

Municipal Building
Park Ridge, NJ
September 27, 2011-8:20 pm

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.

Council President Maguire led those attending in the Pledge of Allegiance to the Flag.

ROLL CALL:

Present: Councilmembers Hopper, Kilmartin, Misciagna, Kane, Viola,
Council President Maguire
Absent: Mayor Ruschman
Also Present: Robert Mancinelli, Esq., Borough Attorney
Lyn Beer, Deputy Borough Clerk

Council President Maguire read the Compliance Statement, as required by Open Public Meetings Act, P.L. 1975, Chapter 231.

SUSPEND REGULAR ORDER OF BUSINESS:

Motion made by Councilmember Misciagna and seconded by Councilmember Viola to confirm to suspend the regular order of business for the presentation of Awards to Girl Scouts.

AYES: Councilmembers Hopper, Kilmartin, Misciagna, Kane, Viola

Council President Maguire explained that Troop 225 was very special to him and that they had worked very hard on these special projects to earn their Silver Award. He said most of the Troop had been together since Kindergarten and as they were receiving their Silver Award the Mayor and Council wanted to recognize their special work, stating they had put over 80 hours into this project. Of their projects, he said, 10 girls had participated in the Homework Heroes project helping out elementary school children with their homework; 1 did therapeutic horseback riding with disabled children; some made pillows for people in wheelchairs at the Bergen Regional Medical Center; 1 helped out the basketball team by doing the scoring; a group that raised money for the Ronald MacDonald House; and then a group that helped those in need after the Haiti earthquake. He then asked the following girls to come forward and received their Certificates:

Astha Desai	Alexis Escandon	Caludia Fendian
Kelly Gasnick	Caroline Kehrli	Christine Kehrli
Meagan Maguire	Kristiana Marcopoulos	Julia Santiago
Nicole Southard	Alaina Klaiss	Caitlin Martel
Kimberly Conroy	Lindsay Beer	Danielle DiMeo
Jackie Mital	Alexandra Raspanti	Melissa Dulberg
Kristen Sherlock	Molly Neilan	

Council President Maguire said he was proud of the girls and their accomplishments and asked for a round of applause for the Troop Leaders.

AGENDA CHANGES:

Deputy Clerk advised of the addition of the following resolutions to the Consent Agenda;

- #011-301 – Authorize Grant Agreement BC CDBG – Senior Activities 2011
- #011-302 – Authorize Grant Agreement BC CDBG – Barrier Free
Bathrooms Colony & Sulak Field 2011
- #011-303 – Authorizing Emergency Repairs & Remediation of Davies Field
- #011-304 – Authorize Settlement of Tax Appeal with Jeffrey Zimmerman
& Amy Zimmerman
- #011-305 – Resolution Designation a 41,457,682 BAN & an \$88,000 SEN

as Qualified Tax-Exempt Obligations

PUBLIC PRIVILEGE OF THE FLOOR:

There was no one.

ORDINANCES – INTRODUCTION:

Ordinance No. 2011-027 – An Ordinance Amending Chapter 55A; Electric Rates of the Code of the Borough of Park Ridge.

Motion made by Councilmember Misciagna and seconded by Councilmember Viola to confirm to introduce on first reading Ordinance No. 2011-027, An Ordinance Amending Chapter 55A; Electric Rates for the Code of the Borough of Park Ridge.

AYES: Councilmembers Hopper, Kilmartin, Misciagna, Kane, Viola

Council President Maguire asks the Deputy Clerk to read the Ordinance by title.

ORDINANCE NO. 2011-027

**AN ORDINANCE AMENDING CHAPTER 55A, ELECTRIC RATES,
OF THE CODE OF THE BOROUGH OF PARK RIDGE**

WHEREAS, the Mayor and Council have been advised by the Park Ridge Board of Public Works that there has been an increase in the number of its commercial users that have either been late or have defaulted on their obligations and that the present security deposit structure does not allow for adequate compensation to the Electric Utility or Water Utility resulting from the non-payment by a commercial user; and

WHEREAS, the Board of Public works seeks to protect all of its rate payers by providing for adequate security deposits; and

WHEREAS, the adoption of this Ordinance will allow the Park Ridge Electric Utility and Water Utility to recoup any revenue loss resulting from the commercial users failure to pay its obligations.

