBLIC PRIVILEGE OF THE FLOOR:

Lucy Heller, 80 Second Street had a couple of questions about the special election, some of which were answered by the ad in the newspaper but was wondering if the polls had to be open the entire time and if all the polling places had to have a full contingent of poll workers.

Clerk O'Donnell said the poll workers were having a mandatory refresher course on March 2nd at the borough hall run by the Bergen County Superintendent of Elections. Those board workers who do not attend the refresher course, she advised, will not be allowed to work, so there will probably be a reduction in the number of board workers. This is due to some of the workers being out of town.

Mrs. Heller asked if the number being thrown around, \$20,000, was the usual appropriation for an election either primary or general?

Clerk O'Donnell responded that typically the cost of an election is split between the municipality and the county but the full burden of the cost of this election will be on the municipality. She said the cost to the borough for the last election was a little over \$8,000, which was the borough's share of the cost for mailing and printing the ballots.

Mrs. Heller asked if sample ballots would be received.

Clerk responded in the affirmative.

Mrs. Heller said she wanted to announce that the League of Women Voters of Northern Valley had extended an invitation to the three candidates to participate in a Candidate Forum on Monday, March 1st in the Community Center. She said all the proper paperwork including the certificate of insurance had been filed with the Borough Clerk. She said the moderator had requested that someone from the police department be present and that she was sure someone from the police reserves would be fine.

Councilmember Kane asked who would pay for the overtime.

Borough Clerk said we could use the police reserves.

Mrs. Heller said the candidates had been given until February 25th to respond to the invitation and that Marsha Smith of Norwood would be the moderator. She said there would be time keepers to ensure that all candidates have an equal opportunity to speak and express

their views. League rules provide that in a three-way race, if two candidates agree then the debate can proceed and any candidate who cannot appear is allowed to send a written statement, which can be read by the moderator and the candidate can say if they want it as the opening or closing statement. No substitute speakers are allowed. She also said the paperwork did request that the debate be televised by PKRG.

Councilmember Viola said he thought it was a great idea to have a Candidates night but his concerns were, are there alternate dates prepared? He said if a candidate can't make the date, it would seem to him in fairness that some type of alternate plans were made so that could be accommodated.

Mrs. Heller said the League frequently tries to do that but in view of the time frame for this election it is hard, there is not a very big window and it involves all the paper work, certificate of insurance and all those sorts of things, so it is quite difficult to make a change. We have sometimes done that, she said, to accommodate people but it is very difficult to do it in such a small window.

But, Councilmember Viola said, if there were personal issues where a candidate couldn't make it, any of the candidates, because it is really important that all three candidates attend because we have had so many issues and so many problems and it has been quite a divisive election and it is our second shot around...

Mrs. Heller interjected that was the reason they would like to have the debate.

Councilmember Viola said it would seem to him that in all fairness and he said he was sure that was what the League of Women Voters wanted, and that if any of the three candidates has a scheduling issue that he would appeal to the League that they make it their business to ensure that this forum is held and if that requires the League to make special arrangements, then you definitely should make these arrangements. He said he couldn't speak for the council but he does believe that his fellow Councilmembers would positively want to see this and hear this happen. So he said he believed it was incumbent on the League of Women Voters, since they were the ones who brought this up, that it is very, very important that they make sure this happens and if any of the candidates have any problems in making Monday.....he said it was a phenomenal idea and wished it could be made a permanent fixture in the town every year....but again it is really critical that we have this so if the question is a couple of days....and the Councilman asked the borough clerk if there were other days available...

Borough Clerk said she would have to check the calendar.

Councilman Viola said he would hope that Mrs. Heller would find it in her heart to make accommodations, if they are needed and he said he didn't know if they would be needed but if they are needed, he asked her to make whatever accommodations she needed to make to make sure this occurs. He said having a debate or candidate's night without one of the candidates being there is wrong especially if it is because of scheduling conflicts. He reminded her that she had a whole week so it shouldn't be that difficult to change it and again, he said, it was only supposition.

It would not be as difficult for the League to change as the paper work and that sort of stuff that has to be done in advance and we did choose Monday because that seems to be night with the fewest meetings.

Councilman Viola said that she hadn't checked with the candidates first to see if that was the best night for them.

Mrs. Heller said, no and that they had been through this many, many times.

Councilman Viola said we are not talking about before, we are talking about this specific time right now. So, he said, if he understood it correctly, this was set up without prior consultation of the candidates and their availability, is that correct?

Mrs. Heller said he was right.

Councilman Viola asked if she felt that was fair?

Mrs. Heller responded that was the way the League functioned and she said, she would tell him why the League functions that way....in the past, she said, frequently we would ask if the candidates wanted to debate and would be told yes but this one can't do it that day, and this one can't do it this day and we don't have the human resources to negotiate those kinds of things...which is why the League has resorted to choosing what we hope is a good day and lining things up.

Councilman Viola responded that she would agree that if they can't line up with the candidates that she would be flexible

Mrs. Heller interrupted saying to the extent it was possible within the requirements of the paperwork.

Councilman Viola asked the clerk how much paperwork was involved.

Clerk O'Donnell answered the certificate of insurance has to come from the League of Women Voters with the date and the Hold Harmless has to be signed and the availability of the room downstairs, which is used by a number of organizations during the week. Mrs. Heller, she said, did give two dates when she applied to make sure there were no other meetings going on within the borough that would conflict with the availability of the residents to attend also.

Councilman Viola asked if there were no other facilities in Park Ridge that would be able to handle this?

Mrs. Heller said there would be the same issues, everybody wants the certificate of insurance which takes a couple of days to obtain and it has to be for a specific place and specific day.

Councilman Viola asked would she agree that this was a very important....

Mrs. Heller interrupting said, absolutely...we would love to accommodate every candidate that we can.

Councilman Viola said he just wanted to make clear that it was his understanding that the League will be as accommodating as is physically possible to make this debate happen at whatever point it has to happen, is that correct?

Mrs. Heller responded, within reason, yes. She said she didn't think a debate a week later, which would be the day before the election takes place, would make sense. So, within reason, she repeated.

Councilman Viola asked what she would feel is within reason...he said he just wanted to know for his own information. What is reason?

Mrs. Heller replied, what is possible to do, getting the certificate from the League insurer take about three days, so that's a limitation...the availability of the space...

Councilman Viola said what he was coming to is he is concerned about how these things are set up because they are set up under the doctrine of fairness, which is the hallmark of the League of Women Voters and that's absolute...

