

**Municipal Building
Park Ridge, NJ
April 26, 2011 - 8:21p.m.**

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

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

ROLL CALL:

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

Absent: None.

Also Present: Borough Administrator Fall, Borough Attorney Mancinelli, Borough Clerk
O'Donnell

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

SUSPEND THE REGULAR ORDER OF BUSINESS

Mayor Ruschman asked for a motion to Suspend the Regular Order of Business for the
Presentation of Certificates.

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

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

Mayor Ruschman spoke about the importance of the scouting programs for both girls and boys;
he spoke about the achievement of the Girl Scouts recognized tonight and that the Silver Award
was the second highest award for Girl Scouts.

Girl Scouts Silver Award Recognitions

Girl Scout Troop #1278 and #1279

Kerry Deen – *Luv Luggage Program for Foster Children in NY & NJ*

Katha Desai – *Luv Luggage Program for Foster Children in NY & NJ*

Ashley Goreshnik – *Established Web Site for Park Ridge Girl Scouts*

Amanda Kuron – *Implemented a Mentoring and Tutoring Program for Children*

Julia Perez – *Organized Activities for Children in her Lakeside Community*

AGENDA CHANGES

The Clerk advised of the following agenda changes:

Resolution to Authorize Stipend Payments

Resolution to Authorize Execution of Donation Agreement for Various Equipment from NBC
for PKRG-TV

Appointment of three (3) members to the Green Team

PUBLIC PRIVILEGE OF THE FLOOR:

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

Speaker: **Mr. Howell of 29 W. Park Avenue** spoke about the water retainage issues in his back yard; had been speaking with Mrs. Fall through the end of last year and wished to know the status since at that time Mr. Saluzzi and Ms. Mancuso were reviewing whether it was a situation related to gutter and leader direction and had determined it was not this situation.

Mr. Howell explained the drainage situation occurred when the two new homes were built upland of his home approximately 5 years ago. Water runoff not being handled by the basin on Laura Lane. He and his wife undertook improvements to their yard to try to improve the drainage situation which seemed to help for a period of time, but not at this time.

Mr. Howell read to the Mayor and Council a letter from his Laura Lane neighbors, Mr. and Mrs. O'Brien who were unable to attend the meeting, but wanted to lend their support to having the drainage issue resolved. Mr. Howell also circulated a before and after picture of the drainage concerns. Both he and his neighbors were asking for help to correct the lack of adequate drainage. After the most recent storm they did have a Police report taken to document the situation.

Mrs. Fall commented that the Mayor and Council were reviewing a recommendation from Mr. Saluzzi regarding an ordinance change with respect to drainage and that it had been referred to Mr. Mancinelli to review with Mr. Saluzzi for further discussion.

Mr. Howell advised there is a large volume of water sheeting down the hill and believed this needed to be addressed. There was discussion by the governing body of the adequacy of the seepage pits which exist on the two new homes' properties.

Mayor Ruschman replied that they governing body would further look into the situation. Mrs. Fall advised she would have the Borough Engineer look at the existing drainage system and the seepage pits for further report to the Mayor and Council.

ORDINANCES – INTRODUCTION

ORDINANCE NO. 2011-016

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

Mayor Ruschman asked for a motion to introduce on first reading Ordinance No. 2011-016, an Ordinance amending Chapter 64 Garbage, Rubbish and Trash of the Code of the Borough of Park Ridge, New Jersey

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

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

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

**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2011-016**

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

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

SECTION I.

Article II. Recycling, Section 64-10. Definitions are amended as follows:

ADD:

ELECTRONIC WASTE

Electronic waste is defined as Computer CPUs, Monitors and Televisions (no wood cabinet).

DELETE:

DESIGNATED RECYCLABLE MATERIALS

Those recyclable materials, including ferrous scrap (white goods), aluminum, glass containers, plastic containers, corrugated cardboard, newspaper, high-grade paper, mixed office and computer paper, automotive waste oil, batteries (excluding household batteries), yard waste, construction and demolition debris, food waste, PET beverage containers, leaves, grass and tin cans.

ADD:

DESIGNATED RECYCLABLE MATERIALS

Those recyclable materials, including ferrous scrap (white goods), aluminum, glass containers, plastic containers, corrugated cardboard, newspaper, high-grade paper, mixed office and computer paper, automotive waste oil, batteries (excluding household batteries), yard waste, construction and demolition debris, food waste, PET beverage containers, leaves, grass, tin cans and electronic waste.

SECTION II.

Article II. Recycling, Section 64-12. Separation and collection of recyclables for one- to four-family hours is amended as follows:

ADD to B. Designation of recyclable materials.

(1) Mandatory. The following are identified as mandatory recyclable materials:

(o) Electronic waste.

ADD to C. Placement of materials. Separation, collection and disposal methods of designated recyclable materials.

(10) Electronic waste shall be separated and disposed of in the receptacle provided at the Municipal Recycling Center or at participating retail locations.

SECTION III.

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

SECTION IV

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 V.

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

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

Ms. Fall: Explained that this ordinance will require the recycling of electronic waste in compliance with the new State law. E-waste to be defined as computer CPUS, monitors and televisions (no wood cabinet). As an aside the Recycling Center will begin accepting these items on or about June 1st.

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

Speaker: No one.

Mayor Ruschman asked for a motion to pass this ordinance on first reading by title and that it be published in full in the Ridgewood News with notice of Public Hearing to be held on May 10, 2011.

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

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

ORDINANCES – ADOPTION

ORDINANCE NO. 2011-012

A CAPITAL ORDINANCE OF THE BOROUGH OF PARK RIDGE IN THE COUNTY OF BERGEN, NEW JERSEY APPROPRIATING THE SUM OF \$97,400 FROM THE CAPITAL IMPROVEMENT FUND FOR VARIOUS EQUIPMENT AND IMPROVEMENTS

Mayor Ruschman asked for a motion to open the Public Hearing on Ordinance No. 2011-012, a Capital Ordinance of the Borough of Park Ridge in the County of Bergen, New Jersey appropriating the sum of \$97,400 from the Capital Improvement Fund for Various Equipment and Improvements

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

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

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

**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2011-012**

CAPITAL ORDINANCE OF THE BOROUGH OF PARK RIDGE IN THE COUNTY OF BERGEN, NEW JERSEY APPROPRIATING THE SUM OF \$97,400 FROM THE CAPITAL IMPROVEMENT FUND FOR VARIOUS EQUIPMENT AND IMPROVEMENTS

BE IT ORDAINED by the Borough Council of the Borough of Park Ridge, in the County of Bergen and State of New Jersey that the sum of \$97,400 be appropriated from the Capital Improvement fund for various equipment and improvements as outlined below for the payment of the cost of said purpose:

1. Various Fire Department Equipment and Vehicle
2. Various Video Equipment
3. Various Police Department Equipment
4. Various Recreation Equipment
5. Various Sewer Inspection Equipment
6. Various Radio Equipment
7. Emergency Signage Program

SECTION I.