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 55A, Electric Rates, of the Code of the Borough of Park Ridge be and is hereby amended as follows:

SECTION I. Chapter 55A Electric Rates is amended to include the following new section:

§ 55A-10. Security Deposits, Commercial Users.

A. Any existing commercial user following the effective date of the within ordinance who fails to pay its obligations for a period of more than forty-five (45) days or is late for thirty (30) days on two (2) or more occasions in any calendar year shall be required to pay a security deposit equal to one and one-half (1 ½) months of the commercial users actual or estimated usage. Failure to pay said security deposit shall result in the discontinuation of service.

B. Any new commercial user following the effective date of the within ordinance shall be required to pay a security deposit equal to one (1) month of the commercial users estimated usage of electrical service that will be provided. Failure to pay said security deposit shall result in the discontinuation of service.

SECTION TWO: **Invalidity.** 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 THREE: **Severability.** 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 FOUR: **Effective Date.** This Ordinance shall take effect immediately following final passage, adoption and publication as provided by law.

Council President Maguire asked the Borough Attorney to give a brief description of the ordinance.

Mr. Mancinelli said the ordinance was the result of a recommendation from the Park Ridge Board of Public Works recognizing the on-going issue of the economy that some of the commercial uses have been defaulting on their utility bills, both electric and water, that a section be created requiring additional security deposit from the commercial users. It also establishes both deposit requirements for existing users as well as new users.

Council President Maguire asked if there was anyone present wishing to be heard on the introduction of this ordinance.

There was no one.

Motion made by Councilmember Misciagna and seconded by Councilmember Kane to confirm to pass 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 October 11, 2011.

AYES: Councilmembers Hopper, Kilmartin, Misciagna, Kane, Viola, Council President Maguire

Ordinance 2011-028 – An Ordinance Amending Chapter 76, parking Lots, Municipal, of the Code of the Borough of Park Ridge, New Jersey

Motion made by Councilmember Misciagna and seconded by Councilmember Viola to confirm to introduce on first reading Ordinance No. 2011-028, An Ordinance Amending Chapter 76, Parking Lots, Municipal, of the Code of the Borough of Park Ridge.

AYES: Councilmembers Hopper, Kilmartin, Misciagna, Kane, Viola

Council President asks the Deputy Clerk to read the ordinance by title.

BOROUGH OF PARK RIDGE

ORDINANCE NO. 2011-028

AN ORDINANCE AMENDING CHAPTER 76, PARKING LOTS, MUNICIPAL, OF THE CODE OF THE BOROUGH OF PARK RIDGE, NEW JERSEY

WHEREAS, a request has been made to the Mayor and Council by the Borough’s Chamber of Commerce to modify the parking restriction during certain hours within the Borough’s commuter parking lot located on Hawthorne Avenue between Madison Avenue and Market Street in order to allow more parking spaces for patrons of the Borough’s downtown business establishments; and

WHEREAS, said request has been reviewed by the Borough’s Police Department and the Police Chief has indicated that there is no objection to modify the restriction of hours as requested; 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, its citizens and the local business establishments.

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 76, Parking Lots, of the Code of the Borough of Park Ridge be and is hereby amended as follows:

SECTION ONE. Chapter 76-1(A)(1) is amended as follows:

Article I. Commuter Parking Lots

§ 76-1. Location; hours of use.

A. The parking of vehicles in the municipal parking lot located on Hawthorne Avenue between Madison Avenue and Market Street is hereby regulated and limited as follows:

- (1) Between the hours of 6:00 a.m. and **4:00 p.m.** ~~12:00 midnight~~ on all days except Saturdays, Sundays and legal holidays, no person shall cause a vehicle to occupy any of the parking spaces, unless said vehicle shall bear a current identification sticker, as herein defined, affixed in accordance with such regulation as the Chief of Police may hereafter promulgate.

SECTION TWO: **Invalidity.** 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 THREE: **Severability.** 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 FOUR: **Effective Date.** This Ordinance shall take effect immediately following final passage, adoption and publication as provided by law.