Mrs. Heller said there are members of the League, for instance the Mayor of Closter is a life-member....

Councilman Viola said he just wanted to be sure that we would be able to accommodate the three candidates and you will commit to us that you will be as flexible as possible in terms of scheduling.

Mrs. Heller responded, as possible.

Councilman Maguire said he felt it was very important to hold these Candidate Forums and thanked the League of Women Voters for helping the residents to make informed decisions and that it has been his experience that the League of Women Voters does go out of their way to try to accommodate the candidates and their schedules and there are rules and ways to handle it if a candidate is not able to make that or doesn't show up.

Mrs. Heller said their goal is for the voters to see and hear all the candidates.

Councilman Viola said that was all he wanted to hear.

Mrs. Heller said she had the whole rule book here with her and wanted all to know that the moderator would not permit questions of a personal nature or questions that do not relate to public policy for the office that is being sought.

Acting Mayor Levinson said that the word debate has such a negative connotation and that this is really a Candidates Forum.

Borough Attorney said that obviously there is an on-going investigation with the Bergen County Prosecutor's office and potential litigation that is still in place, what assurances will the moderator have that if she sees this is going into a personal attack direction....

Mrs. Heller said the moderator will absolutely not permit that to happen and, in fact, if the crowd is out of control the moderator simply ends the meeting.

Borough Attorney asked who was asking the questions, the moderator or the audience.

Mrs. Heller said the questions would come from the audience...the final details, the specific timing for questions we do after we hear from the candidates about participating but there is always an opening statement and a closing statement and the candidates can say whatever they wish. The questions will come from whoever attends and frequently, for televised events, we require the audience to write their questions. The moderator is perfectly capable of handling oral questions, she does it both ways...so those kinds of details we will finish working out.

Borough Attorney asked if the moderator would make some kind of statement to the audience before it starts just to add a cautionary measure.

Mrs. Heller replied, absolutely and that she will say that questions from the audience must deal with public policy issues at this level of government. For example, she said, if they wanted to know what the candidates thought about the president, the question would be ruled out of order.

Bob Howell, 29 West Park Avenue representing PKRG-TV said he just wanted to let the council know that this year, 2010, marks the 25th year of being on the air. He said they had updated the committee as opposed to what is on the web site and Councilman Maguire has the updated list which includes the new executive officers and three new people who need to be acknowledged by the council. He said the goals for the committee this year are to expand the programming and to meet the more broader interests in town. He said, as chairman of PKRG, they would be very interested in televising the proposed Candidates Night and later airing it. He said in consideration of the weather such as tonight and recognizing that our senior citizens are regular voters and if the weather continues how difficult it would be for them to come out on Monday night, the ability of them to watch the forum on television would be doing a great service to them and to anyone who could not make it to the forum.

Councilman Viola asked if it would be aired live.

Mr. Howell said it would be up to their technical advisor.

Councilman Kane said he had no objections to it being aired live and that he has received some preliminary approvals to begin filming council meetings in the near future. He said there is a technical side and he and Councilman Maguire can work on that since he is no longer on PKRG...temporary versus permanent cameras...but this is all good for Park Ridge and something that we were talking about last year.

Mr. Howell said that Councilman Kane was their former liaison and was very helpful and supportive and Councilman Maguire, the new liaison does have a background.

Michael Mintz, 66 So. Third Street said he agreed with Councilman Viola that this was important to get out and have it heard but because this election is so short, they also need time for the newspapers to be able to be there and report on it and get it in the newspapers prior to the election. So swinging the date out, we would be left with Monday or Tuesday, he said for all the media to have it to give access to the citizens.

Councilman Viola said we were all in agreement, His concern was just to make sure that the participation was all three candidates.

Mr. Mintz said that would be the importance but if one of the candidates can't make it and there is no other time for it...

Councilman Viola said he would hope that it would work for all three.

George Heller, 80 Second Street said he has been asking for periodic updates on tax appeals.

Borough Attorney replied that on the past Thursday a trial had been scheduled for four residential appeals for the Bears Nest, one of the attorneys did not attend because of the weather, one attorney that represents two of the Bears Nest owners wasn't prepared and at one point our assessor and our expert were there and we made a settlement offer and are waiting for them to get back to us.

Mr. Heller said not a tremendous amount of action going on.

Borough Attorney agreed with the residential...most of the residential for '09 have been dealt with, the four from the Bears Nest were unsuccessful at the County Tax Board and have exercised their right to appeal to the Tax Court. We have discussed some of the corporate appeals, which negotiations were held in closed session and I obviously can't discuss where we are but we are far apart with one, we're trying our best to comply with the court order and we have to report back to the court by the end of this week. If it doesn't look

like we are going to settle then the judge is prepared to set a trial date probably sometime in the late spring or early summer.

Mr. Heller asked if those tax payers appeared on the scene annually?

Borough Attorney said, yes...residential can...typically with the corporate you make a settlement that has a freeze going forward but with the residential you can appeal on an annual basis.

Mr. Heller said the last time when you brought us up to date on this there had been some reductions with respect to some of the commercial people but they keep on coming...

Borough Attorney said he can't comment on what has come in this year for 2010 because there is still some time for both the corporate and the residential to file but just the leftovers from '09, we still have two corporate pending in court and about four or five residential still pending.

Mr. Heller asked with respect to a few of the resolution...#8, Refund of County and State Court judgments...he said the resolution isn't clear what is going on there, the people do not have addresses in Park Ridge.

Borough Attorney said those were the settlements of prior tax appeals for 2009 both are represented by the same attorney and they are both residents of the Bears Nest.

Mr. Heller said with regard to #5, he found it amusing at how slowly government's grind.

Mr. Heller asked about resolution #14, Extension of First Quarter 2010 Grace Period...he said he hadn't the faintest idea of why the council would want to adopt this resolution.

Borough Attorney responded that the grace period was 10 days and because of the snow storm the State issued an emergency directive that have the right to do that. The borough was not open on the last day it was due.

Mr. Heller said that the language wasn't correct and asked when the taxes were due.

Borough Attorney responded February 1st.

Mr. Heller said no...they were due on January 1st.

Colleen Ennis, CFO said they were due January 1st, payable February 1st with a ten day grace period.

