

**Municipal Building
Park Ridge, NJ
October 25, 2011- 8:10pm**

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

Absent: None

Also Present: Robert Mancinelli, Esq. Borough Attorney
Kelley O'Donnell, Borough Administrator

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

SUSPEND THE REGULAR ORDER OF BUSINESS

Mayor Ruschman asks for a motion to suspend the regular order of business for the presentation of the 2011 Community Service Awards.

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

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

Mayor Ruschman: recognizing and thanking the volunteers that have been nominated by their organization. Best thing we have done all year. Thanked all the volunteers for all they do all year long. The volunteers are the back bone of Park Ridge.

2011 COMMUNITY SERVICE AWARDS

NOMINEE

NOMINATED BY

Gerry Alexander

Jedh C. Barker Memorial Post #153

Carol Boccino

Pascack Mental Health Center

Danarenee Donato

Pascack Historical Society

Ken Dutcher

Park Ridge Boy Scout Troop #80

Linda Dutcher

**Park Ridge High School Marching Band
Parents' Association**

Tom Farinaro

Park Ridge Athletic Association

Jeannette Hardie

Golden Age Social Club

Annie Hong

Park Ridge United Methodist Church

Steven Hopper

Park Ridge Rotary Club

Vinny Lemba

Park Ridge Green Team

Janette Levine

Tri- Boro Volunteer Ambulance Corps.

Jamie Lewis

PKRG-TV

Steven Masson

Park Ridge Recreation and Cultural Committee

James F. McDermott

Park Ridge Green Team

Ryan McIlhargy	Park Ridge High School Interact
George Mehm	Park Ridge Democratic Club
Jennifer Montanez	West Ridge Parent Teacher Organization
Melyssa Rand	Park Ridge Girl Scouts
Cathie Roberts	Greater Pascack Valley Woman's Club
Dick Rothe	Park Ridge Fire Department
Nancy Russell	Temple Beth Sholom
Greg Santangelo	Park Ridge Police Reserves
Faith Schaub & (Holly)	Park Ridge Public Library
Cathy Spies	East Brook Parent Teacher Organization
Anne Whitney	American Legion Auxiliary, Jedh C. Barker Memorial Post #153

AGENDA CHANGES

None

PUBLIC PRIVILEGE OF THE FLOOR:

Mayor Ruschman asks if anyone present wishes to be heard on any matter.

Speaker: **William Fenwick, 5 Mae Court Park Ridge, New Jersey.** My first concern is Mill Pond Dam, as a resident I enjoy fishing in the Mill Pond and I am also concerned with the flooding we've experienced with Hurricane Irene and other storms. When will the Mill Pond Dam be fixed? I would like very much to know what the Council plan's on doing to fix the problem.

Mayor Ruschman: Council has been working all year on trying to fix that problem. I think it's a beautiful pond. We are diligently working on that and will continue to work on it. We will discuss it this evening in session and will discuss it again. We are trying to make it work well.

Mr. Fenwick replies my second concern is that Mr. Maguire being in a leadership position has accepted campaign contributions from T&M Associates an Engineering Firm which the town has previously contracted to fix the know degrading dam. In my opinion is a conflict of interest and Councilman Maguire should not have voted or spoken to the engineering company. Why did you take their money sir? Why has the dam still not been fixed? Should our town hire the best people for the job or the ones that make campaign contributions? I have proof from the New Jersey Election Law Enforcement Commission that T & M Associates gave you \$500.00 to your election campaign in 2009.

Mayor Ruschman: this is obviously a politically motivated question.

Mr. Fenwick I am a concerned citizen who has lived here for twenty years.

Mayor Rushman: will you allow me to finish, I had allowed you to finish, thank you very much no problem this is a politically motivated statement by the way you are asking and the terms you are asking it in. I don't know if Mr. Maguire wants to address it but very frankly as we all know this is the last meeting before elections. I really don't think it's possible and probable that we should give in to election campaign issues. You can do that knocking on doors, taking ads out in the paper sending out literature. I don't think this is the form to bring it up. This is not a political arena.

Mr. Fenwick: Sir I think it's pertinent this very matter is under discussion tonight so I think it's pertinent. If I can give this to the clerk it proves the state said that this engineering firm that has worked on our dam that is degrading right now is not satisfactory. Has that Councilman Maguire received money from this company?

Council President Maguire: if you are concerned about the dam I will provide you with information about the dam. The engineering firm that was awarded the work was actually removed and the work was awarded to a different engineering firm there is progress being made. We hope to have a new design and we hope to have a path forward on that shortly. Thank you.

Mr. Fenwick- If I can just give this NJELEC report to the clerk. Then I would be happy.

Mayor Ruschman- absolutely, thank you.