The sum \$97,400 is hereby appropriated from and charged to the Capital Improvement Fund heretofore created and established by the Borough of Park Ridge and shall be applied to payment of the costs and expenses of the items set forth in Section I hereof.

SECTION II.

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

SECTION III.

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

SECTION IV.

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

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

Ms. Fall: Explained that the 2011 Budget provides for the full funding of various capital purchases including Various Fire Department Equipment and Vehicle, Various Video Equipment, Various Police Department Equipment, Various Recreation Equipment, Various Sewer Inspection Equipment, Various Radio Equipment, Emergency Signage Program

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 it be adopted and notice of final passage be published in The Ridgewood News.

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

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

ORDINANCE NO. 2011-013

AN ORDINANCE TO AMEND CHAPTER 101, ZONING, OF THE CODE OF THE BOROUGH OF PARK RIDGE REGARDING PROVISIONS RELATED TO FLOOR AREA RATIO

Mayor Ruschman asked for a motion to open the Public Hearing on Ordinance No. 2011-013, an Ordinance to Amend Chapter 101, Zoning, of the Code of the Borough of Park Ridge Regarding Provisions Related to Floor Area Ratio

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

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

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

**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2011-013**

AN ORDINANCE TO AMEND CHAPTER 101, ZONING, OF THE CODE OF THE BOROUGH OF PARK RIDGE REGARDING PROVISIONS RELATED TO FLOOR AREA RATIO

WHEREAS, the Zoning Ordinance of the Borough of Park Ridge currently limits floor area ratios in single-family residential districts to between twenty (20%) per cent and thirty (30%) per cent, depending on the zone; and

WHEREAS, the Mayor and Council of the Borough of Park Ridge seek to encourage the incorporation of enhanced architectural details and green building strategies in the Borough’s residential districts; and

WHEREAS, the Mayor and Council of the Borough of Park Ridge finds it appropriate to offer density bonuses where developers in the Borough’s residential districts incorporate such architectural and sustainable design features into their developments.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and 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:

ARTICLE IV, Section 101-8 Schedule of Regulations, Schedule IV-2 Area, Yard and Bulk Requirements, is hereby amended to add a new footnote 1 to the Maximum Floor Area Ratio requirements as they pertain to the R-40, R-20, R-15, and R-10 Districts, as follows:

| Zone | Maximum Floor Area Ratio |
|-------------|--|
| R-40 | 20% up to 9,200 square feet of floor area ¹ |
| R-20 | 22% up to 4,800 square feet of floor area ¹ |
| R-15 | 25% up to 4,250 square feet of floor area ¹ |
| R-10 | 30% up to 3,333 square feet of floor area ¹ |

Footnote 1 shall read as follows:

¹ A density bonus shall be provided to developers who incorporate certain architectural details and/or green building strategies into their development as established in § 101-19.

SECTION TWO:

ARTICLE V, Section § 101-19 is hereby amended to provide the following:

Section § 101-19. Requirements for permitted Floor Area Ratio bonuses as delineated in §101-8, Schedule IV-2.

- A. A developer shall be entitled to an increase in the permitted floor area ratio for a residential structure if the proposed development complies with the requirements set forth in Section 101-9B or 101-19C below. In order to qualify for the permitted increase in floor area ratio, a certification from a licensed architect must be submitted to the zoning officer confirming the development complies with these regulations.
- B. Green Building Strategies. If a developer incorporates green building strategies, which result in the LEED (Leadership in Energy and Environmental Design) certification of the development, the property may be developed with an additional two (2%) per cent floor area ratio over the maximum. The development may incorporate such elements as pervious paving materials, green architecture, indigenous landscaping, gray water reuse, and solar energy use.
- C. Architectural Guidelines. A structure must meet both of the criteria (1) and (2) below to be deemed in compliance with this section. If the structure does meet both the criteria below, an additional four (4%) per cent floor area ratio over the maximum for a residential structure shall be permitted.
 - (1). Façade Vertical Articulation. Each building facade facing a public right-of-way must have elements of vertical articulation comprised of columns, recessed or projecting window features, entry designs, overhangs, ornamental projection of the molding, or recession or protrusion 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 minimum of one (1) foot deep.
 - (b) Each projection may extend into the required front yard a maximum of two (2) feet in depth.
 - (c) The total width of the building facade projections, identified in 101-19C(1) must occupy between twenty(20%) per cent and sixty (60%) per cent of the total facade width.
 - (2) Building Materials. 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 are materials that shall cover at least eighty (80%) per cent of the facade of the building.
 - (b) Secondary materials are materials that shall cover not more than twenty (20%) per cent of the facade.
 - (c) Accent materials may include door and window frames, lintels, cornices and other elements and may cover no more than 10% of the facade.

SECTION THREE: 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 FOUR: 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 FIVE: 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: The Planning Board has recommended density bonuses where the developers in residential districts were willing to incorporation enhanced architectural details and green building strategies in the Borough's residential districts.

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 it be adopted and notice of final passage be published in The Ridgewood News.

A motion was made by Council President Maguire and seconded by Councilmember Kilmartin to confirm.

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

ORDINANCE NO. 2011-014

AN ORDINANCE AMENDING CHAPTER 101, ZONING, OF THE CODE OF THE BOROUGH OF PARK RIDGE, IN ORDER TO ADDRESS AN INCONSISTENCY WITH THE EXISTING BUILDING HEIGHT REGULATIONS

Mayor Ruschman asked for a motion to open the Public Hearing on Ordinance No. 2011-014, an Ordinance Amending Chapter 101, Zoning, of the Code of the Borough of Park Ridge in order to Address an Inconsistency with the Existing Building Height Regulations

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

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

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

**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2011-014**

AN ORDINANCE AMENDING CHAPTER 101, ZONING, OF THE CODE OF THE BOROUGH OF PARK RIDGE, IN ORDER TO ADDRESS AN INCONSISTENCY WITH THE EXISTING BUILDING HEIGHT REGULATIONS

WHEREAS, the Borough has adopted recently adopted an amendment to the building height regulations which sets forth a maximum height for residential structures;

WHEREAS, the Borough has determined that the language for the new regulations is inconsistent with the original goals of the regulation;

THEREFORE, the Planning Board has recommended the following modifications to the new building height regulations to address any inconsistencies within the ordinance;

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 § 101-17. Height regulations.

