

Municipal Building
Park Ridge, NJ
November 29, 2011-8:15 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.

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

ROLL CALL:

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

Absent: None

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

Mayor Ruschman reads the Compliance Statement, as required by Open Public Meetings 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 administering the oaths of office to our newly promoted police officers followed by the presentation of Certificates of Recognition.

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

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

Mayor Ruschman and Mayor Elect Maguire swear in the Police Officers.

Mayor Ruschman said the job as Mayor and Council is not always a tough job. Certain things make us happy as we do the job. Things like recognizing the athletics in town, recognizing volunteers, scouting groups and administering oaths in town. Tonight we have three individuals that we will be promoting to the next level of their job.

Chief Madden thanked everyone; the entire Mayor and Council and our new Borough Clerk/Administrator Kelley O'Donnell for all their hard work for making this night possible. Also thanked the Police Commissioner Keith Misciagna and Mayor Donald Ruschman for all their continuing support and assistance. Mayor Ruschman played a very vital role in making this promotion possible. A few months ago the Mayor and Chief discussed the possibility of making the promotions happen. Mayor Ruschman followed through with his promise and that is why we are here tonight. Chief Madden thanked Mayor Ruschman for his support of the department and the safety of our residents; it is and will always be a top priority of the council. Chief Madden further stated that he was the confident that incoming Mayor Maguire will continue to keep public safety at the top of the priority list and stated the department looks forward to working with him. Chief Madden also thanked Mayor Ruschman for all his time and commitment to our wonderful community. Mayor Ruschman has served 17 years and will be missed.

Chief Madden said that three officers we have here tonight went through a rigorous promotional process prior to getting here. Tonight we add one sergeant and also reward two supervisors who have been working out of rank and taking care of multiple jobs for years. The three officers who are being promoted tonight all went through a rigorous promotional process prior to getting here. It is always tough when you have a talented group of officers to choose a candidate for promotion. During this process, Chief Madden stated he was looking for specific qualities. Each of them mirror our core values which included dignity, character, integrity, loyalty, pride in their profession and a great work ethic just to name a few. Chief Madden said he was proud to say that each of these men possess these qualities. He went on to say that they also possess even more

important life qualities; great husbands and fathers and dedicated to their families. Chief Madden gave credit to his wife for the next section. During any process where we need to recognize the man behind the badge we also have to recognize their support staff. Chief Madden then asked Pam Rampolla, Carla Errico and Amy Babcock to come forward, at which time he presented them with roses.

We like to go in rank order to be sworn in.

SWEARING IN OF POLICE OFFICERS

Joseph J. Rampolla, Captain

Nicholas J. Errico, Lieutenant

James M. Babcock, Sergeant

Joseph Rampolla thanked the Chief of Police Joe Madden for allowing this day to happen. Chief you're a great leader and it's been a pleasure these last four years, they have been the happiest moments working in the Park Ridge Police Department. I really appreciate Chief everything you have done your loyalty, dedication, faith in me, and friendship. That was a real class act with the flowers. Mayor Ruschman this is the last parade. Mayor Ruschman said his goal in the last 17 years as Mayor was to leave Park Ridge better than it was when he found it. Mission accomplished great job we wish you the best success. You are a leader to our kids and everyone who sees what you have done. Thank you so much. I want to thank the Council for your unanimous support. It speaks volumes. I would like to thank Police Commissioner Misciagna for everything you have done. I would like to thank Borough Administrator Kelley O'Donnell and also Rob Mancinelli for working with him. I would like to thank my wife Pam who has been wonderful, thank you Pam for all your support. My kids Megan who just held the bible and Sean my little guy and Steven I am very proud of you also. My mom and Dad are here and my family and Park Ridge family and friends thank you so much. Congratulations Lieutenant Errico and Sergeant Babcock you guys are outstanding officers I am very proud of you. I also like to thank all the Police officers if you look around the room right now I am so proud of each and every one of you. We hold a very high bar, we expect a lot from them. They have done an amazing job. So I hope you are as proud of this Police patch as I am. Finally the resident's of Park Ridge we have the most amazing residents they send us emails and stop by with baked cookies. They are why we are Police Officers everyday, they always validate why we come to work and do our job. Thank you to all the residents we are here for you.

Nicholas Errico said he would keep it simple and short. I would like to thank everyone for coming. I would like to thank the Chief, Mayor and Council and future Mayor for this promotion I look forward to my assignments and my opportunity to help the department in the future. Thank you.

James Babcock- Thanked the Chief for everything. All the guys I work with everyday you're the best. Mayor and Council thank you very much I will do my best to do my job as best I can.

AGENDA CHANGES

Read by Kelley O'Donnell Borough Clerk/Administrator- yes Mayor the girls who were suppose to be recognized for the Iron Woman award for softball will be coming to another meeting when they can all attend. Also under the consent agenda we have the addition of the following resolutions.

- # 011-358 authorization to Execute Captain of the Police Contract with Joseph J. Rampolla.
- #011-359 authorize settlement of tax appeal with Vincent Campione, Trustee.
- #011-360 authorize settlement of tax appeal with Richard Vogler and Geraldine Vogler.
- #011-361 authorize settlement of tax appeal with Andrew Zucaro and Lori Zucaro.
- # 011-362 authorizes settlement of tax appeal with Pascack Partners LLC.
- #011-363 appointment of relief crossing guards for 2011
- #011-364 authorize settlement of tax appeal with Fred Ellis and Joan Ellis.
- # 011-365 authorize public auction of Block 1601 Lot 10 – 38 Park Avenue.

PUBLIC PRIVILEGE OF THE FLOOR:

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

Speaker:

James McDermott - Green Team presented Mayor with award from last week and congratulated everyone who worked on this and thanked him for the opportunity; The Green Team presented him with a banner. We are looking forward to working with the new Mayor and Council next year.

Councilmember Kane - said he had gone to the workshop a couple of years ago never heard of it. It's great what the Green Team has done from zero to this it is a great job excellent keep up the good work.

Betsy Thompson- 36 Mountain Avenue - I lived here since 1986 Member of the Green Team here to advocate for the dredging of Mill Pond. In 1904 Park Ridge build the damn to provide electric power for the community it was a beautiful business opportunity but it changed the nature of the brook. Restricts flow over 100 years we have changed the course of Pascack Brook we created a pond that was 30 or 40 feet deep will never be the same. There is nowhere for the brook to go. Time changes a body of water our pond is reverting to a marsh. I would submit to you that the Electric Company and Water Company have an opportunity to budget for dredging this pond. It's their responsibility the Electric Company started this artificial project on this brook, saying we don't have money to do it is not acceptable. We can be creative in our financing to find a way to fund this project. I am advocating for the dredging of Mill Pond.

Barbara Coleman- 62 Linden Avenue as advisory committee member on the Green Team I suggest that the Mayor and Council reconsider the ordinance for the construction of a foot bridge over the damn at Electric Lake. Use the funds for dredging as was intended when the Borough originally applied for and received the funds back in 2010. Right now Electric Lake is a mess and currently can't be much deeper than 3 to 5 feet in most of the lake. There is a delta in the north end of the lake that has grown steadily since Hurricane Floyd in 1999. The delta is so large it acts as a wall blocking the flow of water under the bridge. Bridge has been closed since Hurricane Irene. We need to look in our own back yard we can't ignore the problem in our town. It has not been dredged in the last 30 years. Has anyone asked the DEP if dredging the pond would help the flooding in Park Ridge and downstream? Has an impact study been completed to see if another large storm would wipe out the footbridge? I refer to Mill Pond as Electric Lake as I call it since I was born in Park Ridge and continue to call it. Let's work together to put a comprehensive satiable to plan in place for Electric Lake. Please consider this for all of us in Park Ridge. I would to see the lake restored and see something positive happen.

Council President Maguire- said there was a grant that was applied for the dredging that was for dam restoration. We are committed to getting this done. It will move forward.

ORDINANCES – PUBLIC HEARING**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2011-033**

A GENERAL CAPITAL ORDINANCE AUTHORIZING IMPROVEMENTS TO MILL POND PARK AND DAVIES (MEMORIAL) FIELD TRAILWAY AS A GENERAL IMPROVEMENT AND APPROPRIATING \$81,102 TO BE ENTIRELY FUNDED BY A 2010 GRANT UNDER BERGEN COUNTY OPEN SPACE, TRUST FUND MUNICIPAL PROGRAM FOR PARK IMPROVEMENTS AND DEVELOPMENT AVAILABLE IN THE GENERAL CAPITAL FUND AND APPROPRIATING \$81,102 FROM THE

BOROUGH OF PARK RIDGE OPEN SPACE TRUST FUND FOR A TOTAL OF \$162,204

Mayor Ruschman asks for a motion to open the Public Hearing on Ordinance No, 2011-033, A General Capital Ordinance Authorizing Improvements to Mill Pond Park and Davies (Memorial) Field Trailway as a General Improvement and Appropriating \$81,102 to be Entirely Funded by a 2010 Grant under Bergen County Open Space Trust Fund Municipal Program for Park Improvements and Development Available in the General Capital Fund and Appropriating \$81,102 from the Borough of Park Ridge Open Space Trust Fund for a Total of \$162,204.

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

NAYES: Councilmember Hopper

AYES: Councilmembers 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 - 033**

A GENERAL CAPITAL ORDINANCE AUTHORIZING IMPROVEMENTS TO MILL POND PARK AND DAVIES (MEMORIAL) FIELD TRAILWAY AS A GENERAL IMPROVEMENT AND APPROPRIATING \$81,102 TO BE ENTIRELY FUNDED BY A 2010 GRANT UNDER BERGEN COUNTY OPEN SPACE, TRUST FUND MUNICIPAL PROGRAM FOR PARK IMPROVEMENTS AND DEVELOPMENT AVAILABLE IN THE GENERAL CAPITAL FUND AND APPROPRIATING \$81,102 FROM THE BOROUGH OF PARK RIDGE OPEN SPACE TRUST FUND FOR A TOTAL OF \$162,204

BE IT ORDAINED, by the Governing Body of the Borough of Park Ridge in the County of Bergen, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

SECTION 1. The improvement described in Section 2 of this Ordinance is hereby respectively authorized as a general capital improvement to be made by the Borough of Park Ridge, New Jersey, for the said improvements or purposes stated in Section 2, there are hereby appropriated the sum of money therein stated as the appropriation made for said improvement or purpose, said sum being inclusive of all appropriations herefore made thereof and amounting in the aggregate to \$162,204 of which from the Bergen County Open Space Trust Fund Municipal Program for Park Improvement and Development for 2010 Award Year pursuant in an award transmitted by letter dated September 30, 2011, from the Bergen County Executive \$81,102 has been awarded and the amount of \$81,102 is funded from the Borough of Park Ridge Open Space Trust Fund as a dollar for dollar match for the Bergen County Open Space Trust Fund Municipal Program for Park Improvement and Development for 2010 Award Year grant.

SECTION 2. The Borough of Park Ridge, in the County of Bergen, State of New Jersey, is hereby authorized to provide for the following:

The purpose for which these appropriations are authorized is to install a pedestrian trail through Mill Pond Park and Davies (Memorial) Field as a continuation of a borough-wide trail system including all work, materials and costs necessary therefore or incidental thereto

\$162,204

SECTION 3. It is hereby determined and stated:

- (a) That said purpose is not a current expense. That the same is an improvement which the municipality may lawfully make and that no part of the cost of said improvement has been or shall be specifically be assessed on properties specifically benefited.
- (b) It is not necessary to finance said appropriation by the issuance of obligations by the Borough of Park Ridge pursuant to the Local Bond Law of the State of New Jersey, for the reason that monies sufficient to cover the appropriation thereof shall be available from the Borough of Park Ridge Open Space Trust Fund in the amount of \$81,102 as a dollar for dollar match for the Bergen County Open Space Trust Fund Municipal Program for Park Improvement and Development for 2010 Award Year grant in the amount of \$81,102.

SECTION 4. The Capital Budget of the Borough of Park Ridge is hereby amended or established to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing all detail of the amended or temporary Capital Budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available for public inspection.

SECTION 5. The sum of \$162,204 is hereby appropriated for the aforementioned purpose.

SECTION 6. It is hereby determined and stated that no supplemental debt statement is required to be made and signed in connection with said appropriation, since the gross debt of the municipality, as defined under the Local Bond Law, is not increased by this Ordinance and no obligations in the matter of notes or bonds are authorized by this Ordinance.

SECTION 7. This Ordinance shall take effect after publication thereof and final passage as required by law.

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

Ms. O'Donnell: This ordinance is necessary in order to put the funds into the budget.

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 Council President Maguire and seconded by Councilmember Misciagna to confirm.

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

**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2011-034**

**AN ORDINANCE AMENDING CHAPTER 14, FIRE DEPARTMENT, OF THE CODE
OF THE BOROUGH OF PARK RIDGE, NEW JERSEY**

Mayor Ruschman asks for a motion to open the Public Hearing on Ordinance No. 2011-034, An Ordinance Amending Chapter 14, Fire Department, 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. 2011-034

**AN ORDINANCE AMENDING CHAPTER 14, FIRE DEPARTMENT, 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 Fire Chief to require a criminal background check for any prospective new member; and

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

NOW, BE IT ORDAINED by the Borough Council of the Borough of Park Ridge, in the County of Bergen and State of New Jersey that Chapter 14, Fire Departments, of the Code of the Borough of Park Ridge be and is hereby amended as follows:

§14-1 will be amended to include the following new section:

§14-1(a) Criminal Background Check.

1. All Fire Department applicants, subsequent to the adoption of this Ordinance, must submit to fingerprinting by the fingerprint vendor contracted with the State of New Jersey for such volunteer positions for the purpose of completing a criminal background check of the applicant. This requirement shall also apply to any member of the Fire Reserve, at such time as they apply for membership to the regular department.
2. The results of the applicant's criminal history check will be returned to the Park Ridge Police Department. The Chief of the Police Department, or his designee, will complete a local records check, along with a criminal background check, as allowed by law. The Police Chief, or his designee, will then provide a written statement to the Borough Administrator stating that either the applicant has no disqualifying criminal history or a summary of any disqualifying criminal charges or convictions.
3. The Borough Administrator will promptly advise the Chief of the Fire Department if the applicant meets the Borough's standards for membership, or, after consulting with the Borough Attorney, will advise the Fire Chief that the applicant does not meet these standards and may not be granted membership. If an applicant wishes to discuss the decision made related to them, he may meet with the Borough Administrator and Borough Attorney to review the basis for that determination.
4. Any person convicted of a crime of the first or second degree as set forth under the New Jersey Code of Criminal Justice, or its equivalent in any other jurisdiction of the United States, shall be ineligible for membership in the Park Ridge Volunteer Fire Department.
5. Any person convicted of a crime of the third or fourth degree as set forth under the New Jersey Code of Criminal Justice, or its equivalent in any other jurisdiction of the United States, may be eligible for membership in the Park Ridge Volunteer Fire Department, subject to review and recommendation of the Borough Council and the Board of Fire Officers.
6. No other Borough Official or employee will be given access to, or be informed of, the information received from the criminal history check.
7. The Borough authorizes the Fire Department to pay any fee required by the State in relation to this investigation.
8. The Park Ridge Volunteer Fire Department will not accept any member on a probationary status until all background checks are completed, and information is returned from the State.
9. All other requirements for membership within the Park Ridge Volunteer Fire Department will remain in full force and effect, until changed.

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 allows the Fire Department to conduct a criminal back ground check on any perspective new member as well a background check any existing reserve who applies for membership.

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 Councilmember Kane to confirm.

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

BOROUGH OF PARK RIDGE

ORDINANCE NO. 2011-035

AN ORDINANCE OF THE BOROUGH OF PARK RIDGE, COUNTY OF BERGEN AND STATE OF NEW JERSEY AMENDING CHAPTER 87, SITE PLAN AND SUBDIVISION REVIEW, AND CHAPTER 101, ZONING, OF THE CODE OF THE BOROUGH OF PARK RIDGE IN ORDER TO ALLOW FOR THE IMPOSITION OF ESCROW FEES ON APPLICANTS REQUESTING A FLOOR AREA RATIO BONUS

Mayor Ruschman asks for a motion to open the Public Hearing Ordinance No. 2011-035, An Ordinance of the Borough of Park Ridge, County of Bergen and State of New Jersey amending Chapter 87, Site Plan and Subdivision Review, and Chapter 101, Zoning, of the Code of the Borough of Park Ridge in Order to Allow for the Impositions of Escrow Fees on Applicants Requesting a Floor Area Ratio Bonus.

A motion was made by Council President Maguire 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:

**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2011-035**

AN ORDINANCE OF THE BOROUGH OF PARK RIDGE, COUNTY OF BERGEN AND STATE OF NEW JERSEY AMENDING CHAPTER 87, SITE PLAN AND SUBDIVISION REVIEW, AND CHAPTER 101, ZONING, OF THE CODE OF THE BOROUGH OF PARK RIDGE IN ORDER TO ALLOW FOR THE IMPOSITION OF ESCROW FEES ON APPLICANTS REQUESTING A FLOOR AREA RATIO BONUS

WHEREAS, the Mayor and Council of the Borough of Park Ridge previously permitted single-family residences to receive a floor area ratio bonus if certain residential developments; and

WHEREAS, the Planning Board and the Borough Planner, have examined the submission requirements and review methods to determine the most appropriate and efficient method to process application for the floor area ratio bonuses; and

WHEREAS, the Mayor and Council and the Planning Board believe that in order for the bonuses to be properly granted a review by a professional must be completed; and

WHEREAS, the Mayor and Council and the Planning Board have determined that it would be appropriate to require escrow fees to be posted by an applicant in order to facilitate this review process ; and

WHEREAS, the Mayor and Council wish to establish submission requirements for applications seeking a floor area bonus; and,

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 87, Site Plan and Subdivision Review, and Chapter 101, Zoning, of the Code of the Borough of Park Ridge be and are hereby amended as follows:

SECTION ONE. § 87-6. Fees are hereby amended as follows: *(modification indicated in Italics):*

Escrow fees.

(1) Review of plans and reports.

(a) In addition to the required application fees established herein, the applicant may be required to establish one or more cash escrow accounts with Park Ridge to cover the reasonable costs of professional review and consultation. Said escrow fees may be required for major and minor subdivision review, site plan review, *floor area density bonus request as delineated in 101-19 of the Borough Code*, planned development review and conditional use request or any variance request before the approving authority.

(b) Upon receipt of a development application, the applicant shall be required to deposit, in addition to any application fees, a sum of money which shall be held separate in escrow by the Treasurer of the Borough of Park Ridge and utilized for reimbursement of the fees charged by the technical experts for reviewing said plans. Any fees charged against that account shall first be approved by the approving authority. Upon an application for a minor subdivision, the amount to be deposited shall be \$500. For an application for a major subdivision, the amount to be deposited shall be \$3,000. For an application involving a site plan, the amount to be deposited shall be \$3,000. *For an application for a floor area ratio bonus, the amount to be deposited shall be \$500 in addition to any other costs noted above.*

SECTION TWO. § 101-19. *Floor area ratio bonuses is hereby amended as follows.*

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 § 101-19D or 101-19E below.

B. In order to qualify for the permitted increase in floor area ratio, the following items shall be submitted for review by the borough's professionals:

(1). For a Green Building Strategies Bonus, all of the following items shall be submitted:

- (a) Certification of compliance from a licensed architect
- (b) LEED Homes Project checklist detailing sufficient points to achieve certified status in the following categories: Water efficiency, energy and atmosphere, materials and resources, indoor environmental quality.
- (c) Details for all design components identified on the LEED checklist shall be included on the signed and sealed architectural plans.

(2). For an Architectural Guidelines Bonus, all of the following items shall be submitted:

- (a) Building Elevations for each façade fronting on a public right of way and floor plans for all floors in the structure.
- (b) Dimensions and calculations for each design component that is being utilized to meet the standards identified in Section D below.

C. Applications that do not require public hearings before the Planning Board or Zoning Board of Adjustment shall be reviewed by the Borough Planner. No building permit shall be issued prior to the completion of the Borough Planner's review.

D. 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%) percent 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.

E. Architectural guidelines. A structure must meet both of the criteria in Subsection E(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%) percent floor area ratio over the maximum for a residential structure shall be permitted.

(1) Facade 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%) percent and sixty (60%) percent 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%) percent of the facade of the building.
- (b) Secondary materials are materials that shall cover not more than twenty (20%) percent of the facade.
- (c) Accent materials may include door and window frames, lintels, cornices and other elements and may cover no more than ten (10%) percent of the facade.

SECTION THREE: **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 FOUR: **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 FIVE: **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 is a follow up to a previously adopted ordinance earlier this year. It allows with respect to development for ratio bonus for certain criteria meet after the adoption of that ordinance it was determined that our board professional planner would require additional detail to review and what this ordinance does is that it allows the charge of escrow fee to offset the cost accrued to offset the review.

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 Council President Maguire and seconded by Councilmember Misciagna to confirm.

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

ORDINANCES – INTRODUCTION

BOROUGH OF PARK RIDGE ORDINANCE NO. 2011-036

AN ORDINANCE AMENDING CHAