

Approved, September 14, 2010

Municipal Building
Park Ridge, NJ
May 25, 2010 – 8:08 p.m.

A Regular Meeting of the Mayor and Council of the Borough of Park Ridge was called to order at the above time, date and place.

Mayor Ruschman led those attending in the Pledge of Allegiance to the Flag.

ROLL CALL:

Present: Councilmember Hopper, Councilmember Viola, Councilmember Maughan, Councilmember Maguire, Councilmember Misciagna, Council President Kane, Mayor Ruschman.

Absent: None

Also Present: Robert J. Mancinelli, Esq., Borough Attorney
Helene V. Fall, Borough Administrator
Colleen Ennis, CFO
Kelley R. O'Donnell, Borough Clerk

Mayor Ruschman Read Compliance Statement, as required by Open Public Meetings Act, P.L. 1975, Chapter 231.

PROCLAMATION

Mayor Ruschman read the following proclamation:

SCLERODERMA AWARENESS MONTH 2010

WHEREAS, Scleroderma is a chronic, degenerative autoimmune disease that predominantly affects women in the prime of their lived, but impacts children and men as well; and

WHEREAS, Autoimmune diseases including Scleroderma are one of the top four causes of disability of women over fifteen and under age sixty-five; and

WHEREAS, It can take three or more years for an individual to be diagnosed and receive appropriate treatment, leading to higher medical costs and government spending; and

WHEREAS, There is more hope for those with Scleroderma to live normal life today than there was five years ago due to the development of medications and ongoing clinical trials; and

WHEREAS, The month of June has been designated National Scleroderma Awareness Month, with patient education, patient support and research the three-fold mission of the Scleroderma Foundation, Tri-State Chapter (covering New York, New Jersey and Connecticut);

NOW, THEREFORE BE IT RESOLVED that I, Donald J. Ruschman do hereby proclaim June, 2010 as **SCLERODERMA AWARENESS MONTH** in the Borough of Park Ridge and urge all employees and residents to participate in our municipality's effort to become better educated on the subject of Scleroderma.

AGENDA CHANGES

Mayor Ruschman announced that the order of the meeting was going to be changed and that the presentation of the budgets would take place after the regular business had been completed.

ORDINANCES – PUBLIC HEARING

ORDINANCE NO. 2010-013

**AN ORDINANCE AMENDING CHAPTER 84A, STORMWATER MANAGEMENT, OF
THE CODE OF
THE BOROUGH OF PARK RIDGE, NEW JERSEY**

Mayor Ruschman asked for a motion to open the public hearing on Ordinance No. 2010-013, an Ordinance amending Chapter 84A; Stormwater Management of the Code of the Borough of Park Ridge, New Jersey.

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

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - yes, Councilmember Misciagna - yes, Council President Kane – yes.

Mayor Ruschman asked the Clerk to read the Ordinance by title:

Clerk: **Ordinance No. 2010-013, an Ordinance amending Chapter 84A; Stormwater Management of the Code of the Borough of Park Ridge, New Jersey.**

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's Permit is valid through March 31, 2014; and

WHEREAS, the renewal of said Permit contains certain conditions which include that certain ordinances be adopted by September 1, 2010 including one which requires the retrofitting of private storm drain inlets.

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 84A, Stormwater Management, of the Code of the Borough of Park Ridge be and is hereby amended as follows:

SECTION ONE

84A-11. Private Storm Drain Inlet Retrofitting

Purpose.

An ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Borough of Park Ridge so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

84A-12. Definitions.

For the purpose of Section 84A-11 of the within 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 Borough of Park Ridge or other public body, and is designed and used for collecting and conveying stormwater.

b. Person - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

c. Storm drain inlet - an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.

d. 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.

84A-13. Prohibited Conduct.

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing

with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

1. Already meets the design standard below to control passage of solid and floatable materials; or
2. Is retrofitted or replaced to meet the standard in Section 84A-14 below prior to the completion of the project.

84A-14. Design Standard.

Storm drain inlets identified in Section 84A-13 above, shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see subsection (3) below.

1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
 - b. A different grate, if each individual clear space in that grate has an area of no more than seven (7) square inches, or is no greater than 0.5 inches across the smallest dimension. Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.
2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7) square inches, or be no greater than two (2) inches across the smallest dimension.
3. This standard does not apply:
 - a. Where the Borough Engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
 - b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
 - ii. A bar screen having a bar spacing of 0.5 inches.
 - c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 ") spacing between the bars; or
 - d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

84A-15. Enforcement.

This ordinance shall be enforced by the Zoning Officer of the Borough of Park Ridge. The Zoning Officer shall require a permit application and fee in accordance with the building subcode fees set forth in Section 50-2(C) (i) of the Borough Code and an engineering escrow in an amount not to exceed \$1,500 for review by the Borough Engineer. In exceptional circumstances, the Zoning Officer may require additional escrows for engineering review based upon the circumstances of the addition or development.

84A-16. Penalties.

For violation of this chapter there shall be a fine of \$500 for the first offense; \$750 for the second offense and \$1,000 for each subsequent offense. Every day a violation of this chapter occurs shall be a separate and distinct offense. In addition to fines, a court of competent jurisdiction may require implementation of any remedial measures recommended by the Borough Engineer to correct the violations of this chapter.

SECTION TWO

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

SECTION THREE

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 FOUR

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

Mayor Ruschman asked the Borough Attorney to give a brief description of this ordinance.

Mr. Manicelli: Explained the ordinance implements changes required as a result of State mandates.

Mayor Ruschman asked the Clerk if she had received correspondence concerning the adoption of this ordinance.

Clerk: None.

Mayor Ruschman asked if anyone present wished to be heard concerning the adoption of this ordinance.

Speaker: No one.

Mayor Ruschman asked for a motion to close the Public Hearing on this ordinance and that this ordinance be adopted and that notice of final passage be published in the Ridgewood News.

A motion was made by Councilmember Maguire and seconded by Councilmember Misciagna to confirm

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - yes, Councilmember Misciagna - yes, Council President Kane – yes.

ORDINANCE NO. 2010-014

**BOND ORDINANCE TO AMEND THE FOLLOWING BOND ORDINANCES
PREVIOUSLY ADOPTED BY THE BOROUGH COUNCIL
OF THE BOROUGH OF PARK RIDGE**

Mayor Ruschman asked for a motion to open the public hearing on Ordinance No. 2010-014, a Bond Ordinance to amend the following Bond Ordinances previously adopted by the Borough Council of the Borough of Park Ridge.

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

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - yes, Councilmember Misciagna - yes, Council President Kane – yes.

Mayor Ruschman asked the Clerk to read the Ordinance by title:

Clerk: **Ordinance No. 2010-014, a Bond Ordinance to amend the following Bond Ordinances previously adopted by the Park Ridge Borough Council of the Borough of Park Ridge, in the County of Bergen, State of New Jersey: (1) Bond Ordinance No. 2007-09 adopted on May 8, 2007 and (2) Bond Ordinance No. 2009-16 adopted on July 14, 2009.**

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

Section 1. Section 4.F of ordinance no. 2007-09 entitled:

“BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF PARK RIDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$749,200 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.”

adopted by the Borough Council of the Borough of Park Ridge, in the County of Bergen, New Jersey (the “Borough”) on May 8, 2007, is hereby amended to add the following to the projects authorized: undertaking of drainage improvements at Park Avenue and DeGroff Place; and shall hereafter read as follows:

“[Section 4.]F. (i) Improvement of Leroy Place (entire length) and Sixth Street (in the vicinity of the intersection with Leroy Place) and (ii) undertaking of drainage improvements at Park Avenue and DeGroff Place. It is hereby determined and stated that said roads being improved will be of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$290,000
Down Payment Appropriated	\$ 14,500
Bonds and Notes Authorized	\$275,500
Period of Usefulness	10 years.”

Section 2. Section 4.D of ordinance no. 2009-16 entitled:

“BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF PARK RIDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$454,250 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.”

adopted by the Borough Council of the Borough on July 14, 2009 is hereby amended to add the following to the projects authorized: undertaking of drainage improvements at Park Avenue and DeGroff Place; and shall hereafter read as follows:

“[Section 4.]D. Undertaking of the following infrastructure improvements: (i) drainage improvements at Musso Lane and Mader Place; (ii) drainage improvements at Leroy Place, Park Avenue and DeGroff Place; (iii) engineering services for various road, curb, sidewalk and drainage projects; and (iv) sidewalk improvements at various locations.

Appropriation and Estimated Cost	\$ 48,034
Down Payment Appropriated	\$ 2,294
Bonds and Notes Authorized	\$ 45,740
Period of Usefulness	10 years”.

Section 3. The capital budget is hereby amended to conform with the provisions of this amending 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 4. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Mayor Ruschman asked the CFO to give a brief description of this ordinance.

Ms. Ennis: Explained this ordinance reappropriated money from a 2007 and 2009 multipurpose ordinance which included funding for a drainage project on Leroy Place – this will now allow for these funds to be used also for drainage projects on Park Avenue and DeGroff Place.

Mayor Ruschman asked the Clerk if she had received correspondence concerning the adoption of this ordinance.

Clerk: None.

Mayor Ruschman asked if anyone present wished to be heard concerning the adoption of this ordinance.

Speaker: No one.

Mayor Ruschman asked for a motion to close the Public Hearing on this ordinance and that this ordinance be adopted and that notice of final passage be published in the Ridgewood News.

A motion was made by Councilmember Misciagna and seconded by Council President Kane to confirm.

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - yes, Councilmember Misciagna - yes, Council President Kane – yes.

ORDINANCE NO. 2010-015

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF AN AERIAL BUCKET TRUCK IN, BY AND FOR THE ELECTRIC UTILITY OF THE BOROUGH OF PARK RIDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$180,000 TO PAY THE COST THEREOF, 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.

Mayor Ruschman asks for a motion to open the public hearing on Ordinance No. 2010-015, A Bond Ordinance to authorize the acquisition of an aerial bucket truck in, by and for the Electric Utility of the Borough of Park Ridge, in the County of Bergen, State of New Jersey, to appropriate the sum of \$180,000 to pay the cost thereof, 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.

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

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - yes, Councilmember Misciagna - yes, Council President Kane – yes.

Mayor Ruschman asked the Clerk to read the Ordinance by title:

Clerk: **Ordinance No. 2010-015, A Bond Ordinance to authorize the acquisition of an aerial bucket truck in, by and for the Electric Utility of the Borough of Park Ridge, in the County**

of Bergen, State of New Jersey, to appropriate the sum of \$180,000 to pay the cost thereof, 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 acquire a new automotive vehicle, including original apparatus and equipment, consisting of an aerial bucket truck for the use of the Electric Department, in, by and for the Electric Utility of the Borough. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$180,000 is hereby appropriated to the payment of the cost of making the improvement 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 by this ordinance. No down payment is required for this bond ordinance pursuant to the provisions of N.J.S.A. 40A:2-11(c) and 40A:2-7(h). Said improvement shall be made as a general improvement 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 (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$180,000, and (4) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$180,000, and (5) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$5,000 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 the Electric Utility would have been self-liquidating, as defined in Section 47(a) of the Local Bond Law, during the fiscal year beginning January 1, 2009, had there been included in the interest and debt redemption charges for such year an amount equal to interest for one year at the rate of four and one half percentum (4 1/2%) per annum on said bonds or notes, and the amount of the first installment of serial bonds legally issuable to finance such purpose plus an amount for charges as aforesaid with respect to all bonds and notes authorized but not issued for such Electric Utility.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$180,000 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 \$180,000 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 five 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 \$180,000, but said \$180,000 shall be deducted from gross debt pursuant to Section 44(c) of the Local Bond Law and that the issuance of the bonds and notes authorized by this ordinance is permitted by an exception to the debt limitations prescribed by the Local Bond Law as provided in Sections 47(a) and 7(h) of the 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 improvement 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 limitations as to rate or amount.

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

Mayor Ruschman asked the CFO to give a brief description of this ordinance.

Ms. Ennis: Explained this ordinance established funding in the amount of \$180,000 for an aerial bucket truck requested by the electric utility.

Mayor Ruschman asked the Clerk if she had received correspondence concerning the adoption of this ordinance.

Clerk: None.

Mayor Ruschman asked if anyone present wished to be heard concerning the adoption of this ordinance.

Speaker: No one from the public.

Councilmember Viola asked about the length of the bond. Mrs. Ennis advised that we would decide whether to go out for temporary financing or permanent financing – generally start out with temporary financing and then decide whether to permanently finance. Mr. Beattie advised that the life of the truck is 15-20 years. Mr. Mehm advised that typically with equipment 13-15 years. Auditor Bliss then explained the process for financing temporarily which can be done on one year renewal temporary bonds and then, if needed permanent financing after 10 years. Usually would put together a number of projects if determined to go out for permanent financing.

Mayor Ruschman asked for a motion to close the Public Hearing on this ordinance and that this ordinance be adopted and that notice of final passage be published in the Ridgewood News.

A motion was made by Councilmember Misciagna and seconded by Councilmember Maguire to confirm

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - yes, Councilmember Misciagna - yes, Council President Kane – yes.

ORDINANCE NO. 2010-016

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY IN, BY AND FOR THE WATER UTILITY OF THE BOROUGH OF PARK RIDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$625,000 TO PAY THE COST THEREOF, 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.

Mayor Ruschman asked for a motion to open the public hearing on Ordinance No. 2010-016, A Bond Ordinance to authorize the acquisition of new additional or replacement equipment and machinery in, by and for the Water Utility of the Borough of Park Ridge, in the County of Bergen, State of New Jersey, to appropriate the sum of \$625,000 to pay the cost thereof, 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.

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

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - yes, Councilmember Misciagna - yes, Council President Kane – yes.

Mayor Ruschman asked the Clerk to read the Ordinance by title:

Clerk: Ordinance No. 2010-016, A Bond Ordinance to authorize the acquisition of new additional or replacement equipment and machinery in, by and for the Water Utility of the Borough of Park Ridge, in the County of Bergen, State of New Jersey, to appropriate the sum of \$625,000 to pay the cost thereof, 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 make various public improvements and to acquire new additional or replacement equipment and machinery in, by and for the Water Utility of said Borough, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized by this ordinance. No down payment is required for this bond ordinance pursuant to the provisions of N.J.S.A. 40A:2-11(c) and 40A:2-7(h). Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (3) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Acquisition of new additional or replacement equipment and machinery consisting of a backhoe/loader for the use of the Water Department.

Appropriation and Estimated Cost	\$ 95,000
Bonds and Notes Authorized	\$ 95,000
Period of Usefulness	15 years

B. Undertaking the following Water System improvements:

(i) drilling and installation of a new replacement well (including related improvements) on the Well #3 site and (ii) installation of an arsenic treatment facility at Well #13.

Appropriation and Estimated Cost	\$530,000
Bonds and Notes Authorized	\$530,000
Period of Usefulness	40 years

Aggregate Appropriation and Estimated Cost	\$625,000
Aggregate Amount of Bonds and Notes Authorized	\$625,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$66,000 which is estimated to be necessary to finance the cost of such purposes, 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 (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 6. It is hereby determined and stated that the Water Utility would have been self-liquidating, as defined in Section 47(a) of the Local Bond Law, during the fiscal year beginning January 1, 2009, had there been included in the interest and debt redemption charges for such year an amount equal to interest for one year at the rate of four and one half percentum (4 1/2%) per annum on said bonds or notes, and the amount of the first installment of serial bonds legally issuable to finance such purpose plus an amount for charges as aforesaid with respect to all bonds and notes authorized but not issued for such Water Utility.

Section 7. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$625,000 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 8. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$625,000 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 9. 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 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 36.20 years computed from the date of said bonds.

Section 11. 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 \$625,000, but said \$625,000 shall be deducted from gross debt pursuant to Section 44(c) of the Local Bond Law and that the issuance of the bonds and notes authorized by this ordinance is permitted by an exception to the debt limitations prescribed by the Local Bond Law as provided in Sections 47(a) and 7(h) of the Local Bond Law.

Section 12. 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 purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 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 14. 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 15. 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 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Mayor Ruschman asked the CFO to give a brief description of this ordinance.

Ms. Ennis: Explained this multi-purpose bond ordinance is for capital items to purchase a back hoe loader, replacement of water supply at Well # 3 and for water treatment facility at Well #13.

Mayor Ruschman asked the Clerk if she had received correspondence concerning the adoption of this ordinance.

Clerk: None.

Mayor Ruschman asked if anyone present wished to be heard concerning the adoption of this ordinance.

Speaker: **Mr. Pat Hunt, 10 year resident of Park Ridge.** Could assist the Borough in the purchase of back hoe loader. Mr. Mancinelli explained that the Borough is required to undertake competitive bidding to comply with the laws of the State.

Mr. Pat Hunt Sr. had a question on the Utility Bonding ordinances. Borough ultimately responsible but the utility budgets to pay it off – is that correct; Mayor confirmed it was correct.

Mayor Ruschman asked for a motion to close the Public Hearing on this ordinance and that this ordinance be adopted and that notice of final passage be published in the Ridgewood News.

A motion was made by Councilmember Maguire and seconded by Councilmember Misciagna confirm

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - yes, Councilmember Misciagna - yes, Council President Kane – yes.

ORDINANCE NO. 2010-017

AN ORDINANCE AMENDING CHAPTER 101, ZONING, OF THE CODE OF THE BOROUGH OF PARK RIDGE, IN ORDER TO ESTABLISH AN ‘NB’ NEIGHBORHOOD BUSINESS ZONE.

Mayor Ruschman asked for a motion to open the public hearing on Ordinance No. 2010-017, an Ordinance amending Chapter 101, Zoning, of the Code of the Borough of Park Ridge, in order to Establish an “NB” Neighborhood Business Zone.

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

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - yes, Councilmember Misciagna - yes, Council President Kane – yes.

Mayor Ruschman asked the Clerk to read the Ordinance by title:

Clerk: **Ordinance No. 2010-017, an Ordinance Amending Chapter 101, Zoning, of the Code of the Borough of Park Ridge in order to establish an “NB” Neighborhood Business Zone**

WHEREAS, the parcels located along Park Avenue and Broadway in the vicinity of the Borough’s historic train station represent the Borough’s main pedestrian-oriented commercial district; and

WHEREAS, this area originated as a pedestrian-oriented commercial shopping district, more recent developments have encouraged its transition to a more vehicular dominated area; and

WHEREAS, the 2009 Borough of Park Ridge Comprehensive Master Plan recommends the establishment of a new Neighborhood Business zone district to recreate the pedestrian shopping district with a mix of complementary land uses and encourage its upgrade and rehabilitation through improved aesthetic and site design regulations; and

WHEREAS, the Borough Council of the Borough of Park Ridge believes that it is in the best interest of the Borough of Park Ridge to further the Master Plan goal of enhancing the aesthetics and

function of the Borough's town center at the historic train station.

NOW, 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 101 of the Code of the Borough of Park Ridge be and is hereby amended as follows:

SECTION ONE:

§101-4 Definitions is hereby amended to include the following terms and meanings:

ANIMAL BOARDING: Any structure or premises designed for the feeding, housing, and exercising of animals not owned by the owner of the premises and for which the owner of the premises may receive compensation.

ANIMAL KENNEL: Any structure or premises in which animals are boarded, groomed, bred, or trained for fee, compensation or any other commercial gain.

ANIMAL SHELTERS: A facility used to house or contain stray, homeless, abandoned or unwanted animals and that is owned, operated or maintained by a public body, established humane society, animal welfare society, or other nonprofit organization devoted to the welfare, protection and humane treatment of animals.

VETERINARY HOSPITAL: A place where animals are given medical care and the boarding of animals is limited to short-term care incidental to the hospital use.

SECTION TWO:

§101-5 Districts Designated is hereby amended to eliminate the "BUS-2 Business and Professional Office" and "CH Commercial/Housing" districts, and insert the "NB Neighborhood Business" district.

SECTION THREE:

§101-6 Zoning Map is hereby amended to rezone certain properties to the NB Neighborhood Business zone district, as set forth on the accompanying map.

SECTION FOUR:

§101-15 Lot Regulations is hereby amended to modify subsection G to read as follows (modification indicated in *italics*):

- G. Street front regulation. In all lots in all districts, *except for lots in the NB Neighborhood Business zone district*, the minimum street frontage required shall be 75% of the minimum lot width as provided in each district, and in no case shall a lot have less than 75 feet of street frontage.

SECTION FIVE:

§101-20 Regulations Governing Certain Principal Permitted Uses is hereby amended to include a new subsection K. This subsection shall read as follows:

- K. Veterinary Hospitals. Veterinary hospitals shall be a permitted use in the NB Neighborhood Business zone district, subject to the following:
 - (1) Veterinary hospitals shall be permitted to offer overnight stay for animals, provided that such boarding activities are incidental to the hospital use and do not include the boarding of animals outdoors. In no event shall animal boarding, kennels or shelters, as defined at §101-4, be permitted in the NB Neighborhood Business zone district.
 - (2) Retail sales shall be permitted as an accessory use to veterinary hospitals, provided that such use shall not occupy more than 20 percent (20%) of the total gross floor area of the hospital.

SECTION SIX:

Chapter 101 is hereby amended and supplemented by the insertion of a new Article XIIC entitled

“NB Neighborhood Business Zone”. This article shall read as follows:

§101-58.14 Purpose and Intent. The purpose and intent of the NB Neighborhood Business Zone District is to encourage the redevelopment of the properties included in the district in a manner which is consistent with and in furtherance of the 2009 Borough of Park Ridge Comprehensive Master Plan. The intent of the district is to encourage a more pedestrian-oriented commercial district through the incorporation of enhanced building facades, increased landscaping and street furniture, and improved off-street parking configurations, including shared parking arrangements and reduced curb cuts along right-of-ways. Furthermore, it is the purpose and intent of this district to allow for mixed-use development which incorporates a variety of retail and service commercial uses as well as office uses at ground level, with office and residential uses above the ground floor.

§101-58.15 Permitted Uses. The following principal uses shall be permitted in the NB Neighborhood Business District:

- A. Retail stores.
- B. Personal service establishments.
- C. Eating and drinking establishments.
- D. Instructional studio spaces including dance, artist, martial art, music and related studios.
- E. Museums, art galleries and libraries.
- F. Child care facilities, designed in accordance with §101-20.G.
- G. Veterinary hospitals, designed in accordance with §101-20.K.
- H. Professional, financial and medical offices, either at-grade or above other principal permitted uses set forth in A through G above.
- I. Multi-family residential dwellings above at-grade retail or other principal permitted uses set forth in A through H above.
- J. Public, governmental, and institutional uses.
- K. Notwithstanding the provisions above, all residential units along Broadway that exist as of the date of this ordinance shall be deemed a conforming use and shall have all rights to expand and enlarge consistent with the R-10 zoning district regulations.

§101-58.16 Permitted Accessory Uses. The following accessory uses shall be permitted in the NB Neighborhood Business District:

- A. Off-street parking and loading. Off-street parking shall be designed in accordance with §101-58.24, and off-street loading shall be designed in accordance with §87-44.
- B. Outdoor cafés associated with and on the same lot as indoor eating facilities such as coffee shops, restaurants, ice cream parlors, bakeries and cafés. Outdoor cafés shall be designed in accordance with §101-20.J.
- C. Fences and walls, designed in accordance with §101-21.E.
- D. Signs, designed in accordance with §101-58.21.E.

§101-58.17 Permitted Conditional Uses. The following conditional uses shall be permitted in the NB Neighborhood Business District:

- A. Parking structures, in accordance with the following conditions:
 - (1) The lot shall have a minimum lot area of 0.75 acres.
 - (2) Vehicles shall not be permitted to enter or exit the parking structure from Park Avenue, Kinderkamack Road, or Broadway.
 - (3) The outside perimeter of the parking structure shall be developed with principal permitted uses, as set forth at §101-58.15, where the structure is adjacent to a public right-of-way.
 - (4) The parking structure shall be subject to the area and bulk requirements set forth at §101-58.19, except that the following height limitations shall govern:
 - (a) No parking structure shall exceed a height of two (two) levels or twenty (20) feet;
OR
 - (b) Parking structures shall be constructed partially below ground level so that the maximum height above ground level does not exceed fifteen (15) feet.
 - (5) The parking structure shall be subject to additional design requirements set forth at §101-58.24.D.

§101-58.18 Prohibited Uses. Any use or structure other than those permitted in §101-58.15 through §101-58.17 are prohibited. In addition, and notwithstanding the above, the following uses shall be specifically prohibited in the NB Neighborhood Business District:

- A. Drive-up or through windows in connection with any business.
- B. Bars or taverns not associated with a restaurant.
- C. Cabarets and dance clubs.
- D. Adult entertainment uses.
- E. Animal kennels, boarding or shelters.

- F. No single occupancy of 20,000 square feet of floor area or greater unless designed in accordance with §101-58.27.

§101-58.19 Area and Bulk Requirements. The following area and bulk regulations shall apply to all uses permitted in the NB Neighborhood Business District:

Regulation	Requirement
Min. Lot Area (sq. ft.)	10,000 ^a
Min. Lot Width (ft.)	50
Min. Street Frontage (ft.)	--
Min. Lot Depth (ft.)	--
Min. Front Yard (ft.)	
Park Avenue	10
Broadway	10
Kinderkamack Road	10
Other Streets	20
Max. Front Yard (ft.)	
Park Avenue	20
Broadway	20
Other Streets	--
Min. Side Yard (ft.)	--
Min. Rear Yard (ft.)	--
Max. Building Height (ft.)	35 ^b
Max. Building Coverage (%)	40
Max. Impervious Coverage (%)	75
Max. Floor Area Ratio	0.60
Min. Distance Between Buildings on Same Lot (ft.)	15

^a In order to encourage the assemblage of small properties, a density bonus shall be provided to developers of larger properties. Specifically, for every additional 10,000 square feet of lot area over the minimum, the property may be developed with an additional 0.10 floor area ratio over the maximum, not to exceed a total floor area ratio of 1.0.

^b Subject to additional regulations detailed in §101-58.21.C.

§101-58.20 Supplemental Requirements. The following supplemental regulations shall apply to all uses permitted in the NB Neighborhood Business District:

- A. Number of buildings and uses on a lot. Multiple buildings and uses shall be permitted on a lot in the NB Zone, irrespective of any regulations to the contrary which are set forth elsewhere in this chapter.

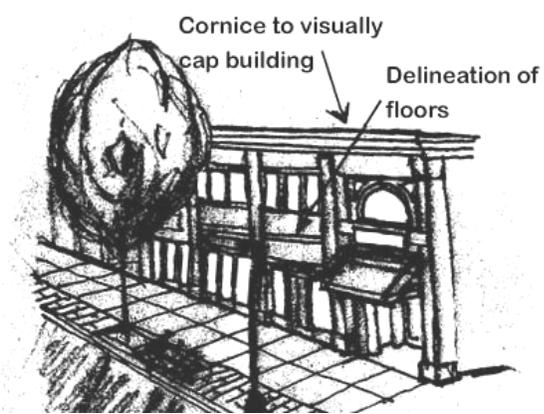
- B. Affordable Housing. All residential development and/or redevelopment shall include at a minimum twenty percent (20%) of the total number of units on site as deed restricted affordable housing units for very low, low and moderate income families.

- C. Public Open Space and Trails. Public open space and trails shall be provided in the NB Neighborhood Business zone district in a manner that implements the goals and objectives of the Borough of Park Ridge Open Space Plan Element and the Borough’s Vision Plan, where deemed appropriate by the board. Where required, trails and open space shall be designed in accordance with the following:
 - (1) Trails shall be designed to be ADA accessible and shall be clear and unobstructed by either natural or man-made intrusions such as trees, bushes, ground cover, signs, fences or any other such obstructions.
 - (2) The trail beds shall be constructed of pervious material such as gravel, wood chips, granular stone or other similar material.
 - (3) All trailway lands and associated setbacks that are required in this subsection shall be permanently restricted from future subdivision and development. Under no circumstances shall any development be permitted in the open space at any time, except for trail construction and maintenance.

§101-58.21 Architectural Guidelines. Unless otherwise regulated herein, deviations from the following standards shall not be considered variances, but shall be considered deviations from Chapter 87, Subdivision and Site Plan Review, and shall therefore require design waivers:

A. Façade design.

- (1) Horizontal articulation between floors. Each façade should be designed a delineated floor line between level and upper floors. This delineation can be in the form of a masonry belt course, a concrete or a cornice line delineated by detailing.



floors. to have street

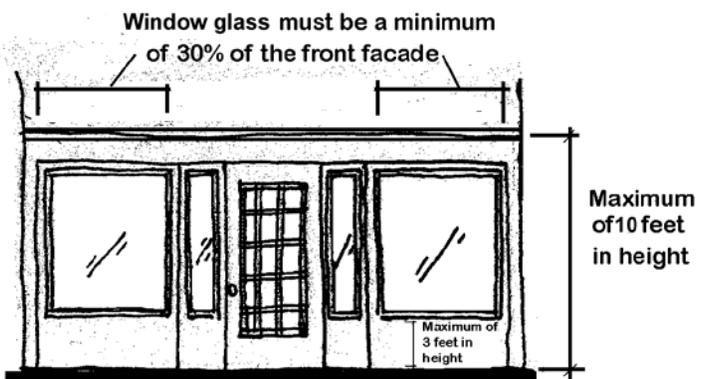
lintel wood

- (2) Vertical articulation. Each building facing a public right-of-way must elements of vertical articulation comprised of columns, piers, recessed windows or entry designs, overhangs, ornamental projection of the molding, different exterior materials or wall colors, or recessed portions of the main surface of the wall itself. The vertical articulations shall be designed in accordance with the following:
 - (a) Each vertical articulation must be a maximum of thirty (30) feet apart.
 - (b) Each vertical articulation must be a minimum of one (1) foot deep.
 - (c) Each vertical projection noted above may extend into the required front yard a maximum of two (2) feet in depth.

façade have

(3) Fenestration.

- (a) At least thirty percent (30%) of the first floor building frontage shall be clear window glass permitting a view of the buildings' interior. This percentage shall be calculated within the area of the building façade that is located between three (3) and ten (10) feet above sidewalk level.



- (b) A minimum of forty percent (40%) of the front door shall consist of glass in order to maximize the visibility of the store interior.
- (c) Bulkheads shall have a maximum height of three (3) feet and must be comprised of the same architectural detailing, materials, and colors as the windows.
- (c) Recessed entries are encouraged to create additional design articulation and amenity, improved pedestrian element, and provide shelter for sidewalk patrons.
- (d) Orientation. All primary façades shall be oriented toward the public right-of-way so as to provide a continuous, varies and attractive landscape.

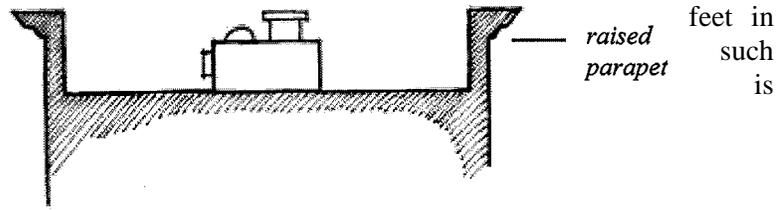
B. Materials.

- (1) Exterior building materials shall be classified as either primary, secondary or accent materials. The facade must be designed in accordance with the following:
 - (a) Primary materials shall cover at least sixty percent (60%) of the façade of the building.
 - (b) Secondary materials shall cover not more than forty percent (40%) of the façade.
 - (c) Earth-toned materials and wall colors are encouraged.

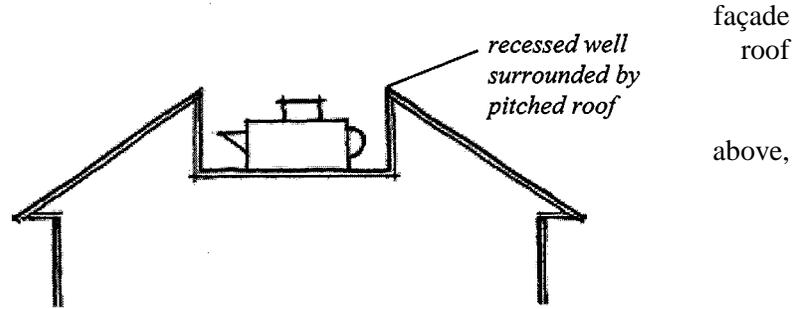
C. Roof lines/building height.

(1) The top of all buildings must be capped by a cornice or sloping roof element.

(2) An additional five (5) feet height for ornamentation as parapets and cornices permitted. This additional height is only permitted along a maximum of sixty-six percent (66%) of the façade to encourage a varying line.



(3) In addition to C(2) each portion of a building that provides cornices and similar appurtenances for ornamental purposes, such elements may not be more than thirty (30) feet in length each.



Source: Design guideline for the City of Spokane, Washington

(4) All roof-mounted equipment, such as HVAC units, shall be screened from public view by use of parapet walls.

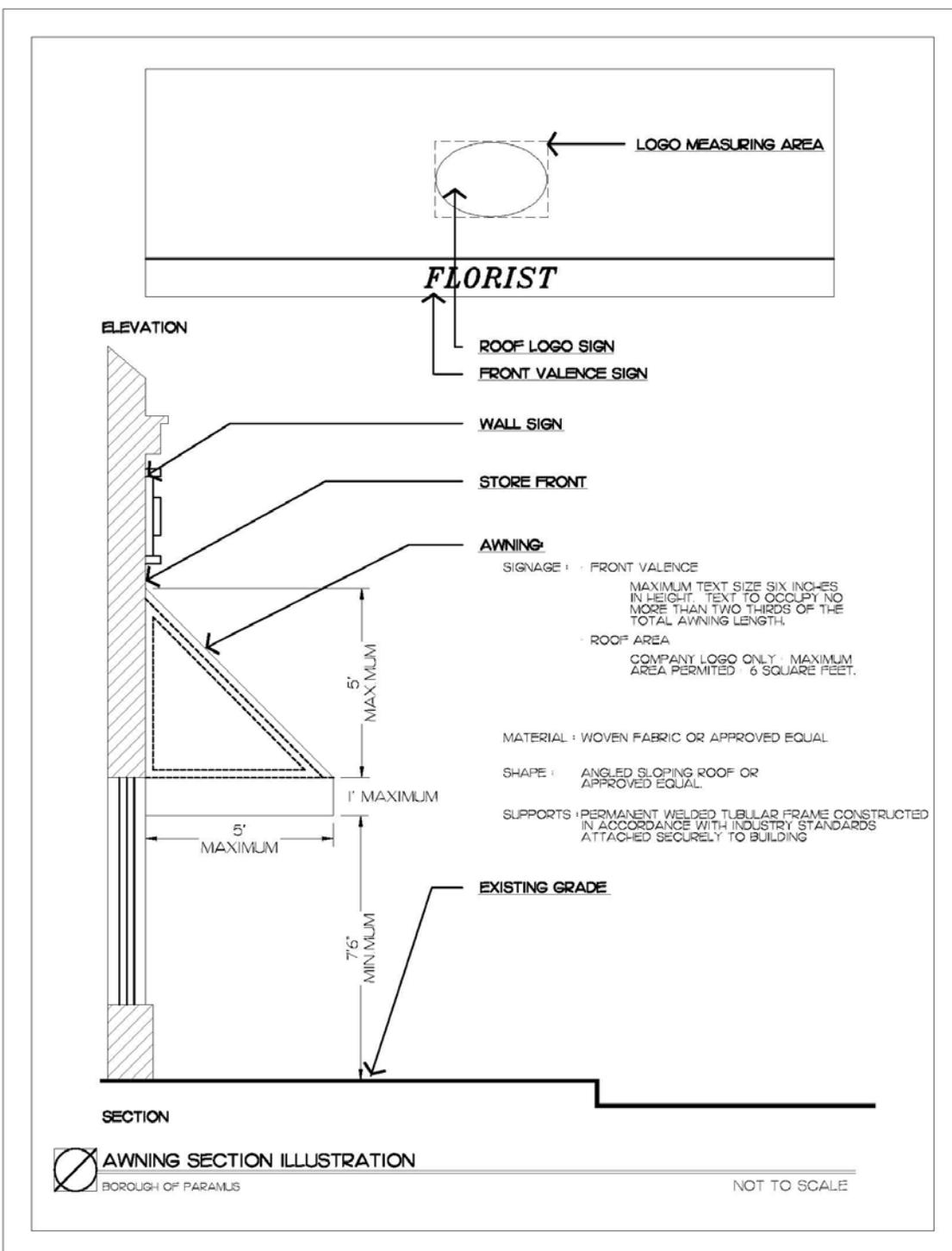
D. Awnings and canopies.

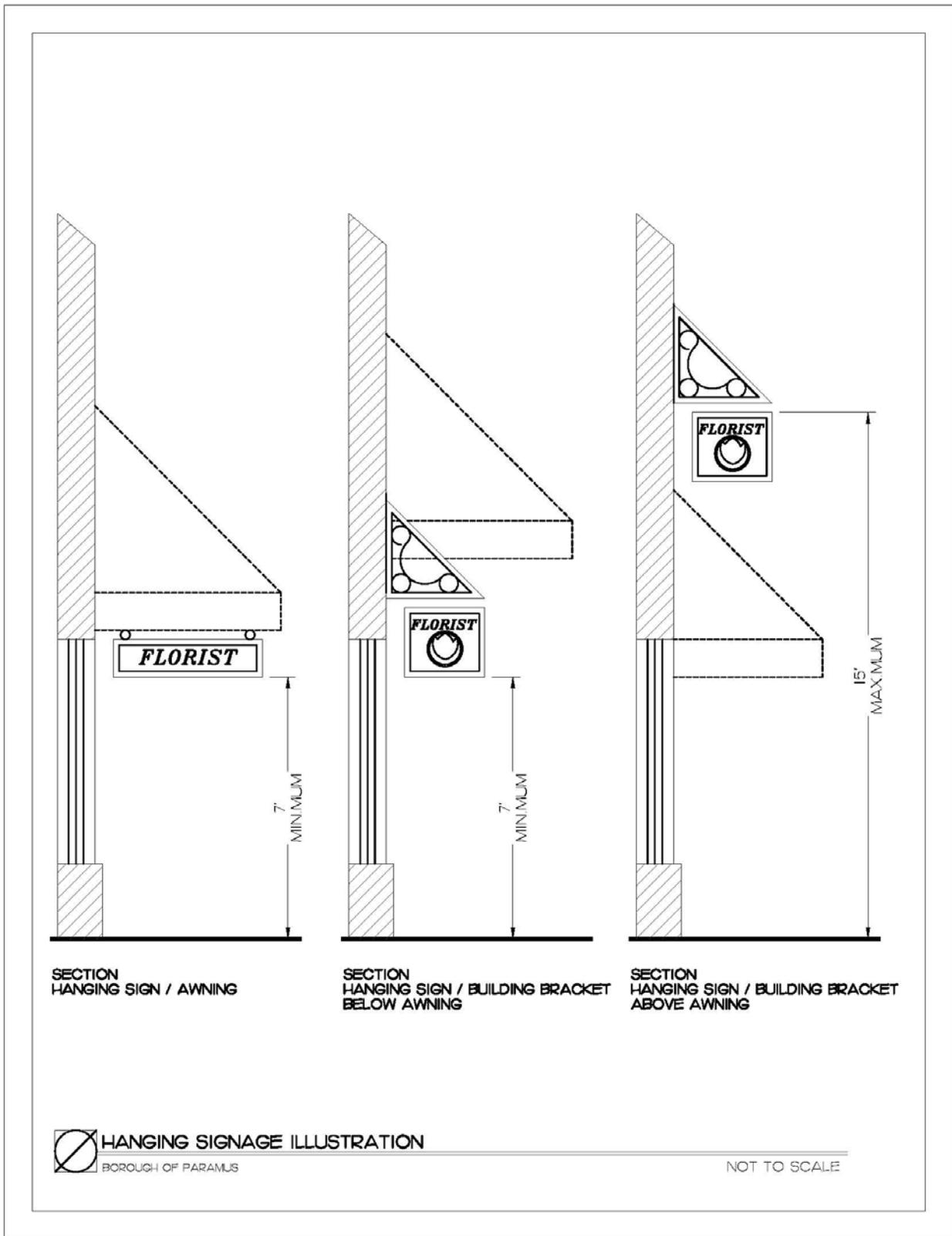
- (1) Notwithstanding the provisions set forth at §101-40, canopies and awnings are encouraged at the ground floor level in the NB Neighborhood Business District.
- (2) Buildings with multiple storefronts: all awnings or canopies shall be designed of compatible material and shall be uniform in color, shape and design.
- (3) Awnings and cornices shall be designed with a minimum vertical clearance of seven (7) feet and shall not extend more than six (6) feet from the face of the building.
- (4) A maximum number of four (4) colors, inclusive of black and white, are permitted.
- (5) The lettering on the canopy shall be limited to the name of the occupant only, which shall be included in determining the color and other sign calculations. The lettering shall have a maximum letter size of nine (9) inches and occupy a maximum of seventy percent (70%) of the valence area.
- (6) No awning shall be erected or maintained so as to obstruct access to any fire escape, window, or door.
- (7) Awnings and canopies are permitted to encroach within the front yard setback, but shall project no closer than 3 feet from the curb line.

E. Signage.

- (1) Wall signs may be between eight and twelve percent (8-12%) of the wall area at street level for the use it is advertising.
- (2) The maximum height of the wall sign area shall be thirty (30) inches and the maximum mounting height to the top of the sign area shall be fifteen (15) feet.
- (3) Lots fronting on two or more streets are permitted signage along each street frontage, but the signage cannot be accumulated and used on one street frontage.
- (4) For multi-tenanted buildings, the signs shall be designed with uniform area and height.
- (5) Roof signs are prohibited in the NB Neighborhood Business District.
- (6) Hanging signs are permitted in accordance with the accompanying Hanging Signage Illustration.
- (7) Hanging signs may not be located higher than the ceiling of the first floor of a building and may not have an area more than two (2) square feet.
- (8) The wall sign for an establishment with a hanging sign may not be greater than eight percent (8%) of the total wall area at street level for the store that it is advertising.
- (9) Hanging signs may not be internally illuminated.

- (10) In addition to any sign or signs permitted above, window signage shall be permitted to be attached to the interior of windows, provided that the aggregate area employed for such purpose shall not exceed twenty percent (20%) of the total window area on which it is located.





§101-58.22 Streetscape Design Requirements. Unless otherwise regulated herein, deviations from the following standards shall not be considered variances, but shall be considered deviations from Chapter 87, Subdivision and Site Plan Review, and shall therefore require design waivers:

A. Sidewalks.

- (1) Along all public right-of-ways, there shall be provided a minimum sidewalk width of five (5) feet and a landscaped buffer with a minimum width of five (5) feet. The landscaped buffer shall be situated between the sidewalk and the curb line.
- (2) A combination of perennials, shrubs and street trees are required in proposed landscaped buffers.
- (3) Streetscape amenities such as benches shall be incorporated as part of the landscaped buffer design.

B. Frontage buffers.

- (1) Frontage buffers shall be provided between all buildings and all sidewalks/landscaped areas required per A(1) above, where additional front yard setback width is required per §101-58.18.
- (2) Frontage buffers shall not contain parking or loading areas, however driveways to rear yard parking and loading areas are permitted.
- (3) Frontage buffers shall be shown on the landscape plan and shall be designed in accordance with the following:
 - (a) Shall be planted with a mixture of deciduous and evergreen trees, shrubs, grasses and perennials, and incorporated with berms, boulders, mounds or combinations thereof so as to enhance the appearance of the site.
 - (b) In addition to required street trees, frontage buffers shall require a minimum of ten (10) shrubs for every thirty (30) feet of frontage.
 - (c) Frontage buffers may not interfere with traffic sight distances and shall not preclude a driver's view of retail stores or signs on a commercial site of such view, as determined by the Planning Board.

C. Street trees.

- (1) Street trees shall be provided along all public right-of-ways in accordance with the following standards:
 - (a) Street trees should be located at a distance of forty (40) feet on center. The exact spacing and planting location shall be evaluated on a site-specific basis and adjusted to reflect the location of buildings to minimize potential obstruction and visibility impacts on wall business signage.
 - (b) Trees shall have a minimum caliper size of three (3) inches at time of planting.

§101-58.23 Site Design Requirements. Unless otherwise regulated herein, deviations from the following standards shall not be considered variances, but shall be considered deviations from Chapter 87, Subdivision and Site Plan Review, and shall therefore require design waivers:

A. Landscaping.

- (1) General requirements:
 - (a) A landscape plan shall be required for each site. Each design shall incorporate three (3) or more of the following: trees, shrubs, hedges, ground covers and/or grasses as part of the overall landscape plan.
 - (b) Automatic irrigation systems are mandatory components of said plan and shall include water conserving features such as rain sensors and drip irrigation for planting beds.
 - (c) Perennial and annual flower beds shall be incorporated into the plan.
- (2) Parking area landscaping:
 - (a) Parking areas with less than ten (10) spaces shall be screened from the street with landscaping but no interior parking lot landscaping is required. The street screening shall comply with the general requirements in A1 above.
 - (b) Parking areas with ten (10) or more spaces shall be screened from the street with landscaping and interior lot landscaping shall be required in accordance with the following:
 - [1] Each parking row shall include a curbed landscaped island with at least one (1) shade tree and shrub plantings.
 - [2] A minimum of three (3) shrubs for every parking space shall be planted along the perimeter of the parking spaces.
 - [3] One (1) shade tree shall be provided for every ten (10) parking spaces.
 - [4] Street trees shall be provided along all right of ways at a distance of forty (40) feet on center.
- (3) Recommended plant materials. Plant materials shall be subject to the Borough's streetscape plan, although substitutions are permissible subject to board approval. Water conservation practices should be considered for all planting areas such as: minimizing large expanses of turf, incorporating native species wherever possible, and choosing species based on solar exposure, etc.
- (4) Seasonal Planting. Areas for seasonal planting shall be incorporated into the planting design. Consideration should be given to the installation of raised planters to separate areas on site, to screen views and to add aesthetic interest. The maintenance of the planters shall be the property owner or designee and shall include soil additives for water retention and time release fertilizers.

B. Lighting.

(1) General requirements:

- (a) The Borough standard lighting fixture, or other lighting fixture as approved by the Borough Council, shall be utilized along all public right-of-ways and in all pedestrian areas, such as walkways and plazas.
- (b) All outdoor lights shall be decorative fixtures not exceeding twelve (12) feet in height.
- (c) The maximum lighting intensity (footcandle) at any point on the subject property line shall not exceed five tenths (0.5) footcandle.
- (d) All lights shall utilize color corrected lamps. The use of fluorescent or mercury vapor lighting is prohibited. Use of minimum high pressure sodium lighting is encouraged, or as approved by the Borough Council.
- (e) Maximum permitted wattage of fixtures is limited to 250 watts.

(2) Lighting standards. The required lighting levels (in footcandles) for properties in the district shall be as determined in the table below:

Requirement	Min. Footcandles	Avg. Footcandles	Uniformity Ratio
Parking Areas	0.5	1.0	4:1
Pedestrian Areas	1.0	1.5	4:1
Access Driveways	1.0	2.0	

(3) Storefront and façade lighting:

- (a) Lighting should be directed toward the storefront, and should be shielded and recessed to prevent spillage.
- (b) Wall mounted lights shall not be located higher than the second floor.
- (c) No lighting is permitted on the roof structure of a building.
- (d) Use of floodlights is prohibited.

C. Recycling.

(1) All development in the NB Neighborhood Business District shall adhere to the Borough’s existing solid waste recycling regulations, as set forth in Chapter 64, Article II of the municipal ordinances.

D. Sustainable design.

(1) To the extent feasible, all development and redevelopment should be compatible with the principles of the U.S. Green Building Council’s Leadership in Energy and Environmental Design for Neighborhood Development (LEED ND). Developers are encouraged to incorporate a number of sustainable features into their buildings and sites, including pervious paving materials, green architecture, reuse of existing structures, indigenous landscaping, gray water reuse, solar energy use, and LEED (Leadership in Energy and Environmental Design) certification.

§101-58.24 Off-Street Parking Requirements. The following off-street parking regulations shall apply to all uses permitted in the NB Neighborhood Business District:

A. Number of parking spaces.

(1) The minimum number of off-street parking spaces required shall be calculated in accordance with the following table. These standards are specifically designed to address the particular features and the characteristics of this District and are not meant to be applied to other zone districts within the Borough of Park Ridge.

(2)

Land Use	Requirement
Retail and service commercial uses	1 space per 300 square feet of floor area
Business and professional offices	1 space per 325 square feet of floor area
Medical and dental offices	1 space per 325 square feet of floor area
Eating and drinking establishments	1 space for each 3.5 seats
Residences in mixed-use buildings	Per RSIS Requirements
Dance, martial arts, and similar studios	1 space per 300 square feet of floor area
Galleries	1 space per 300 square feet of floor area
Child care centers	Per §101-20.G(3)
Public/governmental/institutional uses	To be determined by approving body

(2) Shared parking. Parking requirements may be reduced, at the discretion of the approving body, to account for shared parking among uses. Reductions for shared parking should be consistent with New Jersey Transit’s publication “Planning for Transit-Friendly Land Use”, which recommends a five to twenty-five percent (5-25%) reduction for office uses, a ten to fifteen percent (10-15%) reduction for other non-residential uses, and a twenty-five to thirty percent (25-30%) reduction for residential uses. A parking study shall be submitted by the applicant demonstrating that there will not be a substantial conflict in the peak hours of parking demand for the uses for which shared parking is proposed.

B. Parking area design.

- (1) Location. Front and side yard parking shall be prohibited. Off-street parking spaces shall be limited to rear yards only. If, however, shared parking is being provided on a different lot from the building itself, such off-street parking shall be provided within 1,400 feet of the entrance of the use or structure. In such case, a legal agreement ensuring that the parking will be available shall be approved by the approving board’s attorney, and such agreement shall remain in effect as long as at least one of the uses exists.
- (2) Setback. Parking spaces shall be setback minimally five (5) feet from side and rear lot lines. Where parking abuts a single-family residential zone, the minimum setback shall be ten (10) feet. A landscape buffer shall be provided adjacent to the property line shared with the single-family residential zone.
- (3) Parking stall size. All parking spaces shall be nine (9) feet by eighteen (18) feet in dimension, except as required elsewhere in the Borough development ordinances for parking for the handicapped.
- (4) Access drives. Access drives onto Park Avenue and Broadway are discouraged, and should be minimized where possible.
- (5) Shared parking arrangements. The use of combined driveway access and parking areas is encouraged. All designs for shared parking arrangements shall include a provision for drive connections, including necessary access easements, between adjoining lots.
- (6) Parking area landscaping details. See §101-58.21.A(2).
- (7) Other. Notwithstanding the provisions above, all parking facilities shall be designed in accordance with Chapter 87, Subdivision and Site Plan Review.

C. Bicycle parking.

- (1) Bicycle parking facilities, including racks, lockers, or another adequate method, shall be provided at the minimum rate of one (1) bicycle rack space for every ten (10) automobile spaces. Lots with less than ten (10) spaces shall provide a minimum of one (1) bicycle space.
- (2) Bicycle parking facilities shall provide a safe environment for the user, particularly with respect to lighting and automobile circulation.

D. Parking structure design.

- (1) Pedestrian walkways. Adequate pedestrian walkways shall be required from any parking structure to a public right-of-way.
- (2) Landscape plan. Parking structures shall be landscaped in accordance with and to the same extent as the overall landscape plan for the principal use and building the parking structure shall serve. Consideration shall also be given to the landscaping of the upper deck of the parking structure.
- (3) Signage. Adequate signage shall be located within the parking structure to direct motorists to stairwells, elevators, parking and exits. Signs at exit points shall indicate the street name(s) to which the exit driveway(s) leads.
- (4) Parking layout:
 - (a) The following aisle widths and parking space angles shall apply:

Angle of Parking Space (degrees)	Min. Aisle Width (ft.)
45 to 60	18
61 to 75	22
90	24

- (b) Parking layouts using ninety (90) degree parking spaces shall be designed for two-way travel. Parking layouts using less than ninety (90) degree parking spaces shall be for one-way travel only, clearly marked and signed as such.
- (c) Parking layouts with less than forty-five (45) degree parking spaces are not permitted.
- (5) Parking stall size. All parking spaces shall be nine (9) feet by eighteen (18) feet in dimension, except as required elsewhere in the Borough development ordinances for parking for the handicapped.
- (6) Lighting. The interior of parking structures shall be adequately lighted during both day and night times.
- (7) Design guidelines. The following design guidelines shall apply to all parking structures, unless, after due consideration of plans, testimony or other evidence, the approving body waives strict compliance with the requirements of this subsection in order to promote the purposes of this Ordinance and flexibility in design.
 - (a) Parking structures shall be so designed as to minimize blank concrete facades through the use of innovative architectural detail. The design of the exterior of any exposed portion of a parking structure shall be compatible in materials, spacing of solids and voids and design of the principal structure to the extent that the parking facility is clearly identified with such principal structure.
 - (b) Parking structures with floor-to-ceiling heights of less than eight (8) feet shall maintain a light reflectance of at least seventy-five percent (75%) on the ceiling surface.
 - (c) Stairwells and elevator shafts shall be designed such that activities may be observed within them from at least one vantage point on the outside of the parking structure or else continuous aural monitoring of such areas by security personnel shall be required.
 - (d) A reasonably level area of driveway shall be maintained at each entrance and exit point of a parking structure for the purposes of entering the flow of traffic.

SECTION SEVEN: All ordinances or parts of ordinances of the Borough of Park Ridge which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION EIGHT: The provisions of this ordinance are hereby declared to be severable. Should any section, paragraph, subparagraph, provision, sentence, or part hereof be declared invalid or unconstitutional, said finding shall not affect any other section, paragraph, subparagraph, provision, sentence, or part thereof and the remainder of this ordinance shall be deemed valid and effective.

SECTION NINE: This Ordinance shall take effect immediately following final passage, adoption and publication as provided by law.

Mayor Ruschman asked the Borough Attorney to give a brief description of this ordinance.

Mr. Mancinelli: Explained this ordinance amended the zoning ordinance; eliminated certain other zones and established a new Neighborhood Business zone – recommendation of the Planning Board and Master Plan.

Mayor Ruschman asked the Clerk if she had received correspondence concerning the adoption of this ordinance.

Clerk: None.

Mayor Ruschman asked if anyone present wished to be heard concerning the adoption of this ordinance.

Speaker: No one.

Mayor Ruschman asked for a motion to close the Public Hearing on this ordinance and that this ordinance be adopted and that notice of final passage be published in the Ridgewood News.

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

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - yes, Councilmember Misciagna - yes, Council President Kane – yes.

ORDINANCE NO. 2010-019

**AN ORDINANCE AMENDING CHAPTER 75C, MASSAGE
AND SOMATIC THERAPY BUSINESSES,
OF THE CODE OF THE BOROUGH OF PARK RIDGE, NEW JERSEY.**

Mayor Ruschman asked for a motion to open the public hearing on Ordinance No. 2010-019, an Ordinance amending Chapter 75C, Massage and Somatic Therapy Businesses of the Code of the Borough of Park Ridge, New Jersey.

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

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - yes, Councilmember Misciagna - yes, Council President Kane - yes.

:

Mayor Ruschman asked the Clerk to read the Ordinance by title:

Clerk: **Ordinance No. 2010-019, an Ordinance amending Chapter 75C, Massage and Somatic Therapy Businesses of the Code of the Borough of Park Ridge, New Jersey.**

WHEREAS, the purpose of this Ordinance is to insure the health and safety of consumers of massage within the Borough of Park Ridge; and

WHEREAS, the Mayor and Council of the Borough of Park Ridge believe that the recommended changes will be in the best interest of the Borough and its citizens;

NOW, 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 75C of the Code of the Borough of Park Ridge be and is hereby amended as follows:

SECTION ONE:

Chapter 75C shall be deleted in its entirety and replaced with the following:

§ 75C-1. Purpose.

It is hereby declared that the business of operating a massage and/or somatic therapies business, as defined in this chapter, is a business affecting the public health, safety and general welfare of consumers of massage within the Borough of Park Ridge.

§ 75C-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

AGENT -- Any and all persons, other than the massage practitioner(s) and employee(s), who are authorized to act for or in place of the licensee, business(es), practitioner(s) and/or employee(s).

CERTIFICATE or CERTIFICANT -- Shall be used as that term is used in N.J.A.C. 13:37-16.1 et seq.

EMPLOYEES -- Any and all persons, other than the practitioner(s), who work for a business licensed pursuant to this chapter, who receive compensation directly from the licensee and who have no physical contact with the patrons.

LICENSE or LICENSED -- Shall be used as that term is used in N.J.S.A. 45:11-53 et seq.

LICENSEE -- The operator of a massage business and/or a massage practitioner, who will receive money or any other consideration therefor and who has a license issued pursuant to this chapter.

MASSAGE -- Massage, bodywork, pressure and somatic therapy. Those terms shall be used herein as those terms are used in N.J.S.A. 45:11-55 et seq. and this chapter.

MASSAGE, BODYWORK, PRESSURE, SOMATIC THERAPIES -- Systems of activity of structured touch which

include, but are not limited to, holding, applying pressure, positioning and mobilizing soft tissue of the body by manual techniques and use of visual, kinesthetic, auditory and palpating skills to assess the body for purposes of applying therapeutic massage bodywork, pressure or somatic principles. Such application may include, but is not limited to, the use of therapies such as heliotherapy, or hydrotherapy, the use of moist hot and cold external application of herbal or topical preparations not classified as prescribed drugs, explaining and describing myofascial movement, self-care and stress management as it relates to massage, bodywork and somatic therapies. Massage, bodywork and somatic therapy practices are designed to affect the energetic system of the body for purposes of promoting and maintaining the health and well-being of the client. Massage, bodywork, pressure and somatic therapies do not include the practice of medicine, surgery, dentistry, osteopathy, chiropractic, physical therapy or other medical or surgical practices as defined in Title 45, Chapter 9, of New Jersey Statutes Annotated or to licensed nurses acting under the direct prescription and direction of said practitioners. Massage, bodywork, pressure and somatic therapies do not include massage of the scalp, hands or feet by a hair or nail salon or chair massage of arms, neck and shoulders in an open room or area where other business is conducted, or certificated therapeutic methods that are employed when the patron is fully clothed.

MASSAGE BUSINESS(ES) -- Any establishment located in a fixed place of business on a nonresidential property owned, leased, operated or controlled by any person, firm, association or corporation which engages in or carries on, or permits to be engaged in or carried on, any of the massage activities defined in this chapter. This includes any establishment engaged in or carrying on or permitting any combination of a massage, bodywork, pressure and/or somatic therapy.

MASSAGE PRACTITIONER(S) -- Any person who holds a certificate as defined by this chapter who, for any consideration whatsoever, engages in the practice of massage, bodywork, pressure and/or somatic therapy as herein defined, including but not limited to subcontractors, subtenants or temporary employees certified by the State of New Jersey.

MASSAGE WORK AREA -- Any room, floor or section of a massage business where massage, bodywork, pressure and/or somatic therapies as herein defined are carried out.

PATRON -- Any person who receives a massage, bodywork, pressure and/or somatic therapies under such circumstances that it is reasonably expected that he or she will pay money or give any other consideration therefor.

PERSON -- An individual person, partnership, corporation, limited-liability company or any other enterprise or entity capable of conducting a massage business and/or massage services. Persons shall specifically include and apply to individual owners of massage businesses, as well as the entity(ies).

§ 75C-3. License required.

A. Massage business. No persons shall operate a business engaged in the provision of massage, bodywork, pressure or somatic therapy services unless such person has first obtained a valid license for such business from the Borough of Park Ridge Health Department in accordance with the terms and provisions of this chapter. Each applicant shall contact the Park Ridge Police Department so that a thorough background check can be completed. In the event of a partnership, all partners, and in the event of a corporation, the president, vice-president, secretary and treasurer, shall be required to submit the above-mentioned sets of fingerprints, which fingerprints so taken shall be submitted to the Chief of Police for comparison and record.

B. Massage practitioner. No person shall engage in providing massage services unless such person has first obtained a valid massage practitioner license issued by the Borough of Park Ridge Health Department pursuant to the provisions of this chapter and is certified by the State of New Jersey pursuant to N.J.S.A. 45:11-53 et seq. and N.J.A.C. 13:37-16.1 et seq.

(1) The provision of massage services shall be limited to licensed medical centers, hotels, or the duly licensed office of a physician, osteopath, chiropractor, physical therapist or the office of a duly licensed massage business, as defined herein.

(2) No person other than a licensed and state-certified massage practitioner shall have any physical contact with patients or persons within the office of said physician, osteopath, chiropractor, physical therapist or massage business.

(3) The Borough of Park Ridge Health Department shall issue a license to practice upon satisfaction by the applicant that he or she has met all the requirements of N.J.S.A. 45:11-53 et seq. and N.J.A.C. 13:37-16.1 et seq.

§ 75C-4. License fees.

Every applicant for a massage practitioner license and/or a massage business license pursuant to this chapter shall file annually a complete application with the Borough of Park Ridge Health Department as set forth in this chapter and pay an annual filing fee as follows:

A. For a massage business license pursuant to this chapter, the fee shall be \$250 per year.

B. For each additional massage practitioner working for a licensed massage establishment and/or business, the fee shall be \$100 per year.

- C. All fees are nonrefundable. Fees are annual and not prorated.
- D. The license fee shall be due on the first day of July in each year.
- E. Any changes in ownership shall require a new application and license with the payment of the fees therefor.
- F. If at any time after the initial license is granted, additional practitioners begin providing services at any massage business, all of the information required herein must be submitted to the Borough of Park Ridge Health Department prior to the massage practitioner providing services and the additional fee must be paid.
- G. In addition to the above, each massage practitioner and massage business applicant must contact the Park Ridge Police Department to fill out the proper paperwork and pay the required fee to obtain a criminal background check.

§ 75C-5. Application/renewal for practitioner license and/or business license.

- A. Each massage business must be licensed and each massage practitioner must be licensed. There shall be a separate massage business license and a separate massage practitioner license.
- B. Each application for a license or renewal thereof, either to operate a massage business or premises or to engage in the business of massage or to be employed as a massage practitioner, shall be approved by the governing body before any license is issued. First-time applicants for any licensure must complete a background check conducted by the Park Ridge Police Department in accordance with the terms and provisions of this chapter and the procedures established by the Borough of Park Ridge Police Department. The governing body shall not approve such application if, on the basis of the criminal record of the applicant or of the principles thereof or on the basis thereof of other evidence of bad character or morals, it shall determine that the granting or renewal of such license would tend to encourage or permit criminal or immoral activities within the Borough of Park Ridge.
- C. Any applicant for a massage practitioner license or massage business license shall file a written application with the Borough of Park Ridge Health Department on a form to be furnished by the Borough of Park Ridge. The applicant shall accompany the application with a tender of an application fee as set forth in this chapter above and shall, in addition, furnish the following:
 - (1) The applicant's name, complete address, residence and cell phone number.
 - (2) All previous addresses within the last five years prior to the present address of the applicant.
 - (3) Written proof of age.
 - (4) Height, weight, sex and color of hair and eyes.
 - (5) Previous employment and business history, including whether or not the applicant has previously operated in this or another municipality or state under a license or permit and whether or not any such license or permit was denied, revoked or suspended and the reason therefor and the business activities or occupations subsequent to such action or denial, suspension or revocation.
 - (6) All criminal convictions other than misdemeanor traffic violations, fully disclosing the jurisdiction in which convicted and the offense for which convicted and the circumstances thereof.
 - (7) Upon initial application, a written waiver and consent to allow a fingerprint and criminal background check as determined by the Borough of Park Ridge Police Department. For this, a fee shall be paid by the applicant.
 - (8) The names and addresses of two adult residents of this state who will serve as character references. These references must be persons other than relatives and business associates.
 - (9) A written declaration by the applicant under penalty of perjury that the foregoing information contained in the application is true and correct.

§ 75C-6. Building requirements; inspections.

No massage business shall be issued a license to operate or establish in the Borough of Park Ridge unless a walk-through inspection is conducted and an inspection by the appropriate departments produces the following:

- A. A written report by the Borough of Park Ridge Construction Code Official that construction of rooms used for toilets, tubs, steam baths and showers is waterproof with approved waterproof materials and installed in accordance with the New Jersey Uniform Construction Code and that the premises comply with all other appropriate building requirements.
- B. A written report by the Borough of Park Ridge Health Department that:
 - (1) All massage tables have surfaces which may be readily disinfected.
 - (2) The premises have adequate equipment for sanitizing nondisposable instruments and materials used in administering massages. Such nondisposable instruments and materials must be disinfected after use on each patron.
 - (3) Closed cabinets are provided and used for the storage of clean linen, towels and other materials used in connection with administering massages. All soiled linens, towels and other materials are kept in properly covered containers or cabinets, which containers or cabinets are kept separate from the clean storage area.

(4) Toilet facilities are provided in convenient locations.

(5) Lavatories or washbasins providing both hot and cold running water are installed in either the toilet room or a vestibule immediately adjacent thereto. Lavatories or washbasins are provided with soap and a dispenser and with sanitary towels.

C. A written report by the Borough of Park Ridge Fire Prevention Bureau Department that the premises meet the Fire Code of the Borough of Park Ridge.

§ 75C-7. Referral of applications.

The Borough of Park Ridge Health Department, upon receiving an application for a massage business license, shall refer the application to the Borough of Park Ridge Construction Code Official, the Borough of Park Ridge Fire Prevention Bureau and the Borough of Park Ridge Police Department, which departments shall inspect the premises proposed to be operated as a massage business and shall make written recommendation to the Borough of Park Ridge Health Department concerning the laws and codes that they administer, as herein provided.

§ 75C-8. Issuance or refusal of practitioner license and/or business license.

The Borough of Park Ridge Health Department may issue a massage practitioner license and/or massage business license within 30 days following receipt of a completed application and the certifications set forth in this chapter if all requirements described in this chapter are met, unless the Health Department finds that:

A. The correct license fee has not been tendered to the Borough of Park Ridge and, in the case of a check or bank draft, honored with payment upon presentation.

B. In the case of a massage business application, the operation as proposed by the applicant, if permitted, would not comply with all applicable laws, including but not limited to the Borough of Park Ridge building, zoning, fire and health codes and regulations.

C. The applicant has knowingly made any false, misleading or fraudulent statement of fact in the license application or in any document required by the Borough of Park Ridge in conjunction therewith.

D. The applicant has had a massage business, massage practitioner or other similar permit or license denied, revoked or suspended by the Borough of Park Ridge or any other state or local agency, which finding may be waived by the Borough Council in its discretion.

E. The applicant, if an individual, any of the officers and directors or managing director, if the applicant is a corporation, any of the members or managing member, if the applicant is a limited-liability company, any of the partners, including limited partners, or managing partner, if the applicant is a partnership, or the manager or other person principally in charge of the operation of the business is not over the age of 18 years.

F. The applicant(s), if an individual, any of the officers and directors or managing director, if the applicant is a corporation, any of the members or managing member, if the applicant is a limited-liability company, any of the partners, including limited partners, or managing partner, if the applicant is a partnership, or the manager or other person principally in charge of the operation of the business has been convicted of an offense involving sexual misconduct with children, prostitution, soliciting for purpose of offenses opposed to decency and morality, or any crime of moral turpitude.

§ 75C-9. Operating requirements.

A. Price rates for all services shall be prominently posted in the reception area in a location available to all prospective customers or given to the patron in the manner they can read.

B. Massage practitioners and employees shall be clean and wear clean, nontransparent outer garments.

C. The sexual, genital and rectal areas of patrons must be covered by towels, cloths or undergarments when in the presence of massage practitioners or employees.

D. While administering massage, as defined in this chapter, it shall be unlawful for any person knowingly to place his or her hand upon or to touch, fondle or massage in any manner a sexual, genital and/or rectal area of himself or herself or any other person.

E. No massage practitioner, employee or licensee shall perform, or offer to perform, any act which would require the touching of a patron's sexual, genital or rectal area.

F. All massage practitioners and employees shall refrain, under all circumstances, from initiating or engaging in any sexual conduct, sexual activities or sexualizing behavior involving a patron, even if a patron attempts to sexualize the relationship.

G. All walls, ceilings, floors, pools, showers, bathtubs, steam rooms and all other physical facilities shall be in good repair and maintained in a clean and sanitary condition. Wet and dry heat rooms, steam or vapor rooms or steam or vapor cabinets and shower compartments and toilet rooms shall be thoroughly cleaned each day that the business is in operation. Bathtubs and showers shall be thoroughly cleaned after each use. When carpeting is used

on the floors, it shall be kept dry.

- (1) Oils, creams, lotions, stones and other preparations used in administering massage shall be kept in clean, closed containers or cabinets.
- (2) Eating in a massage business shall not be permitted except in a designated cafeteria/kitchen. Animals, except for Seeing Eye dogs, shall not be permitted in a massage business.
- (3) Each massage practitioner shall wash his or her hands in hot running water, using a proper soap or disinfectant, before administering a massage to each patron.
- (4) All massage businesses shall maintain appropriate liability insurance coverage with a reputable company licensed by the State of New Jersey in an amount of not less than \$1,000,000 per occurrence and in the aggregate for all claims caused by personal injury. A certificate of insurance in acceptable form to the Borough Attorney, shall be provided to the Borough Clerk's Office, within 10 days of the issuance of the license. In the event that the certificate of insurance is not provided to the Borough Clerk's Office within the time prescribed, the license will be revoked. Proof of appropriate liability insurance must be conspicuously posted.

H. Nothing contained herein shall be construed to eliminate other requirements of statute or chapters concerning the maintenance of premises or to preclude authorized inspection thereof.

§ 75C-10. Prohibited activities.

A licensee and/or employee shall not perform:

- A. Colonic irrigations;
- B. Prostate massages;
- C. Vaginal or penile massages;
- D. Rectal massages;
- E. Animal therapies prohibited by the Veterinary Medical Act, N.J.S.A. 45:16-1 et seq.;
- F. Any application of electrical current to the body (Transcutaneous Electronic Nerve Stimulation, TENS machine);
- G. Ultrasound therapy; and
- H. Diagnosis of illness, disease, impairment or disability.

§ 75C-11. Revocation or suspension of license.

Any license issued for a massage practitioner and/or massage business may be revoked or suspended by the Borough of Park Ridge Health Department after a hearing, for good cause, or in any case where any licensee and/or employee violates any of the provisions of this chapter or where any licensee and/or employee violates any of the state or local laws or ordinances. Any massage business license may be revoked or suspended if any licensee, massage practitioner or employee refuses to permit any duly authorized health inspector, police officer, building department inspector or fire inspector to inspect the premises or the operations therein. Any massage business license may also be revoked or suspended by the Borough of Park Ridge Health Department if such business is being managed, conducted or maintained without regard for the public health or health of patrons or without due regard for proper sanitation and hygiene. A hearing may be requested by a licensee concerning a suspension or a revocation order within 10 days of its issuance. The Borough Council shall be the hearing officer and be the sole authority to revoke said license pursuant to N.J.S.A. 40:52-1.2.

§ 75C-12. Maintenance of register required.

All massage business licensees must maintain a register of all persons employed as massage practitioners and their license numbers and all other employees and agents. Such register shall include the name, address, date of birth and social security number of all massage practitioners, employees and agents and shall be available for inspection at all times during regular business hours.

§ 75C-13. Responsibilities of licensee.

The licensee shall be responsible for all actions which occur on the premises of a massage business, whether by massage practitioners, employees, subcontractors or other agents, where the licensee has actual or constructive knowledge of such actions.

§ 75C-14. Posting of business license required.

All massage businesses shall post their massage business licenses in conspicuous locations at all times.

§ 75C-15. Inspections.

The Borough of Park Ridge Health Department, Borough of Park Ridge Police Department, Borough of Park Ridge Construction Code Department and Borough of Park Ridge Fire Prevention Bureau shall, from time to time, announced or unannounced, make an inspection of each massage business for the purpose of determining whether the provisions of this chapter are complied with. Such inspections shall be made at reasonable times and in a reasonable manner and in compliance with this chapter. It shall be unlawful and grounds for a suspension and/or revocation of the license for any licensee to fail to allow such inspection officer access to the premises or to hinder such officer in any manner.

§ 75C-16. Minors prohibited; exception.

No person shall permit any person under the age of 18 years to receive a massage without advance written permission from his or her parent, caregiver or guardian or unless a parent, caregiver or guardian is present in the room during the time of the massage.

§ 75C-17. Alcoholic beverages prohibited.

No person shall sell, give, dispense, provide or keep or permit the sale or consumption of alcoholic beverages on the premises of a massage business.

§ 75C-18. Unlawful acts.

A. Any violation of this chapter shall be deemed grounds for suspension and/or revocation of the license granted hereunder.

B. Any massage practitioner and/or massage business operating without a license from the Borough of Park Ridge shall be guilty of a violation of this chapter.

§ 75C-19. Operation and conduct limited to license specifications.

No person granted a license pursuant to this chapter shall operate under any name or conduct his or her business under any designation for any location not specified in his or her license.

§ 75C-20. Transferability.

Massage business licenses are not transferable, separate or divisible, and such authority as a massage business license confers shall be conferred only on the licensee named therein for the location of the massage business specified therein only. Massage practitioner licenses are not transferable, separate or divisible.

§ 75C-21. Exceptions.

The provisions of this chapter do not apply to massage, bodywork, pressure, somatic therapy or physical therapy treatments given:

- A. In the office of a licensed physician, osteopath, chiropractor or physical therapist.
- B. In a regularly established medical center, hospital or sanatorium having a staff which includes licensed physicians, osteopaths, chiropractors and/or physical therapists.
- C. By any licensed physician, osteopath, chiropractor or physical therapist in the residence of his or her patient.
- D. In any licensed health and/or athletic club.
- E. In any hotel with a minimum of 100 rooms.

§ 75C-22. Existing establishments and practitioners.

All persons who presently operate a massage business and hold a license issued by the Borough of Park Ridge must comply with the provision of this chapter within 30 days of the effective date of this chapter. All persons who are presently practicing as massage practitioners pursuant to a license issued by the Borough of Park Ridge must become certified by the State of New Jersey pursuant to N.J.S.A. 45:11-53 et seq. and N.J.A.C. 13:37-16.1 et seq. and must present the certification by the State of New Jersey to the Borough of Park Ridge Board of Health Department within one year of the effective date of this chapter. Applications for renewal of licenses must be filed not more than three months nor less than two months prior to termination of an existing license.

§ 75C-23. Violations and penalties.

Unless another penalty is specifically provided elsewhere in the Borough of Park Ridge or the laws of the State of New Jersey, any person who violates any provision of this chapter shall, upon conviction in Municipal Court, be punished by imprisonment in the county jail for a term not exceeding 90 days or by a fine not exceeding \$1,000, or both, in the discretion of the Court.

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

SECTION THREE: 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 and effective.

SECTION FOUR: This Ordinance shall take effect immediately following final passage, adoption and publication as provided by law.

Mayor Ruschman asked the Borough Attorney to give a brief description of this ordinance.

Mr. Mancinelli: Explained this repealed an existing ordinance and replaced with this one which followed State model, especially in the licensing procedures.

Mayor Ruschman asked the Clerk if she had received correspondence concerning the adoption of this ordinance.

Clerk: None.

Mayor Ruschman asked if anyone present wished to be heard concerning the adoption of this ordinance.

Speaker: No one.

Mayor Ruschman asked for a motion to close the Public Hearing on this ordinance and that this ordinance be adopted and that notice of final passage be published in the Ridgewood News.

A motion was made by Councilmember Misciagna and seconded by Councilmember Maughan to confirm

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - yes, Councilmember Misciagna - yes, Council President Kane – yes.

CONSENT AGENDA:

Mayor Ruschman asked if any Councilmember would like to abstain from voting on any resolution:

Speaker: No one.

Mayor Ruschman asked if any Councilmember would like to have any resolution removed from the consent agenda and placed under New Business.

Speaker: Councilmember Maguire asked that Resolutions 3, 4, 5, 6 and 7 be pulled from the agenda.

Mayor Ruschman asked for a motion to accept the Consent Agenda except for Resolutions 3, 4,5,6,7 pulled for separate discussion under New Business.

Motion made by Councilmember Misciagna and seconded by Councilmember Maguire.

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - yes, Councilmember Misciagna - yes, Council President Kane – yes.

RESOLUTIONS

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-124**

**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREENACRES
ENABLING RESOLUTION**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Park Ridge desires to further the public interest by obtaining a grant of \$1,366,000 from the State to fund any of the projects listed in the Borough of Park Ridge's Open Space Plan.

NOW, THEREFORE, the governing body/board resolves that Helene V. Fall or the successor to the office of Administrator is hereby authorized to:

- (a) make application for such a loan and/or such a grant
- (b) provide additional application information and furnish such documents as may be required
- (c) act as the authorized correspondent of the above named applicant, and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF PARK RIDGE Mayor and Council:

- 1. That the Administrator of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as the Borough of Park Ridge Open Space Plan, and;
- 2. That the applicant has its matching share of the project, if a match is required, in the amount of \$1,366,000.
- 3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
- 4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
- 5. That this resolution shall take effect immediately.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-125**

**AUTHORIZING RELEASE OF ESCROW – REVISED AMOUNT
JOSEPH VANACORE**

WHEREAS, the Borough of Park Ridge has received a request dated February 22, 2010 from Joseph Vanacore of 238 Knoll Drive, Park Ridge NJ for the release of \$1,000 in escrow posted for engineering and related staff review of work completed on his property and anticipated to be completed, posted on August 5, 2009 (Borough Receipt #1779); and

WHEREAS, the Borough Attorney has advised that the escrow should be returned; and

WHEREAS, Resolution No. 010-075 authorized release of the \$1,000; and

WHEREAS, the amount left in the escrow account is \$770 which reflects the payment of one invoice #52216 from Azzolina and Feury dated August 31, 2009 the then Borough Engineers for sit visit.

NOW, THEREFORE BE IT RESOLVED that the Borough of Park Ridge authorizes the release of said funds in the revised amount of \$770.00

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-131**

**AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF BERGEN FOR THE
2010-2012 SNOW PLOWING PROGRAM**

BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the Mayor is hereby authorized to enter into an agreement with the County of Bergen for the 2010-2012 Snow Plowing Program.

**BOROUGH OF PARK RIDGE
RESOLUTION No. 010-132**

FIRE DEPARTMENT LOSAP ELIGIBLES

WHEREAS, the Borough of Park Ridge has adopted a LOSAP program for the members of the volunteer Fire Department; and

WHEREAS, to be eligible for the annual \$1,392.87 stipend, members must meet certain criteria as including in the approving ordinance; and

WHEREAS, Chief Robert Ludwig has certified that certain eligible members meet the established criteria, a copy of said list of eligible's being attached hereto; and

WHEREAS, 26 members have been authorized at \$1,392.87 each for a total of \$36,214.62; and

WHEREAS, the eligible members are also entitled to a cost of living increase, which has not been declared by the State and will be added when the amount is forthcoming;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge hereby authorizes the Borough Treasurer to initiate the LOSAP payments in the names of those deemed eligible to receive them.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-133**

**AUTHORIZE PROVISIONAL PROMOTION
SHANE GEANOULES TO POSITION OF SENIOR LINE WORKER**

WHEREAS, by adoption of Resolution dated May 19, 2010 the Park Ridge Board of Public Works has recommended to the Park Ridge Mayor and Borough Council that Shane Geanoules be provisionally promoted to the position of Senior Line Worker 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 Shane Geanoules be provisionally promoted to the position of Senior Line Worker effective May 31, 2010 subject to the New Jersey Civil Service Commission's testing procedures and the mandatory ninety (90) day working test period following certification at the annual salary of \$83,392.

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. 010-134**

AWARD OF CONTRACT TREE TRIMMING AND REMOVAL SERVICES – TIMBER TREE

WHEREAS, upon recommendation of the Park Ridge Board of Public Works, the Mayor and Council did authorize the receipt of bids for unit prices for tree trimming and removal services; and

WHEREAS, pursuant to the Notice to Bidders, duly advertised, four bids were received on May 18, 2010; and

WHEREAS, attached is a table showing the tabulation of bid prices for the first year proposal based on the estimated quantity of work; and

WHEREAS, the bid submitted by Timber Tree Service of Hillsdale, New Jersey is the lowest apparent bid at a total annual price of \$60,575.00 based on the estimated quantities; and

WHEREAS, the bid submitted by Timber Tree Service complies with all the requirements of the bid proposal; and

WHEREAS, the Director of Operations recommends awarding the bid to Timber Tree Service pending the legal review of the Borough Attorney; and

WHEREAS, the Chief Financial Officer has certified the funds are available in Account No. 0-07-55-502-000-537.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that Timber Tree Service of Hillsdale, NJ is hereby awarded the contract for Tree Trimming and Removal Services in the Borough of Park Ridge pending legal review by the Borough Attorney.

BE IT FURTHER ESOLVED that a true copy of this resolution shall be sent to Timber Tree Service of Hillsdale, NJ within ten (10) days of adoption

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-135**

**AWARD OF CONTRACT – FURNISH AND DELIVERY OF WATER DISTRIBUTION MATERIALS –
HD SUPPLY WATERWORKS**

WHEREAS, the Mayor and Council of the Borough of Park Ridge on April 27, 2010 awarded, by resolution, the contract for the Furnish and Delivery of Water Distribution Materials; and

WHEREAS, said award was provided to two different suppliers; Water Works Supply Company for section 1 (Cast Iron Materials, etc.) and Raritan Supply Company for section 2 (Service Materials); and

WHEREAS, a copy of the bid tabulation is attached to this resolution; and

WHEREAS, the Raritan Supply Company has advised the Borough, by way of letter dated May 5, 2010, that a mistake was made and they wish to withdraw their bid; and

WHEREAS, the price difference for the second lowest bidder for section 2 (HD Waterworks) is \$275 based on the estimated quantities of materials to be purchased; and

WHEREAS, based on the above, the Director of Operations has recommended that the Borough consent to Raritan Supply’s request to withdraw their bid; and

WHEREAS, the Director of Operations further recommends that section 2 now be awarded to HD Waterworks of Edison, NJ.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the bid submitted by Raritan Supply Company is hereby withdrawn; and

BE IT FURTHER RESOLVED by the Mayor and Council that the award of contract for section 2 (Service Materials) is hereby awarded to HD Waterworks of Edison, NJ, subject to review by the Borough Attorney.

BE IT FURTHER RESOLVED, that a true copy of this resolution shall be sent to HD Waterworks of Edison, NJ within ten (10) days of adoption.

COMMUNICATIONS

None.

OLD BUSINESS

None.

NEW BUSINESS

Resolution No. 3 - Authorize Payment – Labor Attorney –
Councilmember Maguire requested further information to allow us to use a Labor Attorney on an as needed basis. Mrs. Fall explained that the Borough does not have a contract for a labor attorney in 2010 as neither she nor Mr. Mancinelli thought one was required. There were some times when either she or Mr. Mancinelli have had to consult with Mr. Ruderman during first four months of 2010 on a limited basis and the bill of \$975 reflected this limited amount of time. At this time neither she or Mr. Ruderman or recommending award of a contract for 2010 but continue to use on an as needed basis.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-126**

**APPROVING PAYMENT
LABOR ATTORNEY SERVICES
JANUARY 1, 2010 to APRIL 30, 2010**

WHEREAS, the Borough of Park Ridge may have need to use the services of a Labor Attorney during the calendar year 2010 from time to time; and

WHEREAS, the services 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 are not anticipated to exceed the bid threshold; and

WHEREAS, the Borough Attorney and Borough Administrator have recommended that since it is anticipated that the services of Labor Attorney are expected to be required on a minimum basis for 2010 that the services be engaged on a limited basis and not on a contractual basis for 2010; and

WHEREAS, Mayor and Council wish to use the services of Mark S. Ruderman, Esq. of the firm Ruderman and Glickman, P.C. 675 Morris Avenue, Suite 100, Springfield, NJJ 07081 during the year 2010 on a limited as needed basis; and

WHEREAS, the Business Disclosure Entity Certification is on file with the Borough; and

WHEREAS, the vendor has supplied the Borough of Park Ridge with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report also on file; and

WHEREAS, invoice dated May 3, 2010 has been submitted for services rendered for the period January 1, 2010 through April 30, 2010 in the amount of \$975.00;

WHEREAS, the Chief Financial Officer has certified that funds are available in account no. 0-01-20-155-000-136.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Park Ridge hereby approve payment of the above cited invoice.

Motion made by Council President Kane and seconded by Councilmember Maguire to approve.

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - yes, Councilmember Misciagna - yes, Council President Kane - yes.

Resolution No. 4 - 2010 Budget Resolution for a Tax Increase -
Councilmember Maguire asked if this resolution was required by law. Mr. Mancinelli advised no - it was requested by a Councilmember.

Councilmember Misciagna questioned whether this was necessary since we are still in negotiations with the employees.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-127**

Municipal Tax Increases for the 2010 Budget

WHEREAS, the Mayor and Council of the Borough of Park Ridge introduced the 2010 Municipal Budget for the Borough of Park Ridge Budget on April 13, 2010 with Public Hearing scheduled for May 25, 2010; and

WHEREAS, the Budget listed annual expenditures of \$11,293,052; and

WHEREAS, the State of New Jersey requires the Borough to submit a balanced Municipal Budget for 2010; and

WHEREAS, in part to balance its budget, the Borough has issued 17 RICE notice letters notifying certain employees of potentially pending employment termination and/or reduction in work hours effective July 1, 2010 in order to effectuate a State compliant Municipal Budget for 2010; and

WHEREAS, the Mayor and Borough Council determined to implement a 4% municipal tax increase as permitted under the regulations of the State of New Jersey to raise an additional \$331,000 in tax revenues in 2010 to avoid another approximate 7 additional RICE notice letters; and

WHEREAS, the Mayor and Borough Council determined to file a Waiver Request Application from the Local Finance Board of the New Jersey Department of Community Affairs to raise an additional \$175,000 in tax revenues during its 2010 fiscal year.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge approve raising \$506,000 in additional Municipal tax revenues for 2010 as hereinbefore described.

Motion made by Councilmember Hopper and seconded by Council President Kane to approve.

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - no, Councilmember Misciagna - no, Council President Kane – yes.

Resolution No. 5 - Mayor and Council Support of the Finance Committee –

Councilmember Maguire advised that he had read through the resolution and it contained things we all understand about the RICE notices and the budget process; asked if required. Mr. Mancinelli advised not required by law.

Mayor Ruschman asked if a member of Council wished to explain about the resolution and why we were having it on the agenda.

Council President Kane advised the resolution was put together by the Finance Chairperson with the support of some other members of the Council. Resolution outlines the various steps undertaken this year in preparation of the budget. Explained in prior years the Finance Committee has representation from both parties; last year he served with Mr. Maughan and Mrs. Levinson. This year Mr. Brouwer started on the Committee but was removed from office by Court order and then Mr. Maguire filled in for a period of time. He further stated that it is an important and stressful time for Park Ridge. Budget process has turned into a committee by the larger Council with Mr. Maughan, Mrs. Fall, Mrs. Ennis and Mr. Bliss working on budget and then presenting to the entire governing body.

Councilmember Maughan advised it was a codification of various actions taken.

Councilmember Maguire expressed his concern about the resolution; stated it had been prepared by Councilmember Maughan with little input from the rest of the members of the Council if any. Concerned about the language included with respect to the employees – we are in the middle of negotiating with the employees; first paragraph starts with a partisan statement with respect to the Mayor. During special election when Ken Brouwer was taken off the Council the Mayor did ask Councilmember Maguire to participate in the Finance Committee. At beginning of year Councilmember Maguire explained he was given a heavy load of committee assignments – Planning Board, Utility Board, PKRG and Open Space; he did participate on the Finance Committee during the time of the special election – there were several meetings to which he was not invited. Ken Brouwer was not elected and Mayor has offered to Council majority to have a second member on the Finance Committee; he can appreciate why they would want a second member from the Council minority to participate on the Finance Committee.

Mayor Ruschman mentioned that recently there was a letter in the paper castigating his actions - the facts as stated in the letter were not necessarily untrue but they certainly were not supported by what really took place. He further stated that he has been a firm supporter since becoming Mayor and while on the Council for 16 years of making sure that we run a government that is not political, that does the things that it is supposed to do and that has worked for the people in this town. He said he has gone out of his way many times to make sure that that is adhered to. The letter to him was insulting and insinuated that that is not the way he operates, he stated that it is the way he operates and will continue to operate, if however he is attacked he will bite back.

Councilmember Misciagna commented that he did not understand the need for this resolution other than politics; negotiations were ongoing.

Councilmember Viola commented in January when the democrats had the majority Mr. Maughan was replaced as the Police liaison even though he had worked with the Police and Chief to get the contracts, saved the Borough hundreds of thousands of dollars with the health benefits. We have a major financial crisis and should work together. For the first time in the

history of this town have a Finance Committee without the other party. Last year with one democrat on Council Mrs. Levinson did her duty and was on the Finance Committee. The Council should certainly support the Finance Committee. The two democrats and the Mayor who refuse to be on the Finance Committee are opposed to supporting the committee.

Mayor commented that he stands on his record.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-128**

Mayor and Council Support of the Municipal Finance Committee

WHEREAS, the Mayor and Council of the Borough of Park Ridge appointed a Municipal Finance Committee to prepare for its review, introduction and approval a 2010 Municipal Budget for the Borough of Park Ridge; and,

WHEREAS, the members of the 2010 Municipal Finance Committee are Councilman Gerry Maughan, Councilman Terry Maguire (Mayoral appointment on February 23, 2010 and voluntary Councilman resignation on March 23, 2010 with no replacement appointment by the Mayor), Helene Fall, Borough Administrator and Colleen Ennis, Borough Chief Financial Officer; and

WHEREAS, during the preparation of the 2010 Budget, the Municipal Finance Committee has cooperatively, collaboratively and effectively worked with Borough's Independent Municipal Auditor and Borough Attorney as part of its evaluative and due diligence efforts; and

WHEREAS, as a result of efforts undertaken in 2009, the 2010 Budget includes (1) \$345,000 in expense reductions for health insurance costs, (2) the reduction of \$90,000 in personnel costs from new hires and the reduction of the position of Borough Administrator from full to part time status and, (3) the elimination of \$40,000 in one-time costs, totaling \$475,000 and, which if unrealized, could have resulted in the layoff of approximately 11 additional employees (in addition to the current workforce reduction plan submitted to the NJ Civil Service Commission) as a result of the current budget crisis; and

WHEREAS, as a result of the current economic recession and prior year draw downs of fund balances, the Borough's 2010 use of its surplus account, as a general revenue in the 2010 Municipal Budget, is \$485,000 less than used in 2009; and

WHEREAS, as a result of the current economic recession and the expiration of a lease, the Borough received \$305,000 less in receipts from interest income, hotel tax revenues, rental revenues; and

WHEREAS, as a result of the settlement of prior years' tax appeals, the Borough reduced tax assessments and realized \$100,000 less in tax revenues in 2010; *and*

WHEREAS, as a result of the above, as well as ongoing operating expenses, contractual obligations and inflationary increases, the Municipal Finance Committee presented to the Mayor and Council for its review, introduction and approval a 2010 Municipal Budget for the Borough of Park Ridge Budget in the amount of \$11,293,052; and

WHEREAS, the Municipal Finance Committee advised the Mayor and Council of its legal obligation to approve a balanced Municipal budget; *and*

WHEREAS, the Municipal Finance Committee advised the Mayor and Council that to meet its obligations for 2010 would require:

- (1) Approval by the State of New Jersey of a 6% Municipal tax increase (inclusive of a 2% cap waiver request), *and*
- (2) Reduction of \$323,000 in requested operating funds in 2010 for the Borough as reflected in the introduced Municipal Budget, as compared to the 2009 Municipal Budget, and
- (3) Job elimination and/or reduction of work hours of 12 employee positions in 2010 if an additional \$250,000 in expense savings is not realized in the Municipal Budget introduced on April 13, 2010, and
- (4) Approval of the State of New Jersey of the Borough's employee workforce reduction -plan noted in (3) above
- (5) If the State of New Jersey did not approve the requested cap waiver as noted in (1) above, the Borough would be required to make further expense reductions of \$175,000 which could potentially involve the elimination and/or work hour reductions of 5 more employee positions in addition to those noted in (3) above; and

WHEREAS, the Mayor and Council approved items (1), (2), (3), and (4) above; and

WHEREAS, the Municipal Finance Committee scrutinized all budgeted expenses and concluded that the only remaining expenses that could be reduced to avoid job eliminations were employee expenses since they represent 48% of the budgeted expenses; and

WHEREAS, the Municipal Finance Committee presented to the Mayor and Council the following alternatives to avoid job eliminations:

- (1) Salary freezes
- (2) Raise freezes
- (3) Employee contributions or changes in options to their current health care costs which the Borough now provides at virtually no cost to its employees
- (4) Change in work schedules
- (5) Reclassify employees from full to part time status
- (6) Early retirements
- (7) Combination of (1)-(6) above

WHEREAS, the Municipal Finance Committee presented to the Mayor and Council a plan to assist qualified employees to file retirement paperwork by May 1, 2010; and

WHEREAS, the Mayor and Council decreased its 2010 budget by over 50% by reducing their stipends and expenses; and

WHEREAS, on April 13, 2010 the Mayor and Council voted unanimously to introduce the 2010 Municipal budget as presented and recommended by the Municipal Finance Committee

WHEREAS, the Municipal Finance Committee subsequently presented two alternative plan options to the existing single, option employee health care plan; and

WHEREAS, the Municipal Finance Committee made 1 presentation of the 2010 Municipal Budget to the Borough's employees, 2 presentations to the Mayor and Council for preliminary and introduction purposes of the 2010 Municipal Budget and made ~~two~~ 2 presentations of the introduced 2010 Municipal Budget to members of the public on April 22 and April 28, 2010; and

WHEREAS, the Municipal Finance Committee noted in its presentations to all parties noted above the negative economic impact to the Borough of future tax appeals which are currently unfunded and could cost the Borough \$500-750,000 in settlement expenses; and

WHEREAS, the Municipal Finance Committee noted in its presentations to all parties noted above the negative economic impact to the Borough of its currently unfunded terminal pay whose cost to the Borough is \$772,000 at December 31, 2009; and

WHEREAS, the Municipal Finance Committee noted in its presentations to all parties noted above the relatively high level of the Borough's outstanding bond indebtedness which presently ranks as the 2nd highest amount outstanding in the Pascack Valley region and the significant ongoing cost to service this debt; and

WHEREAS, the Municipal Finance Committee noted in its presentations to all parties noted above the significant overall cost of employee expenses in the 2010 budget; and

WHEREAS, the Municipal Finance Committee noted in its presentations to all parties noted above the significant non-contributory cost of the Borough's health insurance plan and the future need for Borough employees to fund a portion of this cost,

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge approve and fully support the work and efforts of the Municipal Finance Committee for the 2010 Municipal budget.

Motion made by Councilmember Viola and seconded by Councilmember Maughan to approve.

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - no, Councilmember Misciagna - no, Council President Kane - yes.

Resolution No. 6 - Support Governor's Tool Kit -

Councilmember Maguire advised that some of the items included in the proposed tool kit were good and some were not and would restrict the Borough - the 2.5% cap. If we had the 2.5% cap this year we would have a big problem. Did not see a need to support at this time.

Councilmember Viola asked for clarification - was the only problem the 2.5% cap - to which Councilmember Maguire said that was the major one. Councilmember Viola asked if Councilmember Maguire was in favor of the ability to raise more than 2.5% to which Councilmember Maguire advised not in favor of higher taxes, want to control spending.

Councilmember Viola stated he was not in favor of raising property taxes and if not for crisis would not be voting in favor of the budget.

Councilmember Misciagna explained that he was concerned if we were in similar situation in the future what would be do then. No one is in favor of raising taxes, if we get into a financial situation or a future Council gets us into a financial situation what do we do.

Councilmember Viola said he is in favor of living with the revenues. Mayor Ruschman asked if he was in favor of cutting services to which Councilmember Viola responded yes if need be if it does not fit within the budget.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-129**

SUPPORT GOVENOR CHRISTIE’S TOOL KIT AND CONTINUING PROPOSED REFORMS

WHEREAS, Governor Christie has recently announced a proposal, as part of his continuing proposed reform, referred to as a “MUNICIPAL AND COUNTY TOOL KIT”; and

WHEREAS, this “tool kit” will include:

- 1) Constitutional amendment to impose a 2.5% cap on increases in the property tax levy increases for municipal, school and county taxes; cap banking is allowed.
- 2) Constitutional amendment to place a 2.5% cap on spending for State government operations (excluding state aid to municipalities and school districts and direct property tax relief); cap banking is allowed.
- 3) Reform in selection of arbitrators for union contracts.
- 4) Mandate arbitrators to consider impact of union contracts on property taxes.
- 5) Bar arbitrators from making contract awards that exceed 2.5% cap, inclusive of all salary, benefit and other economic contract provisions
- 6) Eliminate eligibility for State retirement systems for non- government groups and associations.
- 7) Cap sick leave and carry forward of vacation for current employees.
- 8- 9) Shared services reform - when local units decide to share services current law requires buyout of union contracts, bumping and other civil service protections that destroy the efficiencies of the merger; this proposal eliminates certain civil services protections when services are shared. (2 bills required to amend different statutes).
- 10) Allow furloughs by local government to save costs.
- 11) Allow counties and municipalities to opt out of civil service municipalities by ordinance or referendum initiated by 15% of the voters.
- 12-14) Public, Police and Firefighter employee discipline reform – reclassify many offenses as minor to avoid lengthy and costly hearings for relatively trivial infractions.
- 15) Revise appeal process of employee disciplinary hearings to reclassify many offenses as minor.
- 16) Revise layoff rules to allow less senior, but more essential employees to avoid bumping.
- 17) Give the Civil Service Commissioner more day-to-day control as when the Department of Personnel was a freestanding department.
- 18) Increase testing and appeal fees for civil service promotional exams.
- 19) Allow Civil Service Commissioner to make seasonal appointment for 9 months.
- 20) Allow municipalities to offset property tax refunds against State income tax refunds; and

WHEREAS, the Mayor and Borough Council of the Borough of Park Ridge support these proposed reforms.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Park Ridge that it hereby authorizes the Borough Clerk to send a copy of the resolution of support to the Governor, our State representatives and the League of Municipalities.

Motion made by Councilmember Viola and seconded by Councilmember Maughan to approve.

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - no, Councilmember Misciagna - no, Council President Kane – yes.

Resolution No. 7 - 2010 By Laws –

Councilmember Maguire discussed the proposed changes to the bylaws, specifically – several changes – to reduce the power of the Mayor to take away the appointment authority of the Mayor for the Council Liaison positions and have councilmembers select liaison positions by seniority, moving the public privilege during meetings to the end – noted that the governing body was here to serve the public and to have public wait to the end is not appropriate – if it goes through should be an alternative in place Did send comments in none of which were included; also commented about the changing the order of roll call to reverse seniority which is now done based upon the order on the dais – not in favor – newest councilmember voting first – more experienced members should vote first;

Council President Kane commented about the liaison selection process - currently the majority party determines where the assignments are during the reorganization process– the proposed change benefits the senior members regardless of party – more democratic process – does not take away the authority from the Mayor. Another change requires that both parties be represented on the Finance Committee. Regarding voting – does not matter what the voting position is – need to come to a meeting prepared to vote. Council President Kane urged the public to review the bylaws.

Mayor stated that he has a concern taking away any of the limited powers that the Mayor has – not for him personally – but for the office in general.

Councilmember Misciagna also expressed his opposition to the proposed changes. Feels there is a reason why an individual is elected Mayor. Does not believe the input of the Mayor on committee liaisons should be taken away. Feels that the Mayor should have a significant amount of input on the committee assignments. Councilmember Misciagna stated that he disagrees with the Public Privilege of the Floor being moved to the end of the meeting; concerned that it will discourage the public from participating. Feels strongly about telephone participation by members of the governing body in closed session and public meetings – strongly opposed to telephone participation, feels the purpose of public meetings is to have the public see the Council, ask questions of us.

Mr. Mancinelli advised that telephonic participation is allowed by the open public meeting act and State law and shall be allowed to participate. Councilmember Misciagna asked then why would it need to be included if it is State law. Councilmember Maguire said what changed is that telephonic participation does not count towards the quorum. Councilmember Viola stated he was in agreement with the change about telephonic participation not counting toward the quorum but was not in agreement with the State law which allowed it. Councilmember Maughan stated that there was prior discussion a number of years ago which resulted in telephonic participation not being permitted – further research found that it was permitted and the codification in the resolution clears up any questions that members of the Council and the Mayor can participate in this way.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-130**

ADOPTING BY-LAWS FOR 2010

BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the following shall be adopted and are hereby approved as By-Laws regulating the conduct of meetings; order of business; appointment and duties of committees; and other matters more specifically referred to.

ARTICLE 1

These By-Laws shall regulate the conduct of the meetings of the Mayor and Council of the Borough of Park Ridge and shall remain effective until the next reorganization meeting or until repealed, supplemented or amended at a regular meeting by the majority vote of the whole council. Any specific portion of the By-Laws may be suspended temporarily at any regular meeting for that meeting only, upon the unanimous vote of the members present.

**ARTICLE 2
MEETINGS**

1. Ordinances and Resolutions may only be acted upon at formal meetings which are advertised pursuant to NJSA 10:4-6 et seq.
2. The meetings of the Mayor and Council shall be held in the Borough Hall Council Chambers in accordance with the Resolution adopted at the Reorganization meeting each year setting forth the times and dates. Additional special meetings at which formal action may be taken will be scheduled as needed and in the manner provided by law.
3. The agenda for regularly scheduled formal meetings shall be set and distributed no later than the Friday preceding the formal meeting. Notwithstanding, the Borough Clerk may amend said agenda after distribution as necessary to include all pending business, and all agenda changes will be announced as part of the regular order of business.
4. The regular order of business at each formal council meeting shall be:
 - Pledge of Allegiance
 - Roll Call
 - Compliance Statement
 - Agenda Changes
 - Ordinance Introduction
 - Ordinance Public Hearing
 - Consent Agenda
 - Communications
 - New Business
 - Reports of Governing Body
 - Approval of Minutes
 - Public Privilege of the Floor
 - Adjournment
5. The Council may, by resolution duly passed at a meeting, dispense with a future meeting or designate a different date for any regular meeting.
6. Seating shall be determined by the Mayor and Voting Roll Call shall be in reverse seniority order; for consecutive years on the Council, members with the Council President casting the final vote.
7. All formal meetings shall end no later than 11:00 pm.
8. The Public Privilege of the Floor at a formal meeting shall be limited to a 5 minute maximum per speaker. Nevertheless, at a meeting where more than 20 members of the public are present, the Mayor and Council may decide to shorten the allotted time for speaking in order to accommodate as many speakers as possible.
9. The public shall be permitted to speak at a work session as provided by law for a maximum of 5 minutes per speaker. The Mayor shall announce within a reasonable time from the opening of the meeting that the floor is open to the public for comments and will notify speakers of the 5 minute limitation.
10. Executive Sessions, commonly known as closed sessions, will be conducted as necessary in the manner prescribed by law to discuss only those matter allowed by law.
11. Pursuant to the New Jersey's Open Public Meeting Act, N.J.S.A. 10:4-7, any member of the Mayor & Council may participate in any closed session or public meeting by telephone communication device provided that the device being used is free from being intercepted and not be overheard by anyone. Participation by telephone communication shall not count for quorum purposes.
12. Only the Mayor and/or Acting Mayor (in the absence of the Mayor) can call for a vote in the public meeting for something not on the Agenda.
13. Mayor and Council will set aside the first Tuesday of December each year for a Special Meeting dedicated to Reorganization. At that time the Mayor and Council will invite any elected candidates that will be sworn in at the January Reorganization Meeting to this Special Meeting to discuss liaison and committee assignments.
14. Except as herein specified, Robert's Rules of Order Shall be used.

ARTICLE 3 COMMITTEES OF THE COUNCIL

1. The regular standing committees shall be as follows:
 - Finance & Administration
 - Fire
 - Insurance
 - Negotiations
 - Operations
 - Personnel
 - Policy
 - Public Buildings & Grounds
 - Public Health & Welfare
 - Public Safety
2. Each committee shall consist of at least one member of the Council and appointment to each Committee shall be made by the Mayor. Notwithstanding the foregoing, the Finance & Administration Committee shall have two members of the Council who shall be chosen from each political party, if applicable. Any Committee or Board Liaison appointment, other than those required by state statute, shall be selected by the Council Members in the order of their seniority for consecutive years of service on the Council. If a subsequent vacancy exists for any Committee or Board Liaison appointment after the members of the Council have selected a member for said Committee or Board Liaison appointment, then in such event, a majority of the Council would then in turn select which member of the Council would succeed and serve as the Committee or Board Liaison appointment.

3. The Mayor, or the Council by a majority vote, shall have the power to appoint special committees for purposes other than those embraced in the duties of the standing committees. The Mayor, or the Council, shall have the power to appoint members from the Council or other citizens of Park Ridge as he determines necessary.
4. The Mayor shall be a member of all Committees, both special and standing.
5. All committees shall make a report to the Council either in writing or orally of their activities as necessary.

**ARTICLE 4
PAYMENT OF BILLS**

All bills or claims against the Borough shall be processed and paid in accordance with the Code of the Borough of Park Ridge, Chapter 6, entitled "Claims Approval and Payment."

Motion made by Councilmember Viola and seconded by Council President Kane to approve.

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - no, Councilmember Misciagna - no, Council President Kane - yes.

APPROVAL OF MINUTES

Mayor Ruschman asked for a motion to approve the minutes as follows:

Special Meeting Minutes dated April 1, 2010

Special Tri-Borough Meeting Minutes dated May 4, 2010
Councilman Maughan abstained.

Closed and Work Session Minutes dated May 11, 2010

Special Joint Meeting Shared Services Park Ridge and Montvale dated May 17, 2010

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

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - yes, Councilmember Misciagna - yes, Council President Kane - yes; with abstentions as noted above.

PUBLIC PRIVILEGE TO THE FLOOR

Mayor Ruschman asked if anyone present wished to be heard on any matter.

Speaker: No one.

PUBLIC HEARING 2010 MUNICIPAL BUDGET

Mayor Ruschman thanked the public for their patience.

AUTHORIZING READING OF BUDGET BY TITLE

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-123**

AUTHORIZE READING OF BUDGET BY TITLE

WHEREAS, pursuant to NJSA 40A:4-8, the budget may be read by its title at the public hearing if 1) a complete copy of the budget is made available for public inspection at the municipality's free public library; 2) the budget is made available to each person requesting same; 3) a resolution is passed by the majority of the full membership of the governing body; and

WHEREAS, a copy of the 2010 Park Ridge Municipal Budget was placed in the Park Ridge Library on April 14, 2010, and the Borough Clerk is in receipt of an attestation of same; and

WHEREAS, the budget has been made available to each person requesting same;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the 2010 Park Ridge Municipal Budget shall be read by its title only.

Mayor Ruschman asked for a motion to adopt the resolution permitting the budget to be read by title,

Motion made by Councilmember Maughan and seconded by Councilmember Hopper.

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire – yes, Councilmember Misciagna - yes, Council President Kane –yes.

PUBLIC HEARING

Mayor Ruschman announced that this was the time, date and place advertised for the public hearing on the 2010 Municipal Budget, and asked for a motion to open the public hearing.

Motion made by Councilmember Maughan and seconded by Councilmember Viola.

Roll call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - yes, Councilmember Misciagna - yes, Council President Kane – yes.

Mayor Ruschman asked Utility Board President George Mehm to present the Board of Public Works Budget.

Mr. Mehm presented a power point presentation overview of the 2010 Board of Public Works Budget.

He reviewed the membership of the Board, the management and utility staff. Remembered Len Reiter, General Supervisor of Electric, who passed away in January 2010 and his accomplishments and contributions.

Mr. Mehm reviewed the shared services – purchase of power with three other municipalities – saved \$500,000 and 5% power adjustment reduction; triborough fuel depot, sewer flusher truck purchased by County and shared with 10 municipalities; belong to power association along with the other communities in New Jersey, have mutual aid agreement, reviewed other associations to which the utility belongs and the benefits.

Mr. Mehm reviewed staffing of the roads, ground and vehicle maintenance – there are open positions with the retirement of Lou Turli; review 2010 planned projects which were planned but could be impacted by the proposed layoffs. Reviewed the Finance Department staffing used and/or shared by the utility.

Reviewed staffing of the water utility –there are openings; reviewed the projects planned in water and sewer in 2010 and discussed proposed projects for 2011 through 2013 including a new well 21 which locations had not been determined.

Reviewed water revenues which were a little lower in 2009 because of a wet summer last year. 2010 Water budget about the same as what the 2009 actual budget was; using \$830,000 of about \$950,000 in surplus. Discussed the water utility rates as compared to United Water NJ and the utility' rates were lower.

Reviewed electric department staffing and the openings.

Discussed the multiple storms in 2010 (snow storms, March 13-14 storms) and the road, water and electric department staff response including the Police and Fire Departments. Discussed the tree trimming which will take place on the east side of the Borough this year, and other planned projects for 2010 including equipment purchase, upgrades to lines and circuit breakers, and the solar panel project which is almost completed at the shop.

Mr. Mehm spoke about the professionalism of the staff and specifically Mr. Beattie especially during the storms of this year.

Mr. Mehm discussed the almost \$1.7 million the utility contributes to the Borough either through direct budget contributions or services.

Mr. Mehm spoke about the hybrid vehicles used in the operation including to the two electric minis which we were testing.

Reviewed revenue for the electric utility which was down in 2009 as a result of the cooler summer last year; expenses were also down since we did not purchase as much power.

Mr. Mehm discussed the comparison of the electric rates with PSEG and Rockland Electric which showed that the utility's rates were lower. Also discussed the purchase of power through May 31st 2013 and possible future items which would impact rates.

Discussed that Park Ridge's electric rates were the lowest of the municipal utilities as well. This concluded Mr. Mehm's presentation.

The Mayor thanked Mr. Mehm and asked that any questions on this presentation be held until the completion of the Municipal Budget presentation. Mayor commented that we are extremely fortunate to have the Board and the staff providing excellent service.

Mayor Ruschman asked the Finance Committee to present the 2010 Municipal Budget.

Councilmember Maughan as Chairperson of the Finance Committee made the initial presentation and commented this was the first live broadcast of a Budget hearing. Discussed that the Committee had been working since mid-March to close the \$1.1 million budget gap. Finance committee consisted of Helene Fall, Borough Administrator, Colleen Ennis, CFO, Jeff Bliss, Auditor, Borough Attorney Rob Mancinelli and consulted with Library Board, Utility Board, Board of Education, employees and public to analyze and resolve the financial crisis. Had 5 public sessions to alert residents and other concerned parties about situation and review options for resolution. Newspapers had written extensively about the meetings and information had been available for viewing on PKRG as well as information posted on the website along with the budget newsletter. Have undertaken extraordinary measures to communicate the situation and for transparency.

Councilmember Maughan presented a power point presentation. Reviewed staffing levels – have 65 employees including utilities. Reviewed 2010 Municipal Budget Major Revenue sources which called for \$11.3 million in expenses of which \$8.1 million comes from taxes. Majority of expenses are employees salaries and wages and benefits, debt service and library support. Noted that the 2010 operating expense portion of the budget is over \$300,000 lower than 2009.

Reviewed top 6 taxpayers - Bears Nest, Sony, Hertz, The Park Regency Nursing Home, Marriott and National Utilities Services and the amount they pay each year.

Discussed the major sources of revenues including taxes, Borough surplus – which is lower due to prior years withdrawals which were not replenished primarily due to the economy, hotel taxes and revenues from construction. Advised did not anticipate increases in the future in the non real estate portion of the revenue so that that increases in operational costs will be borne by the Park Ridge taxpayers – therefore needed to look to controlling expenses in preparing the 2010 budget.

Discussed the major savings planned in 2009 for 2010 which saved the Borough nearly \$500,000 included having the Administrator's position become part time, changes to the medical plans.

Discussed the proposed increase of almost \$500,000 for the 2010 budget to be supported by taxpayers which required the State to approve a cap waiver allowing additional 2% or \$175,000. Needed because we had less surplus to be used this year and are down in anticipated revenues from what we anticipated in 2009. The proposed budget already included increasing the budget to the maximum allowed by State law as well as the cap waiver. Despite this the budget also had to include \$250,000 in staffing reductions to make it compliant with State law. If State did not approve the cap waiver we would then have to reduce expenses by another \$175,000.

Councilmember Maughan advised had he requested that all stakeholders cooperate to address the shortfall as it is an “our” and “we” problem to avoid the \$250,000 in staffing reductions by July

The largest expenses are our employees – nearly 48% of the budget. 10% is debt service. 6% is legally mandated for the Library and fixed by the State. 13% is needed for garbage collection paid to the BCUA and recycling. 4% reserve for uncollected taxes and 2% is for utility costs. 18% is for a variety of other programs and services.

When determined in March 2010 the extent of the situation the governing body took several immediate steps including a freeze on new hiring, limiting overtime as well as engaged all involved parties in helping to resolved the \$250,000 budget gap which could not be overcome by increasing taxes. This is not a one year situation – it took a number of years to get to this point and will take at least as long to get out of it.

Currently facing almost 130 tax appeals – last year had only 20. Not unique to Park Ridge. Our budget situation is not unique to Park Ridge. Tax appeals could cost us \$700,000 over the next years as well as almost \$800,000 of unfunded liability for time due to employees. Finance Committee has looked at a 3 year forecast which shows a tight budget times. Need to work together to arrive at savings over the next weeks.

Auditor Bliss reviewed the balanced budget process required by State law. Expenses must equal revenues and there are laws which limit how much the tax levy can increase – this is a new law – 4% which is \$330,000 for 2010 budget for Park Ridge. Park Ridge had over \$900,000 loss in revenues which could not be anticipated in 2010 – surplus, hotel tax loss, income interest. When the Finance Committee started to prepare the budget there was a \$1 million hole on the revenue side which included another \$100,000 in loss from State aid. Budget went through and extensive review; Administrator identified over \$200,000 in program cuts, Mayor and Council reduced their salaries by over 50%, maximized revenues but still left \$400,000 gap. Determined to ask State for cap waiver of \$175,000 and \$250,000 in cuts in staffing. There is not sufficient revenue which can be produced to fund the operation. There are fixed costs such as pension, sewer and debt which cannot be changed. State currently reviewing budget and tax levy cap waiver. Tax waiver will be heard in June and we feel that the sustainable cuts made to the budget that our application will be looked upon favorably. Between now and budget adoption the Borough has the opportunity to change the budget with respect to the workforce reduction plan.

Borough Attorney discussed the status of the tax appeals. 2009 we had 21 tax appeals 17 residential and 4 commercial; in 2010 we have 150 tax appeals of which 146 residential of which 139 were from the Bears Nest. County Tax board dismissed 29 of the cases because of untimely filings – which may be subject to appeal. Recently appeared at County Tax Board against 57 appeals – 10 were transferred to tax court – 107 cases are pending in tax court of which all but 4 are residential. Do not know when will be heard as the County is reporting over 10,000 appeals county- wide. The exposure on the commercial side is over \$400,000 reduction in taxes collected over the next several years (Sony and Marriott) – we are negotiating settlements. The remaining cases are predominately residential and our exposure could be as little as \$1,500 per unit or up to \$4,000 unit. Total exposure with legal and expert fees could be closer to \$800,000.

Council member Maughan advised that the Mayor and Council were considering an overall reassessment of the Borough for Tax Year 2011 which would cost somewhere around \$100,000.

Borough Administrator Fall discussed the Borough’s most important assets, the employees of the Borough who provide the services to the community. To close the budget gap submitted plan to Civil Service involving maximum of 17 employees which would be the worst case scenario if we did not receive tax cap waiver. If we receive the tax cap waiver then up to 12 employees would be affected. The plan is not finite; it can be implemented in full, part or not at all. The Plan cuts

across all departments, police, roads and the other employees from the administrative staff. Of the administrative staff involved 7 of the 8 would go from full-time to part-time losing their medical benefits. Mrs. Fall commented that looking to our employees to help reduce the money out of the budget. There was no department head who wanted to implement a workforce reduction, not over staffed; but we need to be in compliance with the budget law. If the plan has to be implemented we will have to reinvent Park Ridge and services will be reduced. There was sufficient time to resolve these issues so that no one is laid off or hours reduced.

CFO Ennis commented that we recognize that our residents are our customers; department heads have worked with us to reduce expenses; run a very lean operation. As Tax Collector wanted to mention the State of NJ Senior Tax Freeze – have increased income qualifications, June 1st deadline. 65 or older with income less than \$80,000 in 2009 can apply – will help fill out.

Councilmember Maughan commented that we can look at the budget gap and channel our energies in a positive way to address the \$250,000 and avoid layoffs. He referred to a recent article in the Record. All of our employees are essential employees.

Mayor Ruschman suggested that instead of having members of the governing comment should hear from the public. He reminded those present that there would be a five minute limit.

Rich Bosi – 108 East Avenue – Need to have unity to resolve these issues; has to start with the governing body to get things accomplished.

Pat Sadler – 47 year Park Ridge resident. Spoke about the Park Ridge Animal Hospital and the swapping of the Post Office – was there an appraisal, how much is the Animal Hospital going to give us, have we considered selling it out right on the market and are we losing money from what we originally paid. Mayor advised that since we are under contract with the Animal Hospital we are limited in what we can discuss, but it was not put out in the market. Mr. Mancinelli advised it involves a payment of cash, payment of rent and a land swap with extensive improvements over \$2 million, but cannot yet discuss it a public forum, will be disclosed if matter resolved. Ms. Sadler advised that she felt that it should have been placed on the market.

Councilmember Viola spoke about bonding of the costs and Mrs. Sadler discussed the level of debt the Borough currently had in place.

Rich Henning – 22 Wampum Road. Spoke about bi-partisanship issue. In 2007 he worked with Councilmember Wells and that worked well and in 2008 Councilmember Maughan was there and, there was a small increase. Spoke about Councilmember Maughan's attendance at the meetings in 2008. In Park Ridge we are not an "r" or "d" – do the best thing for the Borough. Tonight asked us to accept higher taxes 4-6% and less service and less police on the street. This is a tough mandate. Why wasn't this done last year or the prior year – the slow economy didn't appear in 2010 and the economy is improving slowly this year. Other communities are not having this type of drastic shortfall – disappointing to hear this. Would have preferred a letter be sent by the Mayor and Council to each home rather than PKRG-TV about the budget.

Amy Simon – Monsey resident. Mother was in a serious car accident and took 4 police officers to rescue her and others on Brae Boulevard who was with her tonight. Asked the governing body not to layoff the Police Officers.

Helaine Simon – spoke about several years ago where she recognized her rescuers – the police officers and other volunteers. Need to save their jobs.

Peggy Otten- Fairview Avenue. Asked about the breakdown of the 18% for other expenses not specified in the newsletter. Had questions about the Library, Recreation, Aid to Other Organizations funding. Did not understand the difficulty in finding the funding to save the employees from these areas. Councilmember Viola advised that the \$600,000 is required by State law if you have a Library; if a municipality does not have a Library then this amount would not be funded. Mr. Bliss explained that the formula to fund a Library is prescribed by State law.

Joe Zuccaro – 8 Queen Court. Worked for the DPW for the past 2 years; layoff will be a tremendous hardship – losing job and increasing taxes. Hope that something can be done.

Joe Mauro – 60 Terrace Street. Spoke about road repairs in the budget. Councilmember Maughan advised there is \$800,000 of which \$400,000 is grant money. Mr. Mauro said that like our own homes maybe we forestall some of these projects so we can save jobs. Agree we have great employees but do not think it is fair to put the burden solely on them. Councilmember Maughan stated he understood – this item had been discussed by the Council and it was agreed to continue a reduced program to maintain the infrastructure.

Chad Malloy – spoke about the shortfall which would be covered by the layoffs. Looked at his tax bill – he is willing to double what he pays to the Borough for the municipal taxes to save the excellent services and the employees. Mayor advised if we could do it we would – but we are not allowed to exceed the cap – my priority is to make sure we do not lay off anyone and imagines that all members of the Council agree.

Gerry Ritz – 16 King Road. Did not think people understood what services would be impacted. Serious problem for the residents since we are used to the services. We want to have our services remain intact. Mayor responded that people move here for the great services which impact real estate taxes. Mr. Ritz commented that some of the governing body members should be ashamed of themselves for the resolution which was passed which limits the powers of the Mayor.

Mark “Cookie” Eisen – South Maple Avenue - nothing should come as a surprise; mismanagement, some people should resign, what about 2011 and a plan for the future. We should look at cutting every little bit to save jobs.

Will Fenwick – 5 May Court. Knew we sell water to Woodcliff Lake – can we raise their rates. He was advised this was not possible without raising the rates for Park Ridge.

Mayor noted that the cutoff time for the meetings is 11 PM and was it the agreement of the Council to extend to 11:30 pm. The Council indicated their agreement.

Pat Hunt – 154 Spring Valley Road. Spoke about providing taxpayer funded services on private property – snow plowing, leaf removal and garbage removal. Mayor responded that the property owners have been contacted advising if they give the Borough the right of way we would continue to provide services and we are waiting to hear from them. Mr. Hunt commended the services provided and urged those present to try to find ways to overcome the budget shortfall.

Tom R. Mazzarella – resident and employee. Discussed the budget newsletter and referred to the portion of employee benefits section – this is also our salary not benefits and did not agree with the way it had been presented in the newsletter.

Susan Macaro – here on behalf of the police officers. They do a lot for us on or off the job. With less officers working overtime, can they work to their full capacity? Concerned for their welfare and the residents’ welfare.

John McCausland – represent Park Ridge PBA. Signed a contract in December. Need to make clear the savings that the residents will see – about \$40 per household. Understand that this bind is because State law and reduction in State aid. Need to focus that of the \$10,000 on an average home in taxes it is less than \$1,000 for the police force. Spoke about the \$450,000 in rserve for uncollected taxes which is based upon number of delinquent taxpayers – in 2008 and 2009 collected much more than showing. PBA remains open to working with Borough – options presented have only been permanently away benefits as opposed to temporary solutions. Encouraged the Mayor and Council to keep an open mind.

Scott Laughton – head of Park Ridge Police Union. Administrator has been holding weekly meetings for the past two months. Told everything was on the table including salary freeze, medical benefits payments, comp time in lieu of overtime, deferring payment, furlough days. Talked about the authority the Administrator has been given resolved this by the Mayor and Council. Looking to the employees to resolve the mistakes made by governing body. Talked about member of the governing body possibly attending these meetings. Willing to help and field any serous offer, won’t be publically bullied or blamed.

Ken Reynolds – Park Ridge Utility Employees Association – have attended all of the meetings; will not read the prepared statement; all sitting here looking at the same numbers; we made changes to our insurance and save money. We are here to be part of the solution. Not one member of the Council has attended a meeting. Spoke about a separate meeting where contract items were discussed which seemed reasonable and then the final answer was no. Mayor commented on the separate meetings – he has appointed a separate committee to meet with the individual Unions. Council President Kane further discussed the committees which are a follow-up to the initial meetings with the Union. Mr. Reynolds complimented the Utility Board.

Shawn Scheidel – 159 Morningside – concerned that no members have met with the Union; concerned about the partisanship of some members of the governing body; need a breakdown of the 18% of “other” from the newsletter – cut 25% of that and there you have the money needed.

Joe Bruno – asked for an update on the status of the Council’s stipends for the year; talk about shared sacrifice. Councilmember Maughan - have been reduced by 50% from 2009 – the specifics are not relevant. Mr. Bruno commented there are many people who volunteer their time; the Mayor and Council are the only volunteers who get a stipend – but when talking about people losing their jobs and higher taxes for less service it is unseemly and relevant and the tax payers are owed an explanation. Councilmember Viola asked Mr. Bruno about the increases in taxes on the part of the Board of Ed – Mr. Bruno responded that it was a question appropriately asked at a Board of Education meeting, not tonight. Councilmember Kane commented that he was the one who originally raised the issue of the governing body stipends at a prior meeting and can obtain the information from the CFO.

Mark Eisen – South Maple – asked for Councilmember Maughan’s resignation.

Ted Lettie – 1 Evelyn Street – following same path as Washington and Trenton; partisanship does not get anything done. When we do not have the money we do not spend. Spoke about the Post Office – sell it separately – no land swap. Loss on the sale of the building would be made up in a few years in taxes; spoke about the improvements to the Fire House and the money spent on the hallway in the back of the building. Need to stop the spending.

Councilmember Kane spoke about the Post Office – has been a thorn in our side for a while – purchased a few years and there are only 2 members on the current Council who were there – it is frustrating. Councilmember Maguire said he was appointed to the Council in 2007 to fill an unexpired and was on the Council for a short period of time for 3 months– during that time there was a recommendation to purchase the Post Office to not lose it as the Borough had lost the opportunity to purchase nail salon property across the street. Mayor Ruschman spoke about the Post Office – he did not see a need for it and did not want it and thought it was a waste of money. Once it was voted on he looked for ways to use it. Council President Kane said it was a chance to clear the air on this matter– we inherit the past and work together.

Councilmember Maughan asked to make some closing comments. We have a financial crisis; by July 1st need to find \$250,000 in cost savings. If we work together and it will be shared sacrifice we can resolve this situation. Have to have a positive attitude and look beyond the layoffs for solutions so they do not happen.

Pat Hunt – 2 Mader Place. Listened to prior speakers. Who has negotiated the contracts in the past with the unions. Mayor advised it would depend upon the unit. Mr. Hunt asked about Police - Councilmember Maughan advised he negotiated upon the behalf of the Council. Mr. Hunt asked if Mrs. Fall was authorized to negotiate. Mrs. Fall responded that no administrative person can sign a contract without the approval of the majority of the governing body; the administrative team has discussed many suggestions with the staff and brought back to the governing body the suggestions that the employees have made. The issue was that the changes have to be systemic changes not one year fixes are we will back in the same situation next year. Mayor affirmed that no one person can approve a contract – by law it has to come back to the governing body for approval. Have appointed a committee tonight but still have to come to the full governing body. Councilmember Maughan said that what we do as a governing body is the same as what a Union does – they take back the proposals to their membership. Mr. Hunt asked about the reserve for uncollected taxes amount used in the budget. Mr. Bliss advised that the

actual amount of taxes collected in each year is an unknown and that the sum included is an estimate.

Mayor Ruschman asked for a motion to close the hearing to the citizens.

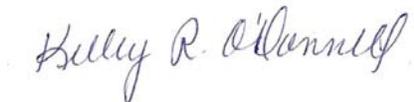
A motion was made by councilmember Maughan and seconded by Councilmember Hopper to confirm.

Roll Call: Councilmember Hopper - yes, Councilmember Viola - yes, Councilmember Maughan - yes, Councilmember Maguire - yes, Councilmember Misciagna - yes, Council President Kane – yes.

A motion was made by Councilmember Maughan and seconded by Council President Kane to adjourn the regular Mayor and Council meeting.

Meeting adjourned at 11:30 p.m.

Respectfully submitted,



Kelley R. O'Donnell, RMC
BoroughClerk