C. In addition to all other applicable height limitations contained in the Park Ridge Zoning Ordinance, no exterior facade of a building or structure shall have a height greater than 32 feet. For purposes of this section alone, the exterior facade of a structure include all building facades which abut finished grade, and shall include any parallel facade constructed within six (6) feet of that exterior facade.

The height of the exterior facade of the building or structure are measured from finished grade adjacent to that portion of the facade measured six feet out from any portion of said façade, to the highest point on that building facade. Measurements shall be taken from grade level measured upward on the same plane as the facade to the highest point of the structure located on that same plane or any parallel facade constructed within six (6) feet of said facade.

SECTION TWO

Appendix C 101 Attachment 3, which sets forth the diagrams illustrating the method to measure building height is hereby amended and supplemented as shown on the diagrams located at the end of this ordinance.

DIAGRAM 1: MAXIMUM HEIGHT MEASUREMENT, ELEVATION VIEW

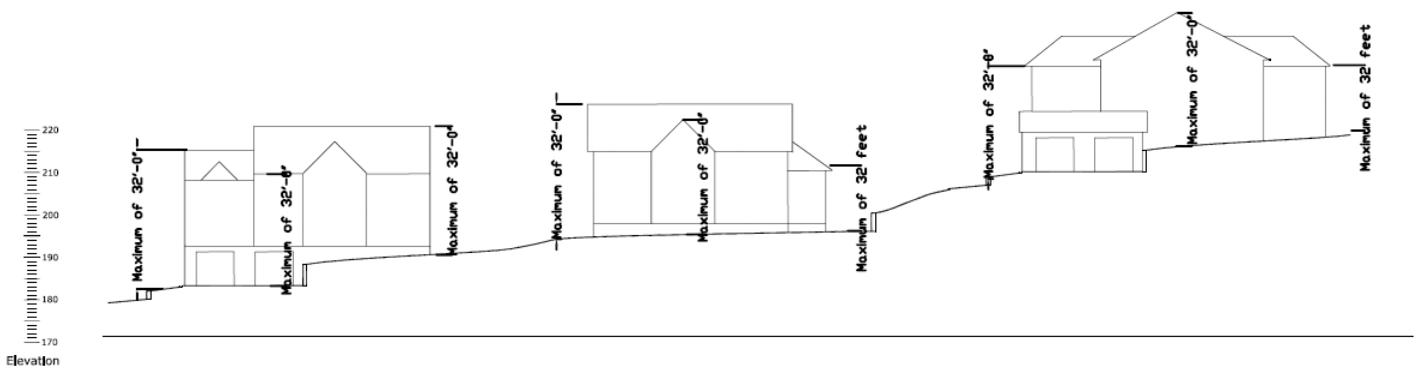
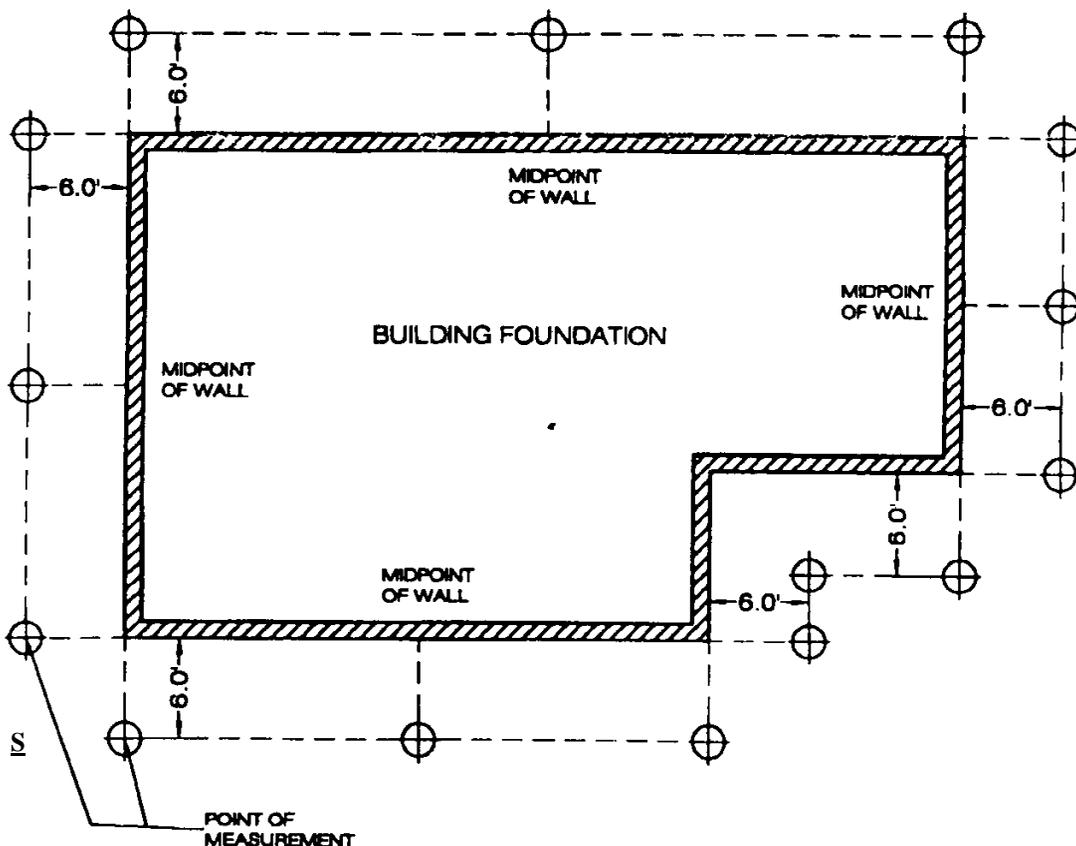


DIAGRAM 2: MAXIMUM HEIGHT MEASUREMENT, PLAN VIEW



SECTION THREE: 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 FOUR: 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 FIVE: 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 the Planning Board had recommended this ordinance be adopted to address any inconsistencies with the ordinance which have arisen as the result of the recently adopted amendment to the building height regulations which sets forth a maximum height for residential structures

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 it be adopted and notice of final passage be published in The Ridgewood News.