ORDINANCES – PUBLIC HEARING

**BOROUGH OF PARK RIDGE
ORDINANCE 2011-029**

AN ORDINANCE ESTABLISHING THE CLASSIFICATION AND COMPENSATION FOR CERTAIN OFFICIALS, APPOINTEES AND EMPLOYEES OF THE BOROUGH OF PARK RIDGE, BERGEN COUNTY, NEW JERSEY FOR THE YEAR 2011

Mayor Ruschman asks for a motion to open the Public Hearing on Ordinance No, 2011-029, An Ordinance establishing the Classification and Compensation for Certain Officials, Appointees and Employees of the Borough of Park Ridge, Bergen County, New Jersey for the year 2011

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

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

Mayor Ruschman asks the Clerk to read the ordinance by title:

**BOROUGH OF PARK RIDGE
ORDINANCE 2011-029**

AN ORDINANCE ESTABLISHING THE CLASSIFICATION AND COMPENSATION FOR CERTAIN OFFICIALS, APPOINTEES AND EMPLOYEES OF THE BOROUGH OF PARK RIDGE, BERGEN COUNTY, NEW JERSEY FOR THE YEAR 2011

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

SECTION 1. That the minimum and maximum range of salary, wage or compensation to be paid to certain officials, appointees and employees or servants of the Borough of Park Ridge, Bergen County, New Jersey for the year 2011 is hereby fixed as follows:

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>BASIS</u>
Mayor	-	\$7,200	Per Annum
Councilmember	-	6,000	“ “
Administrator Part-Time	50,000	100,000	“ “
Borough Clerk	39,000	70,000	“ “
Director of Operations	85,000	125,000	“ “
General Supervisor, Elect. Dist.	65,000	105,000	“ “
General Supervisor, Water & Sewer Maint.	65,000	90,000	“ “
General Supervisor, Roads, Parks Recycling, Bldgs & Grounds, Vehicle Maintenance	50,000	91,000	“ “
Recycling Coordinator Stipend		1,000	
Project Engineer	40,000	65,000	

Deputy Borough Clerk	2,000	8,000	“	“
Collector Treasurer	30,000	55,000	“	“
Utilities CFO	30,000	55,000	“	“
Assistant Municipal Treasurer	35,000	60,000	“	“
Utilities Treasurer	35,000	50,000	“	“
Assistant Utilities Treasurer	35,500	60,000	“	“
TriBoro Consultant		50		Per Hour
Tax Assessor, P.T.	15,000	15,000		Per Annum
Zoning Officer, P.T.	5,000	33,000	“	“
Construction Code Official	35,000	65,000	“	“
Plumbing Sub-Code Official	5,000	5,200	“	“
Electrical Sub-Code Official, P.T.	5,000	12,000	“	“
Fire Sub-Code Official, P.T.	5,000	12,000	“	“
Fire Official, P.T.	3,500	8,500	“	“
Fire Code Inspectors, P.T.	2,500	6,000	“	“
Public Assistance Director, P.T.	3,500	10,000	“	“
Secretary, Board of Public Works, P.T.	5,000	15,000	“	“
Pistol Range Facility Coordinator	3,000	4,000	“	“
Housing Inspector		18		Per Hour
Senior Citizen Van Driver		18	“	“

SECTION 2. In addition to the salaries set forth above, department heads and other eligible employees shall be paid longevity pay on the following basis: (a) 49th month through 60th month of service: \$500 for that year of service; (b) 61st through 120th month of service: \$300 per pay per year for each year of service; (c) 121st month and over: \$200 per year for each year of service. Payments shall be part of the bi-weekly pay.

SECTION 3. All salaries shall be retroactive to January 1, 2011.

SECTION 4. In addition to the salaries set forth herein employees in the following positions shall be paid an additional sum of \$1,000, said amount to be designated, “Exempt Stipend,” in recognition of the additional hours and duties required of their positions. The eligible positions are: Administrator-Clerk, Collector-Treasurer, Ass’t Collector-Treasurer, Director of Operations, General Supervisors of Electric Distribution, Roads/Parks/Bldgs & Grounds/Vehicle Maint., Water Distribution and Sewer Maintenance, Supervising Communications Operator and Zoning Officer.

SECTION 5. In addition to the salary set forth herein, the Fire Official, P.T., shall each be paid an additional stipend of \$500 in recognition of additional hours required as the administrative duties associated with residential smoke detector certifications.

SECTION 6. In addition to the salaries set forth herein, the Fire Official, P.T., and the Zoning Officer, P.T., shall be paid an additional stipend of \$500 each in recognition of additional hours associated with the Mayor’s Housing Task Force.

SECTION 7. In addition to salary set forth herein, the Fire Officials, P.T., shall each be paid an additional \$17.00 per hour for court appearances in recognition of the hours spent in Court associated with summons issued for violations.

SECTION 8. All ordinances or parts thereof inconsistent herewith are expressly repealed.

SECTION 9. This ordinance shall become effective after final passage and publication as required by law.

Mayor Ruschman asks Ms. O’Donnell to give a brief description of this ordinance.

Ms. O’Donnell: This ordinance sets the salary ranges for the exempt in management employees that are not covered under any bargaining agreement for the year 2011 as well as our elected officials.

Mayor Ruschman asks if anyone present wishes to be heard concerning the adoption of this ordinance.

Speaker: None

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

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

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

ORDINANCES – INTRODUCTION

BOROUGH OF PARK RIDGE ORDINANCE NO. 2011-030

REFUNDING BOND ORDINANCE PROVIDING FOR PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN, BY AND FOR THE BOROUGH OF PARK RIDGE, IN THE COUNTY OF BERGEN, NEW JERSEY, TO APPROPRIATE THE SUM OF \$360,000 TO PAY THE COST THEREOF AND TO AUTHORIZE THE ISSUANCE OF \$360,000 OF BONDS OR NOTES TO FINANCE SUCH APPROPRIATION.

Mayor Ruschman asks for a motion to introduce on first reading Ordinance No. 2011-030, A Refunding Bond Ordinance Providing for Payment of Amounts Owing to Others for Taxes Levied in, by and for the Borough of Park Ridge, in the county of Bergen, New Jersey to appropriate the sum of \$360,000 of Bonds or Notes to Finance Such Appropriation

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

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

Mayor Ruschman asks the Clerk to read the ordinance by title:

WHEREAS, the Borough of Park Ridge, in the County of Bergen, New Jersey, as a result of cases brought before the Tax Court of New Jersey as set forth in a schedule on file with the Tax Collector (the "Schedule"), incorporated herein by this reference as if fully set forth herein, presently owes the sum of \$337,620 to the various property owners in said Borough for taxes levied by the Borough for the years 2009 and 2010, as set forth in the Schedule; and

WHEREAS, the Borough Council of said Borough has determined that it is in the best interest of the Borough to finance the cost of said tax refunds, pursuant to the provisions of N.J.S. 40A:2-51, by the adoption of a refunding bond ordinance providing for payment thereof, including expenses, appropriating the sum of \$360,000 to pay the cost thereof and authorizing the issuance of \$360,000 of bonds or notes of said Borough to finance said appropriation;

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

Section 1. The Borough of Park Ridge, in the County of Bergen, New Jersey (the "Borough") is hereby authorized to refund the aggregate amount of \$337,620 resulting from cases brought before the Tax Court of New Jersey presently owing by the Borough to the owners of the various properties for taxes levied by the Borough for the years 2009 and 2010, as more particularly described and set forth on the schedule hereby incorporated by this

reference as if fully set forth herein (the "Schedule"), and presently on file in the office of the Tax Collector and available for inspection during normal business hours.

Section 2. The Borough Council of the Borough hereby determines that the Borough is authorized by Section 51(a) of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law") to issue its refunding bonds or notes as hereinafter provided to pay or fund the sum set forth in Section 1 hereof.

Section 3. The sum of \$360,000 is hereby appropriated to (a) pay or fund the amount of \$337,620 set forth in Section 1 of this ordinance, and (b) pay an amount not exceeding \$22,380, being the cost of the issuance of refunding bonds or notes and expenses in connection with the tax appeals, including printing, advertising, accounting and financial and legal expenses therefor permitted by Section 51(b) of the Local Bond Law (collectively, hereinafter referred to as "purpose").

Section 4. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$360,000 are hereby authorized to be issued pursuant to the Local Bond Law (the "Refunding Bonds"). The Refunding Bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. The Refunding Bonds shall be direct and general obligations of said Borough and said Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within said Borough for the payment of the principal of the Refunding Bonds and the interest thereon without limitation as to rate or amount. The full faith and credit of said Borough shall be and are hereby pledged for the punctual payment of the principal of and interest on the Refunding Bonds. Each Refunding Bond issued pursuant to this ordinance shall recite that it is issued pursuant to the Local Bond Law and shall also recite that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened and to have been performed precedent to and in the issuance of said bond exist, have happened and have been performed, and that said bond, together with all other indebtedness of said Borough, is within every debt and other limit prescribed by the Constitution or statutes of said State. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted, except that the Refunding Bonds shall mature at such time or times, not exceeding 40 years from their date, as may be approved by the Local Finance Board.

Section 5. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$360,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 6. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law and the Local Finance Board. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes and to issue said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law. Section 7. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$360,000, but said \$360,000 shall be deducted from gross debt pursuant to Section 52 of the Local Bond Law, and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 8. It is hereby determined and stated that (A) a certified copy of this refunding bond ordinance as passed on first reading shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to the final adoption thereof, together with a complete statement in the form prescribed by said Director and signed by the chief financial officer of the Borough as to the outstanding tax refund amount to be financed by the issuance of the Refunding Bonds or the notes and (B) no sum need be appropriated hereby as a down payment.

Section 9. This ordinance shall take effect twenty days after the first publication thereof after final passage, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

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

Mr. Mancinelli: This ordinance allows us to seek approval at the state in order to satisfy the Borough's obligation with respect to certain tax appeals refunds that are due to certain property owners for years 2009 and 2010 in the amount of \$337,620.00.

Mayor Ruschman asks if anyone present wishes to be heard concerning the introduction of this ordinance.

Speaker: None

Mayor Ruschman asks for a motion to pass this 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 November 14, 2011.

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

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

**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2011-031**

AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY TO MELANIE MIXON AND OTIS SCOTT MIXON, TO WIT: BLOCK 205, LOT 3, ON THE OFFICIAL TAX MAP OF THE BOROUGH OF PARK RIDGE, NEW JERSEY

Mayor Ruschman asks for a motion to introduce on first reading Ordinance No. 2011-031, an Ordinance Authorizing the Sale of Certain Real Property to Melanie Mixon and Otis Scott Mixon, to wit: Block 205, Lot 3 on the Official Tax Map of the Borough of Park Ridge, New Jersey

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

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

Mayor Ruschman asks the Clerk to read the ordinance by title:

**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2011-31**

AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY TO MELANIE MIXON AND OTIS SCOTT MIXON, TO WIT: BLOCK 205, LOT 3, ON THE OFFICIAL TAX MAP OF THE BOROUGH OF PARK RIDGE, NEW JERSEY

WHEREAS, N.J.S.A. 40A:12-13 authorizes public entities to sell real property or an interest in real property and that same be accomplished by ordinance; and

WHEREAS, the Borough of Park Ridge (the "Borough") desires to sell certain property within the Borough, designated as Block 205, Lot 3 on the Official Tax map of the Borough ("the Property") to Melanie Mixon and Otis Scott Mixon (the "Mixons"); and

WHEREAS, on October 11, 2011, the Borough entered into a Contract for Sale of Real Estate (the "Agreement") with the Mixons for the above described transaction, which set forth the rights, duties and obligations of the parties; and

WHEREAS, the Mixons have agreed to purchase the Property for \$15,000.00 and have further agreed to pay the Borough the sum of \$3,500.00 for its costs and expenses related to this transaction.

WHEREAS, the Mixons have agreed to accept a deed known as Bargain and Sale Deed; and

WHEREAS, the Property is to be conveyed free and clear of any liens and encumbrances; and

WHEREAS, the Borough desires to authorize the sale of the Property upon fulfillment of the provisions of the Agreement.

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

SECTION ONE. The Borough of Park Ridge hereby authorizes the sale of certain property within the Borough, designated as Block 205, Lot 3 on the Official Tax Map of the Borough, to Melanie Mixon and Otis Scott Mixon for the amount of \$15,000.00 for the property and the sum of \$3,500.00 for the Borough's costs and expenses.

SECTION TWO. The Mayor and Borough Clerk are hereby authorized and directed to execute any all documents necessary to effectuate the sale of the Property and are further authorized and directed to take all action necessary to effectuate the purpose of this Ordinance.

SECTION THREE. The Borough Tax Collector and Tax Assessor are hereby authorized and directed to take all action necessary to effectuate the Purpose of this Ordinance.

SECTION FOUR. The sale of Block 205, Lot 3 is hereby permitted upon fulfillment of the terms and conditions of the aforesaid Agreement.

SECTION FIVE. 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 SIX. 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 SEVEN. Effective Date. This Ordinance shall take effect immediately following final passage, adoption and publication as provided by law.

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

Mr. Mancinelli: This ordinance allows the Borough to move forward with the sale of this vacant lot and it advertised some time ago in Mixon with successful bidders on that by state statue in order to accomplish that transaction you must introduce an adapted ordinance authorizing a sale of real property.

Mayor Ruschman asks if anyone present wishes to be heard concerning the introduction of this ordinance.

Speaker: **George Heller, 80 Second Street** Where is this property?

Borough Administrator: On the corner of First and North.

Mr. Heller: How big is the property?

Borough Administrator: It's not a buildable lot adjacent between two property owners. I don't have the survey in front of me.

Mr. Heller: I will repeat the question. What is the size of the property? Just give me an estimate.

Councilman Hopper stated it was approximately 20' x 40'

Mr. Heller: Thank You

Mayor Ruschman asks for a motion to pass this 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 November 14, 2011.

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

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

**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2011-032**

**AN ORDINANCE AMENDING CHAPTER 80, PROPERTY MAINTENANCE, OF THE
CODE OF THE BOROUGH OF PARK RIDGE, NEW JERSEY**

Mayor Ruschman asks for a motion to introduce on first reading Ordinance No. 2011-032, an Ordinance Amending Chapter 80, Property Maintenance, of the Code of the Borough of Park Ridge, New Jersey

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

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

Mayor Ruschman asks the Clerk to read the ordinance by title:

**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2011-032**

**AN ORDINANCE AMENDING CHAPTER 80, PROPERTY MAINTENANCE, 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 Construction Code Official to amend the Borough's Property Maintenance Code in order to eliminate and/or modify certain sections of same that are not confusing and ambiguous which is preventing the Borough's Housing Inspector from enforcing the provisions of same; 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 80-14A is amended as follows:

Article IV. Standards

§ 80-14. Appearance of exterior of premises.

A. Landscaping. ~~Where exposed to public view, the~~ The landscaping of premises shall be maintained in an orderly state, with lawns and bushes trimmed and free from becoming overgrown, littered and unsightly where such would constitute a blighting effect, depreciating nearby and adjoining property. Open areas shall be graded evenly to eliminate holes, depressions, gullies, mounds, accumulations of debris or other unsightly or unsafe conditions.

Article V. Provisions Applicable to All Buildings

§ 80-19. Residential and nonresidential buildings to comply.

Every residential and nonresidential building, ~~with the exception of one family houses, and the premises on which it~~ is situated in the Borough of Park Ridge, previously or presently used or intended to be used for dwelling, commercial, business or industrial occupancy, shall comply with the provisions of this code, whether or not such building shall have been constructed, altered or repaired before or after the enactment of this code and irrespective of any permits or licenses which shall have been issued for the use or occupancy of the building or for the installation or repair of equipment or facilities prior to the effective date of this code. This code establishes minimum standards for the initial and continued occupancy and use of all such buildings. It does not modify or replace standards otherwise established for the construction, repair, alteration or use of the building or facilities contained therein, except as provided in § 80-5.

§ 80-20. ~~Nonapplicability.~~ Deleted

~~The provisions of this code with respect to standards (Article IV) shall not apply to single family homes, with the exception that the provisions of § 80-13 shall apply to said single family homes.~~

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.

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

Mr. Mancinelli: This ordinance has been suggested by our borough Construction Code Official to amend the existing property maintenance code apparently our housing inspector had run into some issues with enforcement of the code specifically with single family homes and as a result of the recommended changes that are set forth in this proposed ordinance it should eliminate those concerns and should allow our housing inspector to un force the provisions.

Mayor Ruschman asks if anyone present wishes to be heard concerning the introduction of this ordinance.

Speaker: None

Mayor Ruschman asks for a motion to pass this 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 November 14, 2011.

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

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

CONSENT AGENDA:

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

Speaker: None

Mayor Ruschman asks if any Council member would like to abstain from voting on any resolution on the consent agenda.

Speaker: Councilmember Viola abstained from voting on resolution #4, Councilmember Hopper voted no on #3, Councilmember Kane abstained from voting on resolution #8, payment of unemployment claims to crossing guards.

Mayor Ruschman asks for a motion to accept the Consent Agenda with the abstentions so noted.

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

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

RESOLUTIONS:

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-328**

2011 EXEMPT EMPLOYEE SALARIES

WHEREAS, the Mayor and Council of the Borough of Park Ridge have adopted Borough Ordinance 2011-29 which sets salary ranges for certain municipal positions for the year 2011;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the following exempt employees, professionals and officials shall receive the annual salaries designated in this resolution said salaries being within the ranges set by Ordinance 2011-29. All salaries shall be retroactive to January 1, 2011.

NAME	POSITION	SALARY PER ANNUM
Helyn Beer	Deputy, Borough Clerk	5,866.00
Colleen Ennis	Collector/Treasurer/MFO	53,040.00

	Utilities/CFO	53,040.00
Jeannine Hosselet	Asst. Tax Collector	28,463.00
	Asst. Treasurer	28,463.00
Angela Kent	Asst. Treasurer	32,000.00
Robert Campora	Tax Assessor	15,000.00
Joseph Madden	Police Chief	155,227.00
William Beattie	Director of Operations	124,164.00
Justin Mezzadri	Project Engineer	64,203.00
Pete Wayne	Supervisor of Roads, Parks, Recycling Buildings & Grounds, and Vehicle Maintenance	89,676.00
Pete Wayne	Stipend, Road/Snow	1,000.00
Paul Longo	Supervisor of Electric Distribution	104,244.00
William Hahn	Supervisor Water Department & Sewer Maintenance	89,631.00
Canio Saluzzi	Construction Official	60,719.00
Robert Ludwig	Zoning Officer	9,180.00
Matt Kent	Housing Inspector	18.00/hr
Richard O'Dowd	Plumbing Sub-Code Official	5,000.00
Robert Ludwig	Fire Sub-Code Official	10,770.00
Robert Murken	Electric Sub-Code Official	10,770.00
John Hansen	Fire Official	8,267.00
Katherine Bowen	Public Assistance Director	8,794.00
Robert Ludwig	Fire Prevention Inspector	5,519.00
William Walker	Fire Prevention Inspector	5,519.00
F. Richard Rothe	Fire Prevention Inspector	5,519.00
William Deidtrich	Fire Prevention Inspector	5,519.00
Carole Reen	Utility Board Secretary	13,000.00
Alfred Thomas	Senior Van Driver	18.00/hr
Howard Minnick	Senior Van Driver	18.00/hr
Haig Yerabissian	Senior Van Driver	18.00/hr
Donald Ruschman	Mayor	7,200.00
Councilmembers	Council	6,000.00

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-329**

**AUTHORIZE GRANT AGREEMENT
2010 BERGEN COUNTY OPEN SPACE TRUST FUND
MUNICIPAL PROGRAM
CONTRACT NO. TFMP-PR-11-00609**

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 a \$81,102.00 grant award from the 2010 Funding Round of the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund ("Trust Fund") for the project entitled **Trailway and Walkway Project** located in; Block 1402, Lot 1, Block 1506, Lot 1 and Block 1604, Lots 1 & 2 on the tax map of the Borough of Park Ridge; and

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

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

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

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-330**

**AUTHORIZING AWARD OF CONTRACT
10-75 EMERGENCY LIGHTING
ASSISTANT FIRE CHIEF’S VEHICLE**

WHEREAS, by resolution adopted August 9, 2011 the Mayor and Council of the Borough of Park Ridge did authorize the purchase of a 2012 Chevy Tahoe under State Contract N.J.S.A. 40A:11-12a; and

WHEREAS, the Mayor and Council were advised that that the Park Ridge Fire Prevention Bureau could utilize the “retired” vehicle during their weekly inspections; and

WHEREAS, the Mayor and Council discussed this proposal and feel that it would be a benefit to the Borough of Park Ridge to have two vehicles available for weekly inspections; and

WHEREAS, the lighting and equipment in the retired vehicle is necessary for the Fire Prevention Bureau as well; and

WHEREAS, proposals were solicited for the upfitting of the 2012 Chevy Tahoe and two proposals were received;

WHEREAS, the Assistant Fire Chief recommends the contract be awarded to 10-75 Emergency Lighting in the amount of \$17,820.00, a copy of which is attached; and

WHEREAS, the Chief Financial Officer has certified the funds are available in account numbers C-04-55-930-000-002, 1-01-25-265-000-153 and 1-01-25-255-000-081.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ride that the contract for upfitting the Assistant fire Chief’s vehicle be awarded to 10-75 Emergency Lighting.

BE IT FURTHER RESOLVED, that a true copy of this resolution shall be forwarded to 10-75 Emergency Lighting within ten (10) days of adoption.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-331**

AUTHORIZATION TO TRADE IN SECONDHAND OR PREOWNED PRECIOUS METALS, GEMS AND JEWELRY

The Jeweler’s Workbench

WHEREAS, pursuant to Chapter 79 of the Borough Code an individual interested in trading in secondhand or pre-owned precious metals, gems and jewelry must submit an application to the Borough Clerk; and

WHEREAS, the Borough Clerk has forwarded the application to the Chief of Police so that the required investigation and fingerprinting may be performed; and

WHEREAS, by memo dated October 19, 2011 the Park Ridge Police Department has approved the issuance of a license to Paul Herdemian, The Jeweler’s Workbench.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that Paul Herdemian of The Jeweler's Workbench is licensed to trade in secondhand or pre-owned precious metals, gems and jewelry,

BE IT FURTHER RESOLVED that this license shall be effective upon adoption of this resolution through December 31, 2012.

BE IT FURTHER RESOLVED, that a true copy of this resolution shall be forwarded to Paul Herdemian of the Jeweler's Workbench within ten (10) days of adoption and shall serve as his license.

**BOROUGH OF PARK RIDGE
 RESOLUTION NO. 011-332**

AUTHORIZE CASUAL LABOR

WHEREAS, the Mayor and Council of the Borough of Park Ridge have been advised that the Road Department is in need of Casual Labor employees beginning on October 31, 2011 and continuing for approximately six weeks; and

WHEREAS, the Director of Operations has recommended that the following employee be hired as a casual laborer during this period at the following pay rate:

Zeljko BeLasic, 34 Ridge Avenue, Park Ridge, NJ	\$13.00/hr
Kevin M. Origoni, 50 Braemar Drive, Park Ridge, NJ	\$13.00/hr
Marc Priore, 5 Willow Court, Park Ridge, NJ	\$12.50/hr

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that said employees be hired as casual laborers beginning October 31, 2011.

**BOROUGH OF PARK RIDGE
 RESOLUTION NO. 011-333**

**AUTHORIZE AWARD OF CONTRACT FOR THE FURNISHING AND DELIVERY OF
 POTABLE WATER METERS**

Badger Meter, Inc.

WHEREAS, upon recommendation of the Park Ridge Board of Public Works, the Mayor and Council did authorize the receipt sealed bid for unit prices the Furnishing and Delivery of Potable Water Meters; and

WHEREAS, pursuant to the Notice to Bidders, duly advertised, one bid was received on October 4, 2011 from Badger Meter, Inc. of Milwaukee, WI; and

WHEREAS, the total bid price submitted based on purchasing the estimated quantities of various sizes and types of potable water meters is \$39,697.50

WHEREAS, the unit prices and total bid price are within the budgeted and expected costs; and

WHEREAS, said firm has complied with the requirements of the bid proposal.

WHEREAS, the Board of Public Works of the Borough of Park Ridge has recommended that the Mayor and Council to accept the bid of Badger Meter, Inc. of Milwaukee, WI, subject to review by the Borough Attorney.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the contract for the furnishing and delivery of potable water meters be awarded to Badger Meter, Inc of Milwaukee, WI subject to review by the Borough Attorney.

BE IT FURTHER RESOLVED that a true copy of this resolution shall be sent to Badger Meter, Inc. within ten (10) days of adoption.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-334**

**AWARD OF CONTRACT FOR THE ELECTRIC SUBSTATION DIAGNOSTIC
TESTING AND MAINTENANE SERVICES**

M & L Power Systems

WHEREAS, upon recommendation of the Park Ridge Board of Public Works, the Mayor and Council did authorize the receipt of bids for the ELECTRIC SUBSTATION DIAGNOSTIC TESTING AND MAINTENANCE SERVICES; and

WHEREAS, pursuant to the Notice to Bidders, duly advertised, two bids were received on October 18, 2011 as follows:

Bidding Contractor List			
Bidder	Address	Year 1 (Brae Blvd)	Year 2 (option)
M&L Power Systems	Old Bridge, NJ	\$36,940.00	\$96,540.00
Reuter Hanney	Ivyland, PA	\$59,980.00	\$128,100.00

WHEREAS, the Director of Operations has reviewed the bids and has determined that M&L Power Systems is the lowest responsible bid; and

WHEREAS, the bid amount for year 1 is within the range of the budgeted and expected cost; and

WHEREAS, the Director of Operations recommends that the Board of Public Works review the cost for the year 2 option in 2012 to decide if the Borough will exercise the second year option; and

WHEREAS, the Board of Public Works concurs with the Director of Operations recommendation.

WHEREAS, the Park Ridge Board of Public Works has recommended that the Mayor and Council accept the bid of M&L Power Systems, of Old Bridge, NJ in the amount of \$36,940.00 for the year 1 maintenance, subject to review by the Borough Attorney; and

WHEREAS, the Board of Public Works further recommends that the contract include the provision to allow for the Borough to decide on the second year option in 2012 as specified in the bid specifications.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Park Ridge that the contract for the Electric Substation Diagnostic Testing and Maintenance be awarded to M & L Power Systems of Old Bridge, NJ, subject to review by the Borough Attorney; and

BE IT FURTHER RESOLVED that the contract shall provide for the second year option in 2012.

BE IT FURTHER RESOLVED that a true copy of this resolution shall be sent to M & L Power Systems within ten (10) days of adoption.

**BOROUGH OF PARK RIDGE
 RESOLUTION NO. 011-335**

AUTHORIZE UNEMPLOYMENT CLAIM REIMBURSEMENT

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

WHEREAS, the Division of Unemployment and Disability Insurance of New Jersey Department of Labor and Industry had submitted a bill in the amount of \$18,151.00 as the borough share of unemployment claims made during the 3rd quarter of 2011; and

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

EMPLOYEE	POSITION	PERIOD COVERED	AMOUNT
Lillian Denmark	Court	09/24/11	\$5,418.00
Joseph Felice	Crossing Guard	09/03/11	\$2,016.00
Nicki Ariza	Crossing Guard	09/03/11	\$2,320.00
Charles Trojan	Crossing Guard	09/03/11	\$1,960.00
Lance Villa	Crossing Guard	09/03/11	\$2,020.00
Linda Strabone	Crossing Guard	09/03/11	\$935.00
Linda Campion	Court	07/16/11	\$1,767.00
Thomas Hoskins	Crossing Guard	09/03/11	\$1,715.00
Total			\$18,151.00

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

COMMUNICATIONS:

None

OLD BUSINESS:

Councilmember Kane: idea of the sale of the utilities every year it comes up as a political banner which I think it’s just disgraceful that’s my public opinion but I do want to say that the utility came forward and actually was so concerned that somebody we still don’t know who that phantom person or group is in this town that wants’ to sell the utilities they have gone so far as to want to draft changes to our ordinances so we can actually solidify this once and for all. I think I said that night to you George if this puts the end of the political nonsense on the subject. I am all for it. Even though we are going to spend how much money to actual rectify what does that approximately come out to be.

Mr. Mancinelli: I am not sure the estimate cost comes out to be. I would refer to the clerk.

Mrs. O’Donnell : a couple hundred dollars for advertisement.

Councilmember Kane: Few hundred dollars you know how tight this budget is in this town. There's not too many things I would approve, this I would so that we can finally put this too bed.

Council President Maguire: I would like to add, as the utility board liaison, one of the things we were trying to do this year is foster a better relationship with the utility board and not attack them and threaten to take their surplus to balance the budget. What was discussed at the meeting was the importance of the utility to this community and the fact that we want to protect that utility there is a definite feeling of most of the people around that table that the utility board was of such importance to the Borough that we wanted to put this ordinance in place, so that if the Borough ever wanted to sell the utility it would have to go to referendum. The fact that it comes up in political season was not the real reason for the ordinance.

Councilmember Viola: asking Mr. Mancinelli, I thought that there is state law that can over rule all of this.

Mr. Mancinelli: Yes, there is a state statute that supersedes any Borough ordinance in my professional opinion that governs the mechanism in which any municipality that owns a utility. Just briefly the municipality must adopt by ordinance not just for the sale but for the lease of the utility as well. If a Mayor and Council in this municipality or any municipality wanted to lease or sale a public asset such as a utility it would have to adopt an ordinance and then solicit bids and if it was to move forward after that process it would then have to go to the public majority of the legal residents that vote and the public referendum would have to approve it. So that is the process that set forth in the state statute.

Council President Maguire: The other clarification I have is the State statute could be changed. The discussion around the table was if the state statute were to be changed this ordinance would reinforce the fact how important the utility is to this community and would also require it go to referendum.

Mr. Mancinelli: That is correct.

NEW BUSINESS:

Councilmember Viola: Ordinance 2011-030 first this money is \$360,000 bond ordinance how long is it for? C. Ennis, CFO responded 5 years

Mr. Mancinelli: This is to pay the taxes and the cost incurred to adopt the bond ordinance.

Councilmember Viola: So I could then assume from this that if we're going out borrowing this money this council would then not be interested in taking the library surplus. There is no way I can support this if we still had the library surplus on the table it is my understanding with everything that I read that the library surplus which happens to be the about same dollar amount would be used for tax appeals, if we are going to use this money for tax appeals than I would like to hear a commitment from this Council that they are not going to go back and take that surplus for other reasons. The concept was that the Council said that this money, what I was told by certain people, this surplus would be used on tax appeals and now we are borrowing it, which seem to be the Park Ridge way.

Councilmember Kane: Mayor would you like me to answer.

Mayor Ruschman: Yes

Councilmember Viola: I would like to ask the Mayor the answer.

Mayor Ruschman: I will give you an answer we had covered this several times this particular subject my understanding and most of the Council is we do get this surplus by the act of the state we get we then pay off that bond. Is that correct John?

Councilmember Kane: Correct, This is a timing mechanism because as you remember during the budget process we had anticipated that the library surplus would be a solution to pay this multiple year tax amount that came up. That was the case we followed all the proper statutory steps. Maybe Mr. Heller could come back up and give us an update from the library's point of

view from where we are. I know that all the forms have been filed we are also waiting for the state Librarian to also review those document's. Once and for all it will come to Borough at some point. Once the state has caught up to their own statue and process.

APPROVAL OF MINUTES

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

Closed and Work Session Minutes dated October 11, 2011

Public Hearing Minutes dated September 27, 2011

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

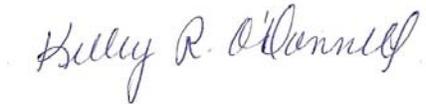
AYES: Councilmembers Hopper, Kilmartin, Misciagna, Kane, Viola, Council President Maguire

ADJOURN

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

Meeting adjourned at 9:03 p.m.

Respectfully submitted,



Kelley R. O'Donnell, RMC
Borough Administrator