Mr. Heller said, as he understood it the taxes are payable one month after they are due, which I would call a 30-day grace period. I paid my taxes on February 1st, he said, as most people did, why there is an additional extension of time is beyond him, he said. He also said that just because certain people wanted to take advantage of that and got fouled up by bad weather doesn't mean they should be given an additional grace period and further, doesn't think the 10-day grace period should be allowed at all. He said he did not think it was mandatory to provide that extra ten days.

Colleen Ennis, CFO said the state allows up to the ten day grace period but it is not mandatory.

Councilman Viola asked how many taxpayers and how much money we were talking about.

CFO replied that 164 delinquent tax statements were sent out and between February 1st and the 12th we probably had a couple of hundred people.

Acting Mayor Levinson said it was something the governing body could look at for the rest of the year, going forward if they wanted to get rid of the grace period.

Mr. Heller said he didn't know who the late payers were...

Ms. Ennis' responses were not at a microphone and very difficult to hear...

Mr. Heller said this has bothered him for some time and had talked to Ms. Ennis about it and she told him the same things she is telling the council this evening and he would not have brought it up except that an additional grace period was now being provided.

Acting Mayor Levinson said she would suggest it be put on the next agenda for discussion when the Mayor returned.

Mr. Heller asked if the unemployment claims were quarterly?

Acting Mayor Levinson said they were and the resolution was for the last two quarters of 2009.

Mr. Heller asked how many years it goes on.

Acting Mayor Levinson said any time a past employee or in some instances current employees file an unemployment claim, we get these quarterly.

Borough Attorney said we are not going to discuss this because we are still in litigation with some of these and we are aware of the unemployment claims and the rights the borough may assert to seek reimbursement.

Mr. Heller asked about the claim from Mrs. Rathgeb and how long would that go on.

Borough Attorney replied it is up to the State and in some cases the federal government has been extending it.

Eileen Brouwer, 40 Third Street said she found the beginning of the discussions very interesting because she was wondering why there would be anticipation of why someone might not attend the forum, especially under the circumstances. She said if a volunteer is following standard operating procedures which have been used in the past and that if a candidate were running that they would make sure their calendar was cleared no matter what has happening. She said that aside from a death in the family she couldn't imagine a candidate not participating in a Candidates Night.

ORDINANCES – INTRODUCTION

Ordinance 2010-007 -An Ordinance Amending Chapter 64 Garbage, Rubbish and Trash of the Code of the Borough of Park Ridge – Refuse Containers/Dumpsters.

Acting Mayor Levinson asks for a motion to introduce on first reading by title Ordinance No. 2010-007, 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 Maguire 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. 2010-007

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

Refuse Containers / Dumpsters

WHEREAS, N.J.A.C. 7:14A-25 requires all New Jersey Municipalities to have in place a Municipal Stormwater Management Plan including the issuance of Municipal Stormwater Permit; and

WHEREAS, Borough of Park Ridge has said permit which runs through March 31, 2014; and

WHEREAS said renewal permit contains certain revisions of permit conditions which includes the requirement that certain ordinances be adopted by September 1, 2010 including one governing refuse containers and dumpsters.

NOW, THEREFORE 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 by the creation of Article IV Refuse Containers and Dumpsters as follows:

SECTION I.

64-32. Purpose:

An ordinance requiring dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Borough of Park

Ridge and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II.

64-33. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4) - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Park Ridge or other public body, and is designed and used for collecting and conveying stormwater. NOTE: In municipalities with combined sewer systems, add the following: "MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources."
- b. Person - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Refuse container - any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.
- d. Stormwater - means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.
- e. Waters of the State - means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III.

64-34. Prohibited Conduct:

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Borough of Park Ridge.

SECTION IV.

64-35. Exceptions to Prohibition:

- a. Permitted temporary demolition containers
- b. Litter receptacles (other than dumpsters or other bulk containers)
- c. Individual homeowner trash and recycling containers
- d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit

e. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup)

SECTION V.

64-36. Enforcement:

This ordinance shall be enforced by the Zoning Officer or his/her designee of Borough of Park Ridge.

SECTION VI.

64-37. Penalties:

For violation of this chapter there shall be a fine not to exceed \$500 for the first offense; not to exceed \$750 for the second offense and not to exceed \$1,000 for each subsequent offense. Every day a violation of this chapter occurs shall be a separate and distinct offense.

SECTION VII.

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

SECTION VIII.

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 IX.

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.

Borough Attorney explained that the borough was required to amend Chapter 64 once again based on additional regulations from the Municipal Stormwater Management Plan, specifically that our outdoor refuse containers will be covered at all times.

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

There was no one wishing to be heard.

Acting Mayor Levinson asked 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 March 15, 2010.

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

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

Ordinance 2010-008-Bond Ordinance to Authorize the 2010 Road, Curb, Drainage and Sidewalk Improvement Program In, By and For the Borough of Park Ridge, in the County of Bergen, State of New Jersey, to Appropriate the Sum of \$400,000 to Pay the Cost Thereof, to Make a Down Payment, to Authorize the Issuance of Bonds to Finance Such Appropriation and to Provide the Issuance of Bond Anticipation Notes in the Anticipation of the Issuance of Such Bonds.

Acting Mayor Levinson asked for a motion to introduce on first reading by title Ordinance 2010-008-Bond Ordinance to Authorize the 2010 Road, Curb, Drainage and Sidewalk Improvement Program In, By and For the Borough of Park Ridge, in the County of Bergen, State of New Jersey, to appropriate the Sum of \$400,000 to Pay the Cost Thereof, to Make a Down Payment, to Authorize the Issuance of Bonds to Finance Such Appropriation and to Provide the Issuance of Bond Anticipation Notes in the Anticipation of the Issuance of Such Bonds.

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

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

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

BOROUGH OF PARK RIDGE

ORDINANCE NO. 2010-008

BOND ORDINANCE TO AUTHORIZE THE 2010 ROAD, CURB, DRAINAGE AND SIDEWALK IMPROVEMENT PROGRAM IN, BY AND FOR THE BOROUGH OF PARK RIDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$400,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Borough of Park Ridge, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to undertake the 2010 Road, Curb, Drainage and Sidewalk Improvement Program at various locations in, by and for the Borough, as set forth on a list on file or to be placed on file with the Borough Clerk and hereby approved as if set forth herein in full and available for public inspection during regular business hours. Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"). Said improvements shall include all work, materials and appurtenances necessary and suitable therefore.