A motion was made by Council President Maguire and seconded by Councilmember Kilmartin to confirm.

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

ORDINANCE NO. 2011-015

AN ORDINANCE AMENDING CHAPTER 101, ZONING, OF THE CODE OF THE BOROUGH OF PARK RIDGE, IN ORDER TO ADDRESS INCONSISTENCIES.

Mayor Ruschman asked for a motion to open the Public Hearing on Ordinance No. 2011-015, an Ordinance Amending Chapter 101, Zoning, of the Code of the Borough of Park Ridge, in Order to Address Inconsistencies.

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

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

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

**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2011-015**

AN ORDINANCE AMENDING CHAPTER 101, ZONING, OF THE CODE OF THE BOROUGH OF PARK RIDGE, IN ORDER TO ADDRESS INCONSISTENCIES.

WHEREAS, the Mayor and Council of the Borough of Park Ridge has adopted several amendments to its zoning ordinance set forth in Chapter 101 of the Code of the Borough of Park Ridge in recent years in order to implement its planning policies; and

WHEREAS, said amendments have created inconsistencies in the zoning ordinance that must be addressed.

NOW, BE IT ORDAINED by the Mayor and 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:

§101-5 Districts Designated is hereby amended to include the “BUS-2 Business and Professional Office” district and “AH-3 Affordable Housing Overlay” district, and to eliminate the “AHR-10 Affordable Housing” district.

SECTION TWO:

§101-8 Schedule of Regulations – Schedule IV-1, which sets forth use regulations by district, and Schedule IV-2, which sets forth area, yard and bulk requirements by district, are hereby amended and supplemented as shown on the revised schedules located at the end of this ordinance.

SECTION THREE:

§101-12 Limitation on Number of Units on Lot is hereby amended as follows (modification indicated in ~~strike~~throughs):

There shall be no more than one principal use on each lot in any residential district, ORL District and B-2 District. Multiple uses shall be permitted on a lot in the B-1 ~~and CH~~ Districts, provided that ~~in the B-1 District~~ offices within a mixed use building shall be limited to the second floor of the building.

SECTION FOUR:

§101-20 Regulations Governing Certain Principal Permitted Uses is hereby amended as follows (modifications indicated in ~~strike~~throughs):

~~F. Multifamily dwellings above commercial uses (CH Zone).~~

~~(1) Density. The maximum gross residential density for apartments above commercial uses permitted in the CH Zone shall be 12 dwelling units per acre.~~

G. Child-care facilities. Applications for child-care centers as a permitted principal use shall comply with the following:

(1) Area and bulk regulations:

| Regulation | District | |
|---------------------------------------|----------|----------------------------|
| | ORL | B-1, B-2 and CH |
| Minimum lot area (square feet) | 60,000 | 40,000 |
| Minimum lot width (feet) | 150 | 150 |
| Minimum lot depth (feet) | 200 | 150 |
| Minimum front yard (feet) | 50 | 20* |
| Minimum side yards (feet) | 25 | 25 |
| Minimum rear yards (feet) | 50 | 50 |
| Maximum building coverage(percent) | 25 | 30 |
| Maximum impervious coverage(percent) | 60 | 65 |
| Maximum building height(stories/feet) | 2/30 | 2/30 |

*NOTE: Twenty feet in B-1 ~~and CH~~; 50 feet in B-2 Zone.

SECTION FIVE:

§101-21 Regulations Governing Certain Accessory Structures and Uses is hereby amended as follows (modifications indicated in ~~strike~~throughs and *italics*):

H. Child-care center facilities. Application for a child-care center as a permitted accessory use shall comply with the following:

- (1) A child-care center shall be permitted to occupy as an accessory use a portion of a building which is occupied as a principal permitted use in the ORL, B-1, and B-2 ~~and CH~~ Zones. This use shall be available to the occupants of the building and may also be available to others, provided that:
 - (a) The facility is licensed by the New Jersey Department of Human Services.
 - (b) A minimum of 150 square feet of outdoor play area per child shall be provided. Play areas shall be permitted in the rear and side yards only and shall be enclosed by a fence at least four feet in height and landscaped and screened from adjoining properties.
 - (c) The area and bulk requirements applicable to the zone in which the site is located shall be complied with.
 - (d) No more than 15% of a building shall be occupied as a day-care center.
 - (e) No additional parking shall be required where a child-care facility is available solely to the occupants of the building. A minimum of one parking space shall be provided for every 10 children for which the center is designed, where the center is to be open to individuals not working in the building.

SECTION SIX:

§101-22 Regulations Governing Certain Conditional Uses is hereby amended as follows (modifications indicated in ~~strikethroughs~~ and *italics*):

G. Satellite Dish Antenna.

- (5) Size and height requirements.
 - (b) Roof-mounted antenna.
 - [1] In the ORL Zone, the diameter of the antenna shall be no more than 12 feet, and the maximum antenna height shall be no more than 15 feet above the roof at the point at which the antenna is situated.
 - [2] Roof-mounted antennas are prohibited in all zones other than the ORL, B-1, and B-3 ~~and CH~~ Zones, and in the B-1; and B-3 ~~and CH~~ Zones, satellite antennas shall be permitted with a diameter of no more than six feet and a maximum height no greater than eight feet above the roof at the point where the antenna is situated.
 - [3] A satellite dish antenna no wider than 18 inches is permitted in all residential zones and a permit is not required to erect a conforming satellite antenna in any residential zone.

I. Restaurants.

- (1) Restaurants and take-out restaurants, as defined in §101-4, are permitted as conditional uses in the B1 ~~and CH~~ Zones.
- (2) These uses are permitted if they meet the following conditions:
 - (a) Except as otherwise provided herein, restaurants shall conform to the area, bulk and yard requirements for the *B-1 Zone* ~~zone in which the site is located~~ as set forth on Schedule IV-2 of Chapter 101.
 - (b) Parking standards:
 - [1] Restaurants shall provide off-street parking at the ratio of one parking space per three seats.
 - [2] Take-out restaurants shall not be required to have any off-street parking spaces. Every such business shall, however, have four seats as a designated waiting area. Counters and tables for waiting with a consumption of food are prohibited.