Council President Maguire asked the Borough Attorney to give a brief description of the ordinance.

Mr. Mancinelli explained said this simply changes Section 76-1A with respect to the hours of restriction with the commuter lot, changing the requirements from 6:00am to 12 midnight to 6:00am to 4:00pm. In essence, this ordinance allows parking after 4:00pm with having to have a parking lot sticker.

Council President Maguire asked if there was anyone present wishing to speak to the ordinance.

There was no one.

Motion made by Councilmember Misciagna and seconded by Councilmember Kane to confirm that the ordinance pass 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 October 11, 2011.

AYES: Councilmembers Hopper, Kilmartin, Kane, Misciagna, Viola, Council President Maguire.

CONSENT AGENDA:

Council President Maguire asked if any member would like to have any resolution removed from the Consent Agenda and placed under New Business.

There was no one.

Council President Maguire asked if any member would like to abstain from voting on any resolution on the Consent Agenda.

Councilmember Hopper said he would abstain from Resolution #5.

Motion made by Councilmember Misciagna and seconded by Councilmember Kilmartin to accept the Consent Agenda with the abstention so noted.

AYES: Councilmembers Hopper, Kilmartin, Misciagna, Kane, Viola, Council President Maguire.

RESOLUTIONS:

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-287
AUTHORIZING STIPEND FOR DEPUTY REGISTRAR
ELIZABETH MAGGIO**

WHEREAS, Elizabeth Maggio has served as the Deputy Registrar of Vital Statistics for the Borough of Park Ridge since May 2007; and

WHEREAS, Joan Higgins Registrar of Vital Statistics retired from the Borough as of July 1, 2010; and

WHEREAS, Joan Higgins has agreed to continue to serve as Registrar of Vital Statistics on a part time basis available 12 hours a week; and

WHEREAS, without a full time Registrar the Deputy Registrar has been dedicating more hours to providing this service to the residents of the Borough of Park Ridge; and

WHEREAS, the Mayor and Council of the Borough of Park Ridge recognize the importance to the residents to continue to provide the service that they have grown accustomed to; and

WHEREAS, the Mayor and Council in recognition of the added responsibilities of the Deputy Registrar have agreed to compensate Elizabeth Maggio with a weekly stipend, separate from her annual salary compensation as Principal Account Clerk; and

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and Council of the Borough of Park Ridge that Elizabeth Maggio will receive a weekly stipend as follows:

- Effective September 1, 2011 - \$30.00/week
- Effective January 1, 2012 - \$50.00/week
- Effective January 1, 2013 - \$60.00/week

BE IT FURTHER RESOLVED that a true copy of this resolution shall be given to Elizabeth Maggio within ten (10) days of adoption.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-288
AUTHORIZE TAX OVERPAYMENT REFUND**

WHEREAS, as a result of a duplicate payment in accordance to R.S. 54:4-21; there has resulted in the overpayment of taxes.

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 return the following 3rd quarter 2011 tax overpayment:

<u>Block</u>	<u>Lot</u>	<u>Qual.</u>	<u>Name</u>	<u>Amount</u>
503	17		Nicki Ariza	\$ 800.00

99 Spring Valley Road
Park Ridge, NJ 07656

1011 2 Huntington Bailey, LLP. \$ 1,596.73
312 Kinderkamack Road
Westwood, NJ 07675

For: Edward, Renae & Joseph Sweeny
23 Cascade Avenue

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-289**

APPROVAL OF BANNER REQUEST

BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that it hereby approves the following request, subject to the availability of space and other conditions which may occur that would not permit banner to be hung at this location:

Banner:

Park Ridge Fire Department
Open House
Park Avenue – Borough Hall
October 10th – October 16th

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 010-290
APPROVAL OF REQUEST**

BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that it hereby approves the following request:

Social Affair Permit – Food/Wine/Beer/Spirit Tasting

YCS Foundation, Inc.
November 7th
Park Ridge Marriott

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-291**

**AUTHORIZING EMERGENCY REPAIR WORK
HEALY LANE (ACCESS ROAD AT BOROUGH HALL)
AND PATHWAY AT SULAK FIELDS
D & L PAVING CONTRACTORS INC.**

WHEREAS, the Borough of Park Ridge experienced substantial flooding on August 28, 2011 as a result of Hurricane Irene; and

WHEREAS, Healy Lane (Borough Hall Access Road) and the Pathway at Sulak Fields were substantially damaged and deemed unsafe for use by the residents of Park Ridge; and

WHEREAS, at a Special Meeting of the Park Ridge Mayor and Council held on September 1, 2011 it was determined that the repairs and remediation of the access road and pathway should be undertaken as an emergency in order to protect the safety, welfare and well being of the residents of Park Ridge; and

WHEREAS, D & L Paving Contractors Inc. of Nutley, NJ has submitted a proposal dated September 8, 2011, a copy of which is attached, in the amount of \$73,900.

WHEREAS, Bill Beattie Director of Operations has recommended that the Mayor and Council authorize D & L Paving Contractors Inc. to perform the repairs of Healy Lane (Borough Hall Access Road) and the Pathway at Sulak Fields.

WHEREAS, by Special Emergency resolution adopted September 13, 2011, the CFO has certified the funds are available in account #1-01-46-877-002-003 (Restoration Services).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that D & L Paving Contractors Inc. are authorized to make the necessary repairs Healy Lane (Borough Hall Access Road) and the Pathway at Sulak Fields in an amount not to exceed \$73,900.

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Park Ridge authorize Borough Attorney Robert J. Mancinelli to prepare and execute a contract with D & L Paving Contractors Inc. in an amount not to exceed \$73,900.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to D & L Paving Contractors, Inc. within ten (10) days of adoption.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-292**

**AMEND CONTRACT FOR PASCACK VALLEY COOPERATIVE PRICING SYSTEM – 2010
NJDOT PROJECT – North Fifth Street Phase II
Additional Drainage Inlet – Change Order No. 3 and Final**

WHEREAS, the Mayor and Borough Council of the Borough of Park Ridge, on December 14, 2010 via Resolution No. 010-315 awarded a contract to D& L Paving Contractors, Inc. for the Park Ridge portion of this bid: base bid not to exceed \$150,019.37 and Alternate Bid in the amount of \$20,263.62 for a total amount of \$170,282.89 plus an additional amount as contingency up to \$29,717.11 which is the maximum amount of the NJDOT grant total of \$200,000 for extras as may be separately approved by the Park Ridge Mayor and Council; and

WHEREAS, the Park Ridge Mayor and Borough Council authorized the construction of four additional ADA accessible ramps including additional sidewalk and four additional Detectable Warning Surfaces as outlined in the attached cost estimate provided by Boswell Engineering with the additional cost not to exceed \$2,000 – Change Order No. 1 at their May 28, 2011 meeting; and

WHEREAS, the Park Ridge Mayor and Borough Council authorized Change Order No. 2 as proposed, via letter dated June 10, 2011 for an additional drainage inlet and associated piping to address or control flooding problems in the area of 10 N. Fifth Street and the additional cost shall be charged against the contingency amount as outlined above and as awarded in the original contract price at their July 12, 2011 meeting; and

WHEREAS, Change Order No. 3 and Final was received by the Borough on September 21, 2011 for additional drainage inlet to control flooding problem

Original Contract Price:	\$170,282.89
Change Order No. 1:	<u>2,000.00</u>
Total	\$172,282.89
Change Order No. 2:	<u>3,387.00</u>
	\$175,669.89
Change Order No. 3 and Final	5,629.91
Total	\$181,298.80

and

WHEREAS, the Borough Administrator reviewed Change Order No. 3 and recommends approval be given as it fall within the project limits; and

WHEREAS, the Park Ridge Chief Financial Officer has certified the funds are available in Bond Ordinance No. 2010-009- account no. C-04-55-929-001.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge that it hereby confirms the authorization for Change Order No. 3 and Final, authorizes the use of the contingency funds awarded as hereinbefore described for the installation of the additional drainage inlet and associated piping as hereinbefore described.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-293**

**AUTHORIZE PAYMENT NO. 2 AND FINAL TO D & L PAVING CONTRACTORS
PASCACK VALLEY COOPERATIVE PRICING SYSTEM
2010 NJDOT PROJECT**

WHEREAS, by Resolution No. 010-315 the Park Ridge Mayor and Borough Council awarded a contract to D&L Paving Contractors, Inc. as part of the Pascack Valley Cooperative Pricing Program in an amount not to exceed as follow: base bid not to exceed \$150,019.37 and Alternate Bid in the amount of \$20,263.62 for a total amount of \$170,282.89 plus an additional amount as contingency up to \$29,717.11 which is the maximum amount of the NJDOT grant total of \$200,000 for the 2010 NJDOT Project – Phase II North Fifth Street; and

WHEREAS, the following Change orders have been authorized:

Original Contract:	\$170,282.89
Change Order No. 1	\$ 2,000.00
Change Order No. 2	\$ 3,387.00
Change Order No. 3	<u>\$ 5,629.91</u>
Revised Total Contract	\$181,298.80
Estimate No. 1	(\$94,702.45)
Estimate No. 2 and Final	(\$86,596.35)

WHEREAS, the contractor has submitted Estimate No. 2 and Final dated August 30, 2011 in the amount of \$86,596.35; and

WHEREAS, Boswell McClave Engineering, the Project Engineer, by letter dated September 19, 2011 attached to the original of this resolution, has recommended to the Mayor and Borough Council payment of the \$86,596.35 as hereinbefore described and the Borough Administrator concurs; and

WHEREAS, the Chief Financial Officer has certified the funds are available in account no. C-04-55-929-001 for said total contract change as hereinbefore described.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Park Ridge, that said Estimate No. 2 and Final be approved for payment in the amount of \$86,596.35 subject to the submission of the required certified payrolls and affirmative action reporting documents.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-294**

RELEASE OF ESCROW FOR T. BRODERICK AND S. GAGLIOTI

WHEREAS, t. Broderick And S. Gaglioti, 79 and 88 Spring Valley Road, known as Lots 6 and 5 in Block 503, on the tax map of the Borough of Park Ridge had posted a Cash Escrow in the amount of \$2,000 in 2010; and

WHEREAS, reviews were made by the Planning Consultant and Board Engineers; and

WHEREAS, the Planning Board of February 23, 2011 approved a Minor Subdivision/Redivision; and

WHEREAS, the applicant has requested that any unexpended funds from the Cash Escrow be returned; and

WHEREAS, the Finance Office has confirmed that there remains \$590.11 in the Cash Escrow account; and

WHEREAS, the Planning Board of the Borough of Park Ridge has recommended to the Mayor and Council that the Cash Escrow of \$590.11 be released to the applicants as the Deeds have been signed and recorded.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the remaining Cash Escrow \$590.11 be released to the applicants as well as any accrued interest.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-295**

AUTHORIZING THE BOARD OF PUBLIC WORKS RATE ATTORNEY TO PEPARE A SPECIAL RATE STRUCTURE AGREEMENT

WHEREAS, wind based and photovoltaic (solar) self-generating equipment is being installed in the Borough of Park Ridge; and

WHEREAS, in order to manage and regulate the installation and accounting for said self-generating equipment, the Borough of Park Ridge recently passed an ordinance for the Electric Department Tariff for Net Metering Installations; and

WHEREAS, the Net Metering Tariff provides for the appropriate metering, crediting and billing to any electric customer who installs self-generating equipment such that electric energy generated by the customer and delivered to electric distribution system may be used to offset electric energy provided by the electric utility to the customer during the applicable billing period; and

WHEREAS, said ordinance allows for the installation of solar systems up to 150 KW, a special agreement with the Electric Department is permitted based upon avoided cost principles; and

WHEREAS, the Hertz Corporation located on Brae Boulevard in Park Ridge has proposed the installation of a solar system having a DC capacity of 347 KW; and

WHEREAS, the Director of Operations has generated a report showing the estimated financial impact of the installation of a 347 KW system on the Hertz Corporation; and

WHEREAS, the Director of Operations has recommended a rate structure for this installation that would not cause a reduction in net revenue for the Borough; and

WHEREAS, said rate structure would allow Hertz to realize the full benefit of the reduced energy generated by the photovoltaic system but would require Hertz to pay the full monthly demand charge based on the total coincident demand from both the incoming energy and the energy generated from the solar system; and

WHEREAS, the Board of Public Works concurs with the recommendation of the Director of Operations and authorizes the Board of Public Works Rate Attorney to draft a special agreement to be executed by the Park Ridge Electric Department and the Hertz Corporation for a Special Rate Structure.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Park Ridge authorize the Board of Public Works Rate Attorney to prepare a Special Rate Structure Agreement to be executed by the Park Ridge Electric Department and the Hertz Corporation.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-296**

**AUTHORIZING SUBMISSION OF NJDOT MUNICIPAL AID PROGRAM GRANT
APPLICATION
Rock Avenue**

WHEREAS, the Mayor and Borough Council of the Borough of Park Ridge have received notice from the State of New Jersey Department of Transportation that applications are now being accepted for the New Jersey Department of Transportation Municipal Aid Program; and

WHEREAS, the Borough Engineer has recommended submitting an application for the resurfacing of Rock Avenue, including all related work and the Borough Administrator concurs.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that it formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic application identified to the State of New Jersey Department of Transportation on behalf of the Borough of Park Ridge.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Park Ridge and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-297**

**AUTHORIZING SUBMISSION OF NJDOT MUNICIPAL AID PROGRAM GRANT
APPLICATION
North Fifth Street – Phase III**

WHEREAS, the Mayor and Borough Council of the Borough of Park Ridge have received notice from the State of New Jersey Department of Transportation that applications are now being accepted for the New Jersey Department of Transportation Municipal Aid Program; and

WHEREAS, the Borough Engineer has recommended submitting an application for the resurfacing of North Fifth Street – Phase III, end of Phase II (just north of Louville) to Colony Avenue, including all related work and the Borough Administrator concurs.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that it formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic application identified to the State of New Jersey Department of Transportation on behalf of the Borough of Park Ridge.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Park Ridge and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-298**

**AUTHORIZE PURCHASE OF FACILITIES MRO, LIGHTING PRODUCTS, INDUSTRIAL
SUPPLIES AND TOOLS
STATE CONTRACT #A79875
W.W. Grainger Inc.**

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

WHEREAS, the Mayor and Council of the Borough of Park Ridge has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Mayor and Council of the Borough of Park Ridge intends to enter into contracts with the W.W. Grainger Inc. of Cranford, NJ through this resolution and properly executed contracts, which shall be subject to the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Park Ridge authorizes the Chief Finance Officer and/or Borough Administrator to purchase certain goods from W.W. Grainger Inc., pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Park Ridge pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum

amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-299**

AUTHORIZE MUNICIPAL ALLIANCE GRANT FY2012

WHEREAS, the **MAYOR AND COUNCIL** of the **BOROUGH OF PARK RIDGE, COUNTY OF BERGEN, STATE OF NEW JERSEY** recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the **BOROUGH OF PARK RIDGE MAYOR AND COUNCIL** further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the **BOROUGH OF PARK RIDGE MAYOR AND COUNCIL** has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Bergen, State of New Jersey hereby recognizes the following:

1. The Borough of Park Ridge Mayor and Council does hereby authorize submission of an application for the Park Ridge Municipal Alliance grant for the calendar year 2012 in the amount of \$10,356.00.
2. The Borough of Park Ridge Mayor and Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-300**

**AUTHORIZE SETTLEMENT OF TAX APPEAL WITH
JAMES REID AND PHYLLIS REID**

WHEREAS, the Mayor and Council of the Borough of Park Ridge have been advised of the proposed settlement of a property Tax Appeal filed on behalf of James Reid and Phyllis Reid (hereinafter the “Tax Appeal”), under Docket Number 009370-2010, and;

WHEREAS, the property under appeal is located at 278 Hampshire Ridge in the Borough of Park Ridge, otherwise known as Block 103, Lot 3, CO278, as designated on the Borough Tax Map (hereinafter the “Subject Property”)

WHEREAS, the said Governing Body has been advised as to the merits of the subject Tax Appeal by the Borough Attorney and the Borough Tax Assessor, and;

WHEREAS, the proposed Tax Appeal settlement would adjust the taxpayer’s assessment from \$1,233,200 to \$950,000 for the 2010 tax year, and;

WHEREAS, it is in the best interest of the Borough to settle the subject Tax Appeal in accordance with the settlement proposal set forth hereinabove.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge, that the settlement of the aforesaid Tax Appeal be finalized to adjust the Subject Properties' tax assessment from \$1,233,200 to \$950,000 for the 2010 tax year, and;

BE IT FURTHER RESOLVED, that respect to same, the Mayor, Borough Administrator, Borough Attorney and/or any other appropriate Borough official is hereby authorized to perform any act necessary to effectuate the purpose set forth in this Resolution.

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

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-301**

**AUTHORIZE GRANT AGREEMENT
BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT
SENIOR ACITIVITES
CONTRACT NO. PS-PARKRGR11**

BE IT RESOLVED, that the Governing Body of the Borough of Park Ridge wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$4,469.00 in Program Year 2011 in Community Development Block Grant Funds for Senior Citizens Activities in the Borough of Park Ridge; and

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

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

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

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-302**

**AUTHORIZE GRANT AGREEMENT
BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT
BARRIER FREE BATHROOMS COLONY FIELD AND SULAK FIELD**

CONTRACT NO. PV-PR-03F-11

BE IT RESOLVED, that the Governing Body of the Borough of Park Ridge wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$55,000.00 in Program Year 2011 in Community Development Block Grant Funds for Barrier Free Improvements to the Toilet Rooms at Colony Field and Sulak Field in the Borough of Park Ridge; and

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

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

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

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-303**

AUTHORIZING EMERGENCY REPAIRS AND REMEDIATION OF DAVIES FIELD

WHEREAS, on September 13, 2011 the Mayor and Council of the Borough of Park Ridge adopted Resolution No. 011-274 awarding the contract to Sportcare SFM in the amount of \$60,000; and

WHEREAS, Sportcare SFM during a preliminary assessment of the underlayment has made the determination that they did not have the experience or equipment to remediate the underlayment at Davies Field; and

WHEREAS, on Tuesday, September 20th B. Beattie and K. O'Donnell met with the representative from Field Turf and Sportcare SFM; and

WHEREAS, the Borough solicited proposals from Dakota Excavating and LandTek per the recommendation of Field Turf; and

WHEREAS, the Borough has received a proposal dated September 22, 2011 from LandTek Group, Inc of Amityville, NY in the amount of \$73,478.00; and

WHEREAS, the Borough is in receipt of a proposal dated September 22, 2011 from Dakota Excavating Contractor in the amount of \$44,800.00; and

WHEREAS, B. Beattie, Director of Operations has recommended to the Borough Administrator that the contract with Sportcare SFM for repairs and remediation in the amount of \$60,000.00 be voided; and

WHEREAS, B. Beattie, Director of Operations has consulted with Field Turf and has made the recommendation to the Administrator that the contract be awarded to Dakota Excavating Contractor in the amount of \$44,800.00; and

WHEREAS, Sportcare SFM has agreed to provide the following services in the totaling \$4,900.00:

GMAX Test- \$850.00

Anti-Microbial Spray - \$550.00

SMG SportChamp Deep Grooming Session - \$3,500; and

WHEREAS, the Borough Administrator concurs with the recommendations of the Director of Operations.

NOW, THEREFORE, BE IT RESOLVED that the contract awarded to Sportcare SFM in the amount of \$60,000.00 for the repairs and remediation to Davies Field is hereby voided.

BE IT FURTHER RESOLVED that the contract be awarded to Dakota Excavating for the repairs and remediation of Davies Filed in the amount of \$44,800.00.

BE IT FURTHER RESOLVED that the contract for GMAX Testing, Anti-Microbial Spraying and Deep Grooming be awarded to Sportcare SFM in the amount of \$4,700.00.

BE IT FURTHER RESOLVED that a true copy of this resolution shall be forwarded to Dakota Contracting and Sportcare SFM within ten (10) days of adoption.

**AUTHORIZE SETTLEMENT OF TAX APPEAL WITH
JEFFREY ZIMMERMAN AND AMY ZIMMERMAN**

WHEREAS, the Mayor and Council of the Borough of Park Ridge have been advised of the proposed settlement of a property Tax Appeal filed on behalf of Jeffrey Zimmerman and Amy Zimmerman (hereinafter the "Tax Appeal"), under Docket Number 004859-2010, and;

WHEREAS, the property under appeal is located at 288 Forester Way in the Borough of Park Ridge, otherwise known as Block 103, Lot 3, CO288, as designated on the Borough Tax Map (hereinafter the "Subject Property")

WHEREAS, the said Governing Body has been advised as to the merits of the subject Tax Appeal by the Borough Attorney and the Borough Tax Assessor, and;

WHEREAS, the proposed Tax Appeal settlement would adjust the taxpayer's assessment from \$1,298,800 to \$1,025,000 for the 2010 tax year, and;

WHEREAS, it is in the best interest of the Borough to settle the subject Tax Appeal in accordance with the settlement proposal set forth hereinabove.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge, that the settlement of the aforesaid Tax Appeal be finalized to adjust the Subject Properties' tax assessment from \$1,298,800 to \$1,025,000 for the 2010 tax year, and;

BE IT FURTHER RESOLVED, that respect to same, the Mayor, Borough Administrator, Borough Attorney and/or any other appropriate Borough official is hereby authorized to perform any act necessary to effectuate the purpose set forth in this Resolution.

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

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-305**

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF PARK RIDGE, IN THE COUNTY OF BERGEN, NEW JERSEY, DESIGNATING A \$1,457,682 BOND ANTICIPATION NOTE, DATED SEPTEMBER 30, 2011, PAYABLE FEBRUARY 3, 2012, AND AN \$88,000 SPECIAL EMERGENCY NOTE, DATED SEPTEMBER 30, 2011, PAYABLE SEPTEMBER 28, 2012, AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Borough of Park Ridge, in the County of Bergen, New Jersey (the "Borough") intends to issue a \$1,457,682 Bond Anticipation Note, dated September 30, 2011, payable February 3, 2012 and an \$88,000 Special Emergency Note, dated September 30, 2011, payable September 28, 2012 (collectively, the "Notes"); and

WHEREAS, the Borough desires to designate the Notes as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code");

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

SECTION 1. The Notes are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.

SECTION 2. It is hereby determined and stated that (1) said Notes are not "private activity bonds" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2011.

SECTION 3. It is further determined and stated that the Borough has, as of the date hereof, issued the following tax-exempt obligations (other than the Notes) during the calendar year 2011, viz:

<u>Amount</u>	<u>Dated - Due</u>
\$4,651,966 BAN	2/4/11 - 2/3/12

SECTION 4. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 5. The issuing officers of the Borough be and they hereby are authorized to deliver a certified copy of this resolution to the original purchasers of the Notes and to further provide such original purchasers with a certificate of obligations issued during the calendar year 2011 dated as of the date of delivery of the Notes.

SECTION 6. This resolution shall take effect immediately upon its adoption.

APPROVAL OF MINUTES:

Council President Maguire asked for a motion to approve the following Mayor and Council Minutes as follows:

Closed Session Minutes – August 22, 2011

Special Meeting with Board of Public Works
Closed and Work Session – September 13, 2011

Councilmember Viola to abstain.

Closed and Work Session Minutes – September 13, 2011
Councilmember Hopper asked to have the Work Session minutes tabled.

Public Hearing minutes – September 13, 2011

Motion made by Councilmember Misciagna and seconded by Councilmember Kilmartin to confirm to approved the minutes with the exception of September 13, 2011 Work Session and with abstention noted.

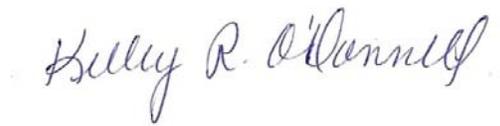
AYES: Councilmembers Hopper, Kilmartin, Misciagna, Kane, Viola.

ADJOURN:

Motion made by Councilmember Misciagna and seconded by Councilmember Kilmartin that the regular council meeting of the Mayor and Council be adjourned.

Meeting adjourned at 8:43pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kelley R. O'Donnell". The signature is written in dark ink on a light background.

Kelley R. O'Donnell, RMC
Borough Administrator/Borough Clerk