Section 2. The sum of \$400,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law, and (3) the estimated cost of said purpose is \$400,000, and (4) \$20,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$380,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$77,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$20,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purpose. The sum of \$20,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$380,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$380,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$380,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 12. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

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

CFO Ennis explained that a couple of years ago a number of Pascack Valley towns got together to do a joint road program, which has been very successful and they decided to go out for it again this year. The Mayor and Council have received recommendations from the borough engineer and DPW Superintendent in terms of road that have to be done this year and we have submitted a bond ordinance of \$400,000 of which \$20,000 is a down payment.

Clerk advised she was in receipt of the Supplemental Debt Statement.

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

There was no one wishing to be heard.

A motion was made by Councilmember Maguire and seconded by Councilmember Kane to confirm to pass the 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 March 15, 2020.

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

CONSENT AGENDA:

There were no Councilmembers wishing to have any resolution removed from the Consent Agenda.

Council President Levinson advised she would be abstaining from voting on Resolution #16.

Councilmember Kane advised he would be abstaining from voting on Resolution #4.

A motion was made by Councilmember Maguire and seconded by Councilmember Kane to confirm to accept the Consent Agenda with the abstentions so noted.

RESOLUTIONS:

BOROUGH OF PARK RIDGE

RESOLUTION NO. 010-044

**PLANNING SERVICES CONTRACT
NEIGHBORHOOD BUSINESS DISTRICT – SPECIAL STUDY**

WHEREAS, the Planning Board of Borough of Park Ridge completed the review of the Master Plan in 2009; and

WHEREAS, the Planning Board wishes to engage the professional services of a planner to undertake a Special Study of the proposed Neighborhood Business District as referred to in said Master Plan; and

WHEREAS, Brigitte Bogart, PP, AICP of Burgis Associates Inc., has submitted a proposal dated February 10, 2010 attached hereto to perform said work in an amount not to exceed \$5,000; and

WHEREAS, Ms. Bogart is presently the Planner for the Borough of Park Ridge Planning Board, has supplied to the Borough of Park Ridge the Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27 as well as the required Business Entity Disclosure Forms since said contract was awarded by the Board for 2010 as a non-fair and non-open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the appointment and the contract are exempted from the competitive bidding requirements of the Local Public Contracts Law, (NJS 40A:11-1 et seq.) as “Professional Services,” pursuant to NJS 40A:11-5 (1)(a); and

WHEREAS, appropriations shall be included in the 2010 Municipal Budget for such services in account no. 0-01-21-180-000-141 SPECIAL STUDIES; and

WHEREAS, the MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27 (Exhibit A) is hereby incorporated into this contract and attached to the original of this resolution.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the study be hereby authorized, as outlined in the February 10, 2010 proposal, and confirmed and the Mayor and Borough Clerk are authorized to execute said proposal on behalf of the Borough of Park Ridge, subject to the review as to form as approved by the Borough Attorney; and

BE IT FURTHER RESOLVED that a copy of this resolution be provided to the Borough of Park Ridge Planning Board.

BE IT FURTHER RESOLVED that Notice of this action shall be published in the newspaper The Bergen Record within ten (10) days of adoption.

BOROUGH OF PARK RIDGE

RESOLUTION NO. 010-045

**PLANNING SERVICES CONTRACT
PREPARATION OF GRANT APPLICATION – ANJEC 2010 GRANT**

WHEREAS, the Mayor and Borough Council of Borough of Park Ridge desire to submit a grant application to ANJEC (Association of NJ Environmental Commissions) for 2010; and

WHEREAS, the Mayor and Borough Council wish to engage the professional services of a planner to undertake said work; and

WHEREAS, Brigitte Bogart, PP, AICP of Burgis Associates Inc., has submitted a proposal dated February 17, 2010 attached hereto to perform said work in an amount not to exceed \$2,000; and

WHEREAS, Ms. Bogart is presently the Planner for the Borough of Park Ridge Planning Board, has supplied to the Borough of Park Ridge the Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27 as well as the required Business Entity Disclosure Forms since said contract was awarded by the Board for 2010 as a non-fair and non-open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the appointment and the contract are exempted from the competitive bidding requirements of the Local Public Contracts Law, (NJS 40A:11-1 et seq.) as “Professional Services,” pursuant to NJS 40A:11-5 (1)(a); and

WHEREAS, appropriations shall be included in the 2010 Municipal Budget for such services in account no. 0-01-21-180-000-141 SPECIAL STUDIES; and

WHEREAS, the MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27 (Exhibit A) is hereby incorporated into this contract and attached to the original of this resolution.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the study be hereby authorized, as outlined in the February 17, 2010 proposal, and confirmed and the Mayor and Borough Clerk are authorized to execute said proposal on behalf of the Borough of Park Ridge, subject to the review as to form as approved by the Borough Attorney; and

BE IT FURTHER RESOLVED that a copy of this resolution be provided to the Borough of Park Ridge Open Space Committee and the Planning Board.

BE IT FURTHER RESOLVED that Notice of this action shall be published in the newspaper The Bergen Record within ten (10) days of adoption.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-046**

**AUTHORIZING CONTRACT APPROVED STATE CONTRACT VENDOR FOR CONTRACTING
UNITS**

PURSUANT TO N.J.S.A. 40A:11-12a

36 Month Lease for Copiers

Borough Hall Administration Offices and Police Department

WHEREAS, the Borough of Park Ridge pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Park Ridge Unit) has the need on a timely basis to lease copiers for the Borough Hall Administration Offices and the Police Department utilizing State contracts; and

WHEREAS, the Borough of Park Ridge intends to enter into two (2) contracts with Ricoh Business Solutions, 395 West Passaic Street, Rochelle Park, NJ 07662 for the 36 month lease of the following copiers through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts; and

State Contract #A64043

Ricoh MP 6001 SP Digital Copier

36 Month Lease

\$391.62 per month commencing on or about March 1, 2010

Per proposal dated 2-1-2010; service and supplies includes all parts, labor and full supplies (except paper and staples) for the term of the lease. Includes 15,000 total copies per month. Overage billed quarterly at \$.005 per page.

Police Department

State Contract #68060

Ricoh MPC4000SPF Color Copier

36 Month Lease

\$303.51 per month commencing on or about March 1, 2010

Per proposal dated 2-1-2010; service and supplies includes all parts, labor and full supplies (except paper and staples) for the term of the lease. Includes 275 total color copies per month – overage billed at \$.07 per page; includes 4,000 black and white copy/prints per month – overage billed at \$.0089 per page. Overage billed quarterly.

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2010 Budget Account Nos. 0-01-20-120-000-123 and 0-01-25-240-000-068 and that for the 2010 period and that said certification will be renewed for Budget Years 2011, 2012 and 2013 subject to the Mayor and Borough Council providing the necessary funds in these budget years.

NOW, THEREFORE BE IT RESOLVED that the Borough of Park Ridge authorizes the Borough Administrator to lease the above stated goods or services from the approved New Jersey State Contract Vendor above, pursuant to all conditions of the individual State contracts; a

BOROUGH OF PARK RIDGE

RESOLUTION NO. 010-047

AUTHORIZE VOUCHER NO. 2 AND CHANGE ORDER NO. 2

PAYMENT TO JOSEPH M. SANZARI INC.

2009 PARK RIDGE ROAD IMPROVEMENT PROGRAM

WHEREAS, the Mayor and Council of the Borough of Park Ridge awarded a contract for the 2009 Park Ridge Road Improvement Program to Joseph M. Sanzari, Inc. on July 14, 2009; and

Original Contract Amount	\$ 813,431.15
Change Order No. 1	\$ <u>483.00</u>
Amended Contract Amount	\$ 813,914.15
Change Order No. 2	\$ <u>8,288.75</u>
Amended Contract Amount	\$822,202.90
Completed to Date	\$638,836.42
Less 2% Retainage	(\$12,776.73)
Total Due to Date	<u>\$626,059.69</u>
Total Previously Paid	<u>(214,328.25)</u>
Amount Due Contractor	\$411,731.44

WHEREAS, the Project Engineer recommends payment be made in the amount of \$411,731.44 via letter dated January 19, 2010 attached; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the Chief Financial Officer is authorized to make payment to Joseph M. Sanzari, Inc. in the amount of \$411,731.44 and said Change order No. 2 approved; and

BE IT FURTHER RESOLVED that a true copy of this resolution shall be sent to Joseph M. Sanzari, Inc. within ten (10) days from the date of adoption.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-048**

Establish Protocol for Use of the Projector in the Community Center

BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that said attached protocol for use of the projector in the Community Center be and is hereby approved and that the Borough Administrator be and is hereby authorized to execute said protocol on behalf of the Borough of Park Ridge.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-049**

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF PARK RIDGE, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF PARK RIDGE AND AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$4,726,650 BOND ANTICIPATION NOTE, DATED FEBRUARY 5, 2010, PAYABLE FEBRUARY 4, 2011, AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265 (b) (3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Borough of Park Ridge, in the County of Bergen, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations the interest on which is excluded from gross income for Federal income tax purposes and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough desires to designate a \$4,726,650 Bond Anticipation Note, dated February 5, 2010, payable February 4, 2011 (the "Note"), as a "qualified tax-exempt obligation" pursuant to section 265(b) (3) of the Code;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Park Ridge, in the County of Bergen, New Jersey, as follows:

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on the Note be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to section

103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and the other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265 (b) (3) of the Code.

SECTION 4. It is hereby determined and stated that (1) the Note is not a "private activity bond" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$30 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2010.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2010.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b) (3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough be and they hereby are authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2010 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its adoption.

BOROUGH OF PARK RIDGE

RESOLUTION NO. 010-050

AUTHORIZE PROVISIONAL PROMOTION

PAUL LONGO TO POSITION OF GENERAL SUPERVISOR OF ELECTRIC DISTRIBUTION

WHEREAS, by adoption of Resolution dated February 17, 2010 the Park Ridge Board of Public Works has recommended to the Park Ridge Mayor and Borough Council that Paul Longo be provisionally promoted to the position of General Supervisor of Electric Distribution subject to New Jersey Civil Service Commission's testing procedures; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that Paul Longo be provisionally promoted to the position of General Supervisor of Electric Distribution at the annual salary of \$100,331.00 effective March 1, 2010 subject to the New Jersey Civil Service Commission's testing procedures and the mandatory ninety (90) day working test period following certification.

BE IT FURTHER RESOLVED that the Borough Administrator be and is hereby authorized to submit the necessary paperwork to the New Jersey Civil Service Commission.

BOROUGH OF PARK RIDGE

RESOLUTION NO. 010-051

REFUND COUNTY AND STATE COURT JUDGMENTS

WHEREAS, the New Jersey County and State Court entered 2009 Judgments; and

WHEREAS, taxes are to be refunded for 2009 on the following properties:

2009

	Shapiro & Croland	
B103/L3	I/T/F Robert P. Shapiro	\$1,235.57
QC0208	Continental Plaza II	
	411 Hackensack Ave.	
	Hackensack, NJ 07601	

	Shapiro & Croland	
B103/L3	I/T/F Leonard & Leah Mactus	\$1,241.41
QC0312	Continental Plaza II	
	411 Hackensack Ave.	
	Hackensack, NJ 07601	

WHEREAS, the interest of 5% was waived by the Court.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the Director of Finance/CFO refund the monies as requested by the Judgments.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-052**

AUTHORIZE EXECUTION OF PROFESSIONAL SERVICE CONTRACTS FOR ZONING BOARD OF ADJUSTMENT PROFESSIONALS

WHEREAS, the Borough of Park Ridge Zoning Board of Adjustment requires the professional services of an attorney, an engineer and a planner; and

WHEREAS, the Zoning Board of Adjustment appointed the following professionals at their reorganization meeting held on January 19, 2010:

- John E. Ten Hoeve, Jr., Esq.
3 University Plaza, Suite #17, Hackensack, NJ 07601

- Eve Mancuso, P.E.
Brooker Engineering, PLLC
65 Ramapo Valley Road, Suite 12B, Mahwah, NJ 07430

- Brigitte Bogart
Burgis Associates, Inc
25 Westwood Avenue, Westwood, NJ 07675

WHEREAS, the appointments and contracts are exempted from the competitive bidding requirements of the Local Public Contracts Law, (NJSA 40A:11-1 et seq) as “Professional Services”, pursuant to NJSA 40A:11-5(1)(a); and

WHEREAS, the terms of these contracts are one year; and

WHEREAS, appropriations shall be included in the 2010 Municipal Budget for such services; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are authorized to sign agreements approved as to form and substance by the Borough Attorney with the above listed professionals.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-053**

AUTHORIZE EXECUTION OF PROFESSIONAL SERVICE CONTRACTS FOR PLANNING BOARD PROFESSIONALS

WHEREAS, the Borough of Park Ridge Planning Board requires the professional services of an attorney, an engineer and a planner; and

WHEREAS, the Planning Board appointed the following professionals at their reorganization meeting held on January 13, 2010:

- John E. Ten Hoeve, Jr., Esq.
3 University Plaza, Suite #17, Hackensack, NJ 07601
- Eve Mancuso, P.E.
Brooker Engineering, PLLC
65 Ramapo Valley Road, Suite 12B, Mahwah, NJ 07430
- Brigitte Bogart
Burgis Associates, Inc
25 Westwood Avenue, Westwood, NJ 07675

WHEREAS, the appointments and contracts are exempted from the competitive bidding requirements of the Local Public Contracts Law, (NJSA 40A:11-1 et seq) as “Professional Services”, pursuant to NJSA 40A:11-5(1)(a); and

WHEREAS, the terms of these contracts are one year; and

WHEREAS, appropriations shall be included in the 2010 Municipal Budget for such services; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are authorized to sign agreements approved as to form and substance by the Borough Attorney with the above listed professionals.

RESOLUTION NO. 010-054

**AUTHORIZE RECEIPT OF BIDS – TREE TRIMMING
AND REMOVAL SERVICES**

WHEREAS, due to normal maintenance of the Borough Streets and Parks there is a need to contract for tree trimming and removal services; and

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

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

WHEREAS, the Board of Public Works, Borough of Park Ridge, in the County of Bergen and the State of New Jersey, has made a recommendation to the Mayor and Council to authorize for the receipt of sealed bids for unit prices for the purchase of tree trimming and removal services.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge hereby authorize the receipt of sealed bids for unit prices for the purchase of tree trimming and removal services.

BOROUGH OF PARK RIDGE

RESOLUTION NO. 010-055

AUTHORIZE RECEIPT OF BIDS – UNIT PRICES FOR WATER DISTRIBUTION AND SUPPLIES

WHEREAS, due to normal operation and maintenance of the water distribution system, the water department needs to purchase various water distribution materials and supplies; and

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

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

WHEREAS, the Board of Public Works, Borough of Park Ridge, in the County of Bergen and the State of New Jersey, has made a recommendation to the Mayor and Council to authorize for the receipt of sealed bids for unit prices for water distribution material and supplies.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge hereby authorize the receipt of sealed bids for unit prices for water distribution and supplies.

BOROUGH OF PARK RIDGE

RESOLUTION NO. 010-056

OPPOSING NEW JERSEY TAXPAYERS FUNDING PENSION BENEFITS FOR NON-GOVERNMENT EMPLOYEES

WHEREAS, taxpayers are currently funding \$1.3 million a year in pension benefits for employees of three organizations; the League of Municipalities, the School Boards Association and the Association of Counties, none of which are part of the State government and are privately run; and

WHEREAS, these pensions are in addition to the roughly \$7.5 million in local and county tax dollars handed over for the groups' annual membership dues to cover salaries and operating expenses; and

WHEREAS, currently there are 107 non-government employees who have combined pensionable salaries of more than \$7 million, and growing according to the Treasury data; and

WHEREAS, it is in the best interest of the tax payers of the Borough of Park Ridge that pension benefits not be funded to non-government employees.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the Borough opposes New Jersey taxpayers funding pension benefits for non-government employees; and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to Governor Christie and members of the Legislature representing the 39th District.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-057**

EXTEND FIRST QUARTER 2010 GRACE PERIOD

WHEREAS, the no-interest grace period for the payment of first quarter 2010 taxes ended on February 10, 2010; and

WHEREAS, due to inclement weather the Borough offices were closed on Wednesday, February 10, 2010; and

WHEREAS, the Mayor and Council of the Borough of Park Ridge agreed to extend the grace period to Friday, February 12, 2010.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge establishes a no-interest grace period for the 1st quarter tax payment until February 12, 2010. Payments remitted after that date will accrue interest from February 1, 2010 as mandated by State Law.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-058
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 \$2,482,558.13 and that the Mayor, Clerk and Chief Financial Officer are hereby authorized and directed to issue warrants in payment of the same.

PAYMENT OF BILLS February 23, 2010		
CAPITAL	SEE ATTACHED DETAIL	\$33,717.20
CURRENT FUND	SEE ATTACHED DETAIL	\$2,360,145.14
DOG ACCOUNT	SEE ATTACHED DETAIL	\$497.56
POOL	SEE ATTACHED DETAIL	\$1,120.00
MUNICIPAL OPEN SPACE	SEE ATTACHED DETAIL	\$3,374.00
TRUST	SEE ATTACHED DETAIL	\$52,424.70
UNEMPLOYMENT	SEE ATTACHED DETAIL	\$27,319.03
COAH	SEE ATTACHED DETAIL	\$3,960.50
TOTAL		\$2,482,558.13

02/23/10
15:56:03

BOROUGH OF PARK RIDGE
Check Register By Check Date

Page No: 1

Range of Checking Accts: 01CURRENT FUND to 01CURRENT FUND Range of Check Dates: 01/01/10 to 02/23/10
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
01CURRENT FUND					
21688	02/22/10	UNUML010 UNUM LIFE INSURANCE COMPANY	3,829.70		562
21689	02/23/10	AGLWE010 AGL WELDING SUPPLY CO., INC.	337.00		569
21690	02/23/10	AMERI230 AMERICAN WEAR, INC.	632.80		569
21691	02/23/10	AVAYA020 AVAYA, INC. MER	518.01		569
21692	02/23/10	AZZOL010 AZZOLINA & FEURY ENGINEERING	277.50		569
21693	02/23/10	BCPUB010 BC PUBLIC WORKS ASSOCIATION	50.00		569
21694	02/23/10	BELFI010 BEL FIORE GREENHOUSE, INC.	3,374.00		569
21695	02/23/10	BERGE160 BERGEN COUNTY MUNICIPAL CLERKS	100.00		569
21696	02/23/10	BERGE200 BERGEN COUNTY POLICE CHIEFS AS	300.00		569
21697	02/23/10	BERGE260 BERGEN COUNTY UTILITIES AUTHOR	142,776.84		569
21698	02/23/10	BERGE360 BERGEN MUNICIPAL EMP BENEFIT F	73,790.00		569
21699	02/23/10	BILLT010 BILL TOLG BUSINESS MACHINES	127.50		569
21700	02/23/10	BOGER010 BOGERT WELDING	1,375.00		569
21701	02/23/10	BOROU040 BOROUGH OF PARK RIDGE(UTILITY)	6,393.81		569
21702	02/23/10	BOROU050 BOROUGH OF PARK RIDGE(BOROUGH)	12,096.62		569
21703	02/23/10	BROOK010 BROOKER ENGINEERING, P.L.L.C.	1,860.00		569
21704	02/23/10	BURGI010 BURGIS ASSOCIATES, INC.	362.50		569
21705	02/23/10	CABLE010 CABLEVISION	74.90		569
21706	02/23/10	CAMPB010 CAMPBELL FOUNDRY COMPANY	1,020.00		569
21707	02/23/10	CAROL020 CAROL TYLER	785.00		569
21708	02/23/10	CAROU010 CAROUSEL INDUSTRIES OF NORTH	772.00		569
21709	02/23/10	DELGA010 DELGADO INTERPRETING SERVICE	165.00		569
21710	02/23/10	DEUN010 D & E UNIFORMS	954.40		569
21711	02/23/10	DURIE010 DURIE LAWMOWER & EQUIPMENT	165.25		569
21712	02/23/10	FEDER010 FEDERAL EXPRESS CORP.	185.84		569
21713	02/23/10	GFOAO010 G.F.O.A. OF NEW JERSEY	90.00		569
21714	02/23/10	IDEAL020 IDEAL PETRL PRODUCTS	84.00		569
21715	02/23/10	INTER120 INTERSTATE WASTE SERVICES OF	84,166.63		569
21716	02/23/10	JOEEN010 JOEEN CIANNELLA	144.00		569
21717	02/23/10	LANGU010 LANGUAGE LINE SERVICES	54.78		569
21718	02/23/10	LEGGE010 LEGGETTE, BRASHEARS & GRAHAM,	4,307.51		569
21719	02/23/10	MACOO010 MACO OFFICE SUPPLIES	238.09		569
21720	02/23/10	MAGIC020 MAGIC MOMENTS	595.00		569
21721	02/23/10	MONMO010 MONMOUTH COUNTY ASSESSOR'S ASS	60.00		569
21722	02/23/10	NATIO210 NMS, INC	1,950.00		569
21723	02/23/10	NETWO010 NETWORK BILLING SYSTEMS, LLC	608.65		569
21724	02/23/10	NEWHO010 NEW HORIZON COMMUNICATIONS COR	4,092.16		569
21725	02/23/10	NEWJE030 NEW JERSEY DOOR WORKS, INC.	647.90		569
21726	02/23/10	NJDIV020 NJ DIVISION OF TAXATION	45.94		569
21727	02/23/10	NJSTA010 NJ STATE ASSN OF CHIEFS OF POL	200.00		569
21728	02/23/10	NJSTA030 NJ STATE LEAGUE OF MUNICIPALIT	634.00		569
21729	02/23/10	NORTH160 NORTHWEST BERGEN CENTRAL DISPA	47,600.00		569
21730	02/23/10	OLDDO010 OLD DOMINION BURSH COMPANY, IN	133.62		569
21731	02/23/10	PAAUT010 P&A AUTO PARTS, INC.	128.83		569
21732	02/23/10	PARKR090 PARK RIDGE BOARD OF EDUCATION	1,924,948.50		569
21733	02/23/10	PETER010 PETER MAURO	163.48		569
21734	02/23/10	POLIC010 POLICE & FIREMEN'S RETIREMENT	426.19		569
21735	02/23/10	POWER050 POWERTECH MOTION CONTROL	267.52		569
21736	02/23/10	PROFE020 PROF ACCOUNTANTS INSTITUTE LLC	125.00		569

02/23/10
15:56:03

BOROUGH OF PARK RIDGE
Check Register By Check Date

Page No: 2

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
21737	02/23/10	PROJE020 PROJECT NEXTGEN	1,150.00		569
21738	02/23/10	PUBLI030 PUBLIC EMPLOYEES' RETIREMENT S	404.69		569
21739	02/23/10	PUBLI080 PUBLIC WORKS ASSOC. OF NEW JER	70.00		569
21740	02/23/10	QSEND010 QSCEND TECHNOLOGIES INC	1,500.00		569
21741	02/23/10	RICOH010 RICOH BUSINESS SYSTEMS, INC.	285.72		569
21742	02/23/10	RIDGE050 RIDGEMONT PIZZA	100.00		569
21743	02/23/10	ROBER050 ROBERT LUDWIG	186.48		569
21744	02/23/10	RUBEN RUBENSTEIN, MEYERSON, FOX,	12,359.83		569
21745	02/23/10	RUTGED040 RUTGERS, THE STATE UNIV OF NJ	436.00		569
21746	02/23/10	SHRED010 SHRED-IT NEWARK	97.37		569
21747	02/23/10	SICOM010 SICOMAC DAIRY FOODS	49.71		569
21748	02/23/10	STAPL010 STAPLES	590.83		569
21749	02/23/10	STAPL040 STAPLES BUSINESS ADVANTAGE	51.57		569
21750	02/23/10	STATE020 STATE LINE FIRE & SAFETY, INC.	168.75		569
21751	02/23/10	SYMET010 SYMETRA LIFE INSURANCE CO/GROU	262.20		569
21752	02/23/10	TELVU005 TELVUE	300.00		569
21753	02/23/10	TILCO020 TILCON NEW YORK, INC.	820.00		569
21754	02/23/10	TREAS050 TREASURER, STATE OF NEW JERSEY	2,000.00		569
21755	02/23/10	USPOS010 US POSTAL SERVICE(POSTAGE-BY-P	675.75		569
21756	02/23/10	VERIZ030 VERIZON WIRELESS	649.58		569
21757	02/23/10	WASTE010 WASTE MANAGEMENT OF NEW JERSEY	13,951.19		569
Checking Account Totals					
		Paid	Void	Amount Void	Amount Paid
		----	----	-----	-----
	Checks:	70	0	0.00	2,360,145.14
	Direct Deposit:	0	0	0.00	0.00
		=====	=====	=====	=====
	Total:	70	0	0.00	2,360,145.14
Report Totals					
		Paid	Void	Amount Void	Amount Paid
		----	----	-----	-----
	Checks:	70	0	0.00	2,360,145.14
	Direct Deposit:	0	0	0.00	0.00
		=====	=====	=====	=====
	Total:	70	0	0.00	2,360,145.14

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15:56:45

BOROUGH OF PARK RIDGE
Check Register By Check Date

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Range of Checking Accts: 04CAPITAL to 04CAPITAL Range of Check Dates: 01/01/10 to 02/23/10
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
04CAPITAL CAPITAL					
1308	02/23/10	AZZOL010 AZZOLINA & FEURY ENGINEERING	500.00		570
1309	02/23/10	CAMPB005 CAMPBELL FIRE PROTECTION INC	2,200.00		570
1310	02/23/10	DLPAV010 D & L PAVING CONSTRUCTION, INC	3,229.77		570
1311	02/23/10	MARIN010 MARINI BROTHERS CONST. CO., IN	27,787.50		570
Checking Account Totals					
		Paid	Void	Amount Void	Amount Paid
		----	----	-----	-----
	Checks:	4	0	0.00	33,717.27
	Direct Deposit:	0	0	0.00	0.00
		=====	=====	=====	=====
	Total:	4	0	0.00	33,717.27
Report Totals					
		Paid	Void	Amount Void	Amount Paid
		----	----	-----	-----
	Checks:	4	0	0.00	33,717.27
	Direct Deposit:	0	0	0.00	0.00
		=====	=====	=====	=====
	Total:	4	0	0.00	33,717.27

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15:57:16

BOROUGH OF PARK RIDGE
Check Register By Check Date

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Range of Checking Accts: 15ANIMAL FUND to 15ANIMAL FUND Range of Check Dates: 01/01/10 to 02/23/10
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
15ANIMAL FUND		ANIMAL CONTROL FUND			
2372	02/23/10	MGLPR010 MGL PRINTING SOLUTIONS	443.00		571
2373	02/23/10	NEWJE007 NJ DEPT OF HEALTH	49.80		571
2374	02/23/10	USPOS010 US POSTAL SERVICE(POSTAGE-BY-P	4.76		571

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	3	0	0.00	497.56
Direct Deposit:	0	0	0.00	0.00
Total:	3	0	0.00	497.56

Report Totals	Paid	Void	Amount Void	Amount Paid
Checks:	3	0	0.00	497.56
Direct Deposit:	0	0	0.00	0.00
Total:	3	0	0.00	497.56

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15:57:41

BOROUGH OF PARK RIDGE
Check Register By Check Date

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Range of Checking Accts: 09 SWIM UTILITY to 09 SWIM UTILITY Range of Check Dates: 01/01/10 to 02/23/10
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
09 SWIM UTILITY		SWIM UTILITY			
1089	02/23/10	GARDE070 GARDEN STATE LABORATORIES, INC	1,120.00		572

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	1	0	0.00	1,120.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	0.00	1,120.00

Report Totals	Paid	Void	Amount Void	Amount Paid
Checks:	1	0	0.00	1,120.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	0.00	1,120.00

February 23, 2010

Municipal Open Space Trust

Bel Fiore Greenhouses \$3,374.00

Total \$3,374.00

Trust

Allied Oil \$18,660.42
 Allied Oil \$28,960.75
 Azzolina & Feury \$2,695.00
 Brooker Engineering \$742.50
 Dara Burns \$28.08
 Laurie McDermott \$79.99
 Lou Chiellin Construction \$567.50
 Matt Scheidle \$75.00
 Matthew Beer \$75.00
 North Jersey Media \$32.14
 Teddy D'Amico \$75.00
 Weather Decision Technologies Inc. \$433.32

Total \$52,424.70

Unemployment Insurance

SNJ Dept of Labor & Workforce Development \$27,319.03

Total \$27,319.03

COAH

Burgis Associates, Inc. #23084 \$1,970.00
 Cheryl Z. Zega \$1,200.00
 John E. Ten Hoeve, Jr. Esq. \$790.50
Total \$3,960.50

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-059**

AUTHORIZE UNEMPLOYMENT CLAIM REIMBURSEMENT

WHEREAS, beginning in 1978 municipalities were required to set aside funds to reimburse the State of New Jersey for unemployment benefits paid to former employees or part time employees of that municipality; and

WHEREAS, the Division of Unemployment and Disability Insurance of New Jersey Department of Labor and Industry had submitted a bill in the amount of \$27,319.03 as the borough share of unemployment claims made during the 3rd and 4th quarters of 2009; and

WHEREAS, the borough's portion of said claim by employees is as follows:

EMPLOYEE	POSITION	PERIOD COVERED	AMOUNT
Joseph Felice	Crossing Guard	09/05/09	\$1,903.00
Robert Muller	Crossing Guard	09/05/09	\$2,130.00
Nicki Ariza	Crossing Guard	09/05/09	\$2,080.10
Lance Villa	Crossing Guard	09/05/09	\$1,842.00
Linda Strabone	Crossing Guard	09/05/09	\$963.00
Cheryl Neumann	Crossing Guard	08/29/09	\$1,393.00
Craig Coughlin	Police Captain	09/19/09	\$5,256.00
Gene Vinci	Administration	09/26/09	\$3504.00
Mary Rathgeb	Administration	12/19/09	\$5005.00
Craig Coughlin	Police Captain	12/12/09	\$7008.00
Gene Vinci	Administration	09/26/09	-\$3504.00
Credit			-\$261.07
Total			\$27,319.03

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the Borough Treasurer be and she is hereby authorized and directed to make said payment to the New Jersey Division of Unemployment and Disability Insurance.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-060**

ADOPTING TEMPORARY CAPITAL BUDGET

WHEREAS, the Borough of Park Ridge desires to constitute the 2010 Temporary Capital Budget of said manuscripts;

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

SECTION 1. The 2010 Temporary Capital Budget of the Borough of Park Ridge is hereby constituted by the adoption of a schedule to read as follows:

Temporary Capital Budget of the Borough of Park Ridge
County of Bergen
Project Scheduled for 2010
Method of Financing

<u>PROJECT</u>	<u>EST. COSTS</u>	<u>BUDGET</u>	<u>CAPITAL</u>	<u>CAPITAL</u>	<u>GENERAL</u>
		<u>APPR.</u>	<u>IMP. FUND</u>	<u>SURPLUS</u>	<u>BONDS</u>
2010 Road, Curb, Drainage & Sidewalk Improvements	\$400,000	----	\$ 20,000	----	\$380,000

SECTION 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three (3) days after the adoption of this project for 2010 Temporary Capital Budget, to be included in the 2010 Permanent Capital Budget as adopted.

ADJOURN:

A motion was made by Councilmember Viola and seconded by Councilmember Maguire to confirm that the regular meeting of the Mayor and Council be adjourned.

Meeting adjourned at 9:17pm.

Respectfully submitted,



Kelley O'Donnell, RMC
Borough Clerk