SECTION SEVEN:

Article X Signs, §101-41.2 Particular Uses, is hereby amended as follows (modifications indicated in ~~strikethroughs~~ and *italics*):

E. Additional regulations for nonresidential districts. The following supplemental regulations shall apply as noted:

- (1) Signs in the B-1, B-2, and B-3 ~~and CH~~ Districts. Signs in these districts shall comply with the following requirements:
 - (a) Freestanding signs. One freestanding sign shall be permitted for a retail building or buildings with more than one tenant and a floor area of at least 25,000 square feet. The following regulations apply to freestanding signs:
 - [1] The sign shall identify the development only. Tenants within the building shall not attach their sign to any part of the permitted sign.
 - [2] The height of the freestanding sign shall not exceed 20 feet nor shall any such sign be located nearer than 10 feet to any street right-of-way or property line.
 - [3] No freestanding sign shall exceed an area of 24 square feet.
 - [4] Such signs shall not be located within 25 feet of a residential zone or residentially developed property.
 - (b) Wall signs. No sign shall be permitted which is not accessory to the business conducted on the property. Each commercial use in the B-1, B-2, and B-3 ~~and CH~~ Zones shall be entitled to a wall sign, but in no event shall the total square footage of all wall signs exceed 10% of the square footage of the front facade.
 - [1] Wall signs shall not exceed two square feet of signage for every linear foot of the front facade of the portion of the building occupied by the use being advertised. No wall sign shall exceed a vertical dimension (height) of greater than two feet.
 - [2] The maximum letter size of any wall-mounted sign shall be two feet.
 - [3] Wall-mounted signs shall be permitted on each commercial building. The aggregate total of all such signs shall not exceed 10% of the front facade of the principal building or one square foot for each linear foot of building frontage occupied by the tenant using the sign, whichever results in the smaller sign.

- (c) Window signs. In addition to any sign or signs permitted pursuant to this section, window display signs, as well as affixed window signs limited to indicate membership in a retail or professional organization or credit card or credit association, to show manufacturers' or required licenses or advertisements referable to sales within, shall be permitted to be attached to windows on the interior of the business use, provided that the aggregate area employed for such purpose shall not exceed 20% of the total window area on which it is located.

SECTION EIGHT: 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 NINE: 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 TEN: 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 the Mayor and Council had adopted several amendments to its zoning ordinance set forth in Chapter 101 of the Code of the Borough of Park Ridge in recent years in order to implement its planning policies. The amendments have created inconsistencies in the zoning ordinance. The Planning Board has recommending this ordinance be adopted to address these inconsistencies.

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 it be adopted and notice of final passage be published in The Ridgewood News.

A motion was made by Council President Maguire and seconded by Councilmember Kilmartin to confirm.

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

CONSENT AGENDA:

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

Speaker: No one.

Mayor Ruschman asked if any Council member wished to abstain from voting on any resolution on the consent agenda.

Speaker: No one.

Mayor Ruschman asked for a motion to accept the Consent Agenda (with the abstentions so noted).

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

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

RESOLUTIONS:

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-131**

**AUTHORIZING SUBMISSION OF NJ TRANSIT APPLICATION
FY 2011 SECTION 5310 VAN - TRIBORO**

BE IT RESOLVED BY THE Mayor and Council of the Borough of Park Ridge that the Borough Administrator be and is hereby authorized to submit a grant application to NJ Transit, FY 2011, Section 5310 Elderly and Persons with Disabilities Capital Assistance Program for a replacement van – Minibus w/front Lift.

BE IT FURTHER RESOLVED that said grant application, and grant if awarded, shall be at no cost or match to the Boroughs of Park Ridge, Montvale and Woodcliff Lake.

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

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-132**

AUTHORIZE TEMPORARY CLERK TYPIST

WHEREAS, the Borough Clerk and the Borough Administrator have recommended that a temporary Clerk Typist be hired for a period not to exceed 12 weeks, one day per week to provide administrative assistance to the Borough Clerk and Borough Administrator 7 hours per week, Monday through Friday, 8:30 AM to 4:30 PM or on a schedule as agreed to by the Borough Clerk and Borough Administrator; and

WHEREAS, the Borough of Park Ridge has previously hired Thomas Mazzarella, 129 North Avenue, Park Ridge, NJ be hired for this temporary position at the hourly rate not to exceed \$12 and the Borough Administrator concurs.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that said person be hired on a temporary basis for the period commencing or about April 18, 2011 for up to 12 weeks, one workday per week.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-133**

**AMEND PERSONNEL POLICIES
VACATION DAY USAGE FOR NON-UNION EXEMPT EMPLOYEES**

WHEREAS, Resolution 043 adopted on February 8, 2005 established a revised policy for the use of vacation and sick days by non-union exempt employees; and

WHEREAS, said policy established that all employees subject to the policy shall be required to use their earned vacation days by March 31st of the following year; and

WHEREAS, the Borough Administrator has recommended that the date be changed to June 30th based upon discussions with the Mayor and Council at the April 12, 2011 meeting; and

WHEREAS, no other changes to Resolution 043 are recommended at this time.

NOW, THEREFORE that all employees subject to the policy as outlined in Resolution 043 adopted on February 8, 2005 shall be required to use their earned vacation days by June 30th.

BE IT FURTHER RESOLVED that this resolution is immediately effective.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-134**

**AUTHORIZING CONTRACT WITH GREEN SKY INDUSTRIES
EWASTE RECYCLING**

WHEREAS, the Borough of Park Ridge is required to provide for the recycling of electronic waste effective January 1, 2011; and

WHEREAS, the State of NJ defines Electronic Waste as Computer CPUs, Monitors and Televisions; and

WHEREAS, Qualified Purchasing Agent/Director of Operations Beattie has obtained two price quotes (from Green Sky Industries and ERevival) attached and reviewed them with the Board of Public Utility and General Road Supervisor Wayne and both quotes have the same charge - \$150 per pull with no cost for disposal; and

WHEREAS, the Mr. Wayne has recommended Green Sky Industries, located at 42 Chestnut Street, Clifton, NJ 07011 since they provide an enclosed roll-off container and if we ever needed to relocate the container our roll-off truck could be used and the Director of Operations, the Board and Borough Administrator concur.

WHEREAS, N.J.S.A. 40A:11-5(s) provides that as long as the locating contract unit finds a Class A, B, C or D Recycling Center for the processing as required by end user or transportation specifications, that facility meets the requirements of the State law, bidding as a basis for a contract is not necessary and Green Sky Industries is such a facility; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2011 Budget Account 1-01-26-308-000-063.

NOW, THEREFORE BE IT RESOVLED by the Mayor and Borough Council of the Borough of Park Ridge that the Borough Attorney prepare the necessary contract for execution by the Mayor and Borough Clerk.

BE IT FURTHER RESOLVED that a notice of this action as an exception to the Local Public Contracts Law be published in the newspaper of record within 10 days from adoption of this resolution.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-135**

**Resolution Supporting the Passage of S-54
Requesting Relief From Some of the Requirements of the Permitting Process
For De-Snagging and De-Silting of Local Streams**

WHEREAS, flooding of local streams is a major problem for the residents of low lying areas; and

WHEREAS, regular de-snagging and de-silting of our local streams would provide significant relief of flooding problems; and

WHEREAS, the permitting process required before de-snagging and de-silting may be undertaken is extremely onerous; and

WHEREAS, the permitting process is also very costly to the local governments involved; and

WHEREAS, relief from the requirements of that permitting process would facilitate de-snagging and de-silting operations being undertaken in a more timely manner;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge hereby urges the legislature to quickly enact, and the Governor to approve, S-54 which would relieve some of these regulatory burdens; and

IT IS HEREBY ORDERED that a duly authenticated copy of this resolution be transmitted to Governor Christie, Senate President Sweeney, Assembly Speaker Oliver, Senator Smith, Chairman of Senate Environmental Committee, and Assemblyman McKeon, Chairman of the Assembly Environmental Committee.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-136**

AUTHORIZE STIPEND PAYMENT

WHEREAS, the collective bargaining agreement between the Borough of Park Ridge and the Park Ridge Utility Employees Association provides for an annual stipend for those employees who obtain a W-1 Public Water

Distribution system license, a T-1 Public Water Treatment license or a C-1 Public Wastewater Collection System license; and

WHEREAS, the collective bargaining agreement between the Borough of Park Ridge and the Park Ridge Borough Employees Association provides for an annual stipend for those employees who obtain certifications in their respective fields;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the Borough Treasurer is hereby authorized and directed to pay the following employees an annual stipend for having successfully completed the requirements for the following certifications:

| <u>EMPLOYEE</u> | <u>LICENSE(S)</u> | <u>STIPEND</u> |
|---------------------|---------------------|----------------|
| James R. Babcock | W-1, T-1 | \$1,150 |
| Daniel P. Boyle | W-1, C-1, T-1 | \$1,725 |
| Paul F. Neumann | W-1, C-2, T-1 | \$1,725 |
| Jay A. Ottens | C-1 | \$ 575 |
| Kenneth C. Reynolds | W-1, C-1, T-2 | \$1,725 |
| Elizabeth Maggio | BH Deputy Registrar | \$ 350 |
| Elena Rega | CCO Tech Asst. | \$ 250 |

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-137**

**AUTHORIZING EXECUTION OF DONATION AGREEMENT FOR VARIOUS EQUIPMENT FROM
NBC FOR PKRG-TV**

WHEREAS, NBC Universal wishes to make a donation of various equipment to the Borough of Park Ridge for use by PKRG-TV; and

WHEREAS, said equipment to be donated is outlined in the attached list; and

WHEREAS, NBC Universal requires the execution of a **MATERIAL OR EQUIPMENT DONATION AGREEMENT** attached; and

WHEREAS, the Borough Attorney has reviewed said Agreement and does not object to its execution and the Borough Administrator recommends execution of said Agreement.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Park Ridge that the appropriate Borough officials be and are hereby authorized to execute said Agreement and to accept said equipment donation.

NBC Donation to PKRG Equipment Request List

| Quantity | Item | Description | Usage |
|----------|---|---|---|
| 3 | 10x1 analog video switcher | single rack unit non synchronous video switcher | useful for reducing the number of tube monitors required for running the cable channel |
| 2 | Analog video distribution amplifiers | three rack unit modular infrastructure | useful for distributing analog video signals to multiple destinations within the PKRG-TV infrastructure |
| 2 | Digital video distribution amplifiers | three rack unit modular infrastructure | useful for distributing digital video signals to multiple destinations within the PKRG-TV infrastructure |
| 2 | Analog quad split boxes | single rack unit picture in picture processor | useful for reducing the number of tube monitors required for running the cable channel, outputs to a tube |
| 1 | Eight input analog video multiviewer | picture in picture processor | useful for reducing the number of tube monitors required for running the cable channel, outputs to a |
| 1 | Eight input digital video multiviewer | picture in picture processor | useful for reducing the number of tube monitors required for running the cable channel, outputs to a |
| 2 | Analog to digital video signal converters | three rack unit modular infrastructure | useful for making existing PKRG infrastructure compatible with current television equipment |
| 2 | Digital to analog video signal converters | three rack unit modular infrastructure | useful for making existing PKRG infrastructure compatible with current television equipment |
| 2 | Audio de-embedder | three rack unit modular infrastructure | useful for making existing PKRG infrastructure compatible with current television equipment |
| 2 | Audio embedder | three rack unit modular infrastructure | useful for making existing PKRG infrastructure compatible with current television equipment |
| 1 | Test generator | single rack unit test pattern generator | makes colorbars, provides reference signals for calibration of infrastructure |
| 1 | Sync pulse generator | single rack unit signal generator | makes synchronizing pulses to support proper infrastructure operation |
| 1 | Telephone interface | single rack unit interface | allows telephone calls to be integrated into a program |
| 2 | Digital audio delay | single rack unit infrastructure | useful for synchronizing audio to video |
| 2 | near field monitors | small audio speakers | |
| 1 | Small production switcher | 8 inputs | useful for mixing cameras on remote productions |
| 8 | 9" analog color monitors | small monitoring | |

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-138**

**AUTHORIZE SETTLEMENT OF CERTAIN TAX APPEALS WITH
BEARS NEST CONDOMINIUM ASSOCIATION**

WHEREAS, 99 property owners within the Bear's Nest Condominium Association have appealed their respective 2010 tax assessments, the names, addresses and docket numbers are set forth in the attached schedule hereto; and

WHEREAS, the Borough Tax Assessor, the Borough's Tax Appraiser and the Borough Attorney have recommended a settlement of the litigation, which is in the best interests of the Municipality;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Park Ridge, that the Borough Attorney be and is hereby authorized and directed to execute any and all documents necessary in order to effectuate a settlement wherein the 2010 total assessment for the respective 99 property owners will be reduced in the aggregate amount of \$180,000.00 to be allocated on a pro rata basis subject to the review of the Borough Tax Assessor and Borough Attorney;

AND BE IT FURTHER RESOLVED that the aforesaid settlement is predicated upon waiver of payment of interest on any refund.

TAX COURT COMPLAINTS - 2010
BERGEN COUNTY/PARK RIDGE

| Block | Lot | Qual | Address | Owner | Tax Court Docket No. | Assessed |
|-------|-----|-------|---------------------|-------------------------------------|-------------------------|----------|
| 103 | 3 | C0001 | 1 OXFORD WELLS | COLGAN MARGARET | 010667-2010 | 1059100 |
| 103 | 3 | C0024 | 24 SHERWOOD DOWNS | VENT RONALD L & VENT JOSEPHINE L | 011724-2010 | 1071600 |
| 103 | 3 | C0041 | 41 WHITNEY HILL | WHITNEY INVESTMENT PROPERTIES LLC | 010738-2010 | 1079100 |
| 103 | 3 | C0049 | 49 WHITNEY HILL | BOZA LUIS B & ROSA MARIA | 010674-2010 | 1036500 |
| 103 | 3 | C0141 | 141 ASHLEY PLACE | MOHAMAD MICHAEL & SANDRA | 010028-2010 | 1127100 |
| 103 | 3 | C0153 | 153 ASHLEY PL | SCHWARTZ ROSALYN H & MARTIN J TRUST | 011699-2010 | 1134800 |
| 103 | 3 | C0182 | 182 CAMELOT GATE | WINSTON ROBERT D & RENA L | 011726-2010 | 1137900 |
| 103 | 3 | C0201 | 201 BEARWOODS RD | ROSS ALAN M & LINDA | 010033-2010 | 1141800 |
| 103 | 3 | C0202 | 202 BEARWOODS RD | BRUSSEL PHILLIP D & SUSAN H | 010675-2010 | 1350200 |
| 103 | 3 | C0203 | 203 BEARWOODS RD | SALOMON MANFRED F | 010035-2010 | 1209600 |
| 103 | 3 | C0206 | 206 BEARWOODS RD | SKAGGS PEGGY CARLSON | 011707-2010 | 1165100 |
| 103 | 3 | C0207 | 207 BEARWOODS RD | BANZON MANUEL B & LORRAINE M | 010669-2010 | 1190700 |
| 103 | 3 | C0209 | 209 BEARWOODS RD | ASGAR KAMAL & SAFIEH | 010666-2010 | 1163000 |
| 103 | 3 | C0211 | 211 BEARWOODS RD | TENBEKIAN JACK & NEVERE | 011718-2010 | 1396600 |
| 103 | 3 | C0213 | 213 BEARWOODS RD | PANTELO RONALD & PATRICE | 010037-2010 | 1214700 |
| 103 | 3 | C0217 | 217 BEARWOODS RD | KINDERGAN VIKTORIA R | 010040-2010 | 1221700 |
| 103 | 3 | C0218 | 218 BEARWOODS RD | RESNICK DAVID A & GELTMAN NANCY J | 010043-2010 | 1257100 |
| 103 | 3 | C0219 | 219 BEARWOODS RD | CHAVEZ LAURA M | 011729-2010 | 1387800 |
| 103 | 3 | C0221 | 221 CAMBRIDGE OAKS | BEN-DAVID BARBARA | 010670-2010 | 1035600 |
| 103 | 3 | C0222 | 222 CAMBRIDGE OAKS | FARRELL JOHN | 010678-2010 | 1146400 |
| 103 | 3 | C0223 | 223 CAMBRIDGE OAKS | HARNETT JOHN & VIVIAN | 010048-2010 | 1151200 |
| 103 | 3 | C0224 | 224 CAMBRIDGE OAKS | EPSTEIN SHELDON N & LILLIAN | 010688-2010 | 1201500 |
| 103 | 3 | C0225 | 225 CAMBRIDGE OAKS | SMALL CYNTHIA | 011710-2010 | 1140800 |
| 103 | 3 | C0233 | 233 CAMBRIDGE OAKS | CHERNAK YURI & SVETLANA | 010684-2010 | 1095000 |
| 103 | 3 | C0234 | 234 CAMBRIDGE OAKS | SCHRIER STANLEY & MARCY | 011697-2010 | 1200700 |
| 103 | 3 | C0236 | 236 CAMBRIDGE OAKS | MCLELLAND W CRAIG & ALICE | 010051-2010 | 1185100 |
| 103 | 3 | C0237 | 237 CAMBRIDGE OAKS | BAKER JUDITH | 010668-2010 | 1141300 |
| 103 | 3 | C0239 | 239 CAMBRIDGE OAKS | MARKANTES TIMOTHY & CINDY L | 010054-2010 | 1205500 |
| 103 | 3 | C0242 | 242 CAMBRIDGE OAKS | PLATINSKY JEFFREY & DIANE | 010057-2010 | 1213900 |
| 103 | 3 | C0243 | 243 CAMBRIDGE OAKS | NALLY RICHARD G & ANN M | 011728-2010 | 1234200 |
| 103 | 3 | C0244 | 244 CAMBRIDGE OAKS | SANDLER GILBERT & JANET I | 010070-2010 | 1189800 |
| 103 | 3 | C0245 | 245 BEARWOODS ROAD | PAGET MARVIN & RENEE | 010078-2010 | 1132700 |
| 103 | 3 | C0246 | 246 BEARWOODS RD | TUFANO SAM & BARBARA | 011722-2010 | 1192400 |
| 103 | 3 | C0248 | 248 BEARWOODS RD | TAPPER BRUCE & LOIS F | 011716-2010 | 1213700 |
| 103 | 3 | C0254 | 254 FORESTER WAY | FAIN HARVEY A & SUSAN R | 010677-2010 | 1207800 |
| 103 | 3 | C0255 | 255 FORESTER WAY | DVORKIN LAURIE | 010686-2010 | 1250700 |
| 103 | 3 | C0257 | 257 FORESTER WAY | BUHL CAROL A TRUSTEE | 010676-2010 | 1021100 |
| 103 | 3 | C0258 | 258 FORESTER WAY | HOROWITZ JOEL | 010086-2010 | 1345100 |
| 103 | 3 | C0259 | 259 FORESTER WAY | BOBER BERNARD R & JANET M | 010673-2010 | 1198300 |
| 103 | 3 | C0269 | 269 HAMPSHIRE RIDGE | THE PATRICIA M SULLIVAN LIVING TRST | 011714-2010 | 1171100 |
| 103 | 3 | C0270 | 270 HAMPSHIRE RIDGE | RAUSCHER IRENE | 010088-2010 | 1363100 |
| 103 | 3 | C0276 | 276 HAMPSHIRE RIDGE | FUHRMANN CHRISTOPHER & SHERYL | 010680-2010 | 1362500 |
| 103 | 3 | C0277 | 277 HAMPSHIRE RIDGE | KRAFT BARBARA | 011727-2010 | 1175100 |
| 103 | 3 | C0282 | 282 HAMPSHIRE RIDGE | DAVIS STEVEN & BARBARA | 010685-2010 | 1193700 |
| 103 | 3 | C0283 | 283 HAMPSHIRE RIDGE | JOHNSON HENRIETTE G | 010098-2010 | 1362600 |
| 103 | 3 | C0285 | 285 HAMPSHIRE RIDGE | ELLIOTT S E C/O CORNERSTONE AD INC | 010690-2010 | 1224800 |
| 103 | 3 | C0286 | 286 HAMPSHIRE RIDGE | LIVINGSTON KATHY & LAWRENCE | 010103-2010 | 1363100 |
| 103 | 3 | C0290 | 290 FORESTER WAY | RAUSCHER IRENE | 010144-2010 | 1170000 |
| 103 | 3 | C0291 | 291 CHELSEA MANOR | HORNE TED & SUSAN | 010116-2010 | 1191600 |
| 103 | 3 | C0292 | 292 CHELSEA MANOR | THEURER HELENA | 011720-2010 | 1313800 |

COMMUNICATIONS:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

Mayor Ruschman asked for a motion to appoint the following members of the Green Team Committee for the year 2011; these are in addition to those appointed previously

Roseann Crisafi Keiko Stearns Betsy Thomason

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

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

Resolution to Authorize Settlement of Certain Tax Appeals with Bears Nest Condominium Association.

Councilmember Viola advised he was constrained to discuss the specifics of the resolution because of the negotiations; concerned about settling on a figure when the Borough did not have the money available to pay; felt better negotiations could reduce what the Borough had to pay; will probably have to borrow to pay. He further commented he understood that the involved property owners were entitled to some refund.

Council President Maguire stated that the Borough was brought to court on the tax appeal; felt it was an adequate settlement; do have money budgeted for in the budget and in the reserve; depending upon the total amount of refunds for tax appeals in general may have to bond for the money.

Councilmember Misciagna commented that the Borough had set aside money for these settlements.

Councilmember Viola responded that in prior discussions the money had been set aside to be used for prior tax appeals; at the end of the day we don't know liability for tax appeals.

Councilmember Kane stated that the Borough set aside money each year for tax appeals; have anticipated revenue tied to the Library which would cover the 2010 appeals and maybe 2011. If we do not get the money from the Library may have to go out for emergency notes. The money from the Library has sat since 1999; a change in legislation requires the Library to give this surplus to the Borough once the State Librarian had approved.

Councilmember Viola commented that we may not have that money from the Library and then where would it come from.

Councilmember Kane responded that he was not happy with the amount settled for this specific tax appeal, but believed that with the current reserve amount for tax appeals and the 2011 budgeted amount might need less than \$50,000 more to pay for this tax appeal and the ones already settled.

Mayor Ruschman commented that we know right now how much we have available for tax appeals and how much we are spending by this settlement; if we were to go to Court we would have no idea what we would have to pay out. Every year we face tax appeals.

Mrs. Ennis advised that if what we have budgeted and in the reserve for tax appeals is not sufficient we may have to borrow.

Council President Maguire stated that the deadline to file tax appeals for 2011 is the end of this week; we will have ongoing tax appeals. We went through a reassessment driven by the Bears Nest values to address the values. The Borough is not just allowed to take the money from the Library, but once we receive it is to be use for tax reductions and it is prudent to use this money for tax appeals.

Councilmember Viola commented that the Library has the right to use its surplus; they could use it for capital project. Perhaps better negotiations would have resulted in a lesser amount to be paid to settle this tax appeal. We should only spend what we have.

Mayor Ruschman commented that the Council should be proud of itself for having set aside money for tax appeals.

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

Roll Call: Councilmember Hopper - no, Councilmember Kilmartin - yes, Councilmember Misciagna - yes, Councilmember Kane - no, Councilmember Viola - no, Council President Maguire – yes, Mayor Ruschman – yes.

REPORTS OF THE GOVERNING BODY:

Councilmember Hopper stated that he had a topic for Old Business that was skipped over. At this time Councilmember Hopper requested there be a discussion about the lack of a vehicle usage policy which he brought up at the last meeting. Should have a policy for vehicles which go home with employees. Felt there are employees who live a far distance to respond to emergency calls and it is an expense for the Borough as well as hard on the vehicles.

Councilmember Misciagna asked Councilmember Hopper to define what he thought was the proper response time to which Councilmember Hopper responded twenty (20) minutes.

Councilmember Kane said he was not talking about first responders such as the Police Chief, Fire Chief or Mr. Beattie. There are a hand full of other employees who maybe should be using the vehicles while here, but not taking them back and forth to their homes.

Council President Maguire stated that there are specific employees where the vehicles were included in their overall compensation package and they are on call to respond.

There was the start of a discussion about specific employees; Mr. Mancinelli advised the governing body could not have these discussions without providing the employees with the proper RICE Notice.

Councilmember Misciagna commented that he was not opposed to a vehicle policy; need to have a discussion in detail; need to review each of the individual situations, what are their responsibilities, functions and obligations to the Borough, etc.

Mayor asked that this be listed for an upcoming closed session.

Councilmember Kane asked that the governing body be provided with a list of the negotiated agreements. The governing body was in agreement.

Mayor Ruschman stated that as he had done last year when he had thanked Councilmember Kane when he served as Acting Mayor. Mayor Ruschman thanked Council President Maguire for the outstanding work he did as Acting Mayor, while the Mayor was away.

APPROVAL OF MINUTES

Mayor Ruschman asked for a motion to approve the minutes of the Mayor and Council Meetings as follows:

Closed and Work Session Minutes dated April 12, 2011

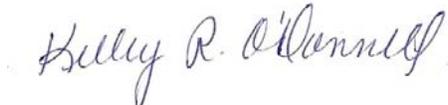
A motion was made by Council President Maguire and seconded by Councilmember Misciagna to confirm.

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

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

Meeting adjourned at 9:11 p.m.

Respectfully submitted,



Kelley R. O'Donnell, RMC
Borough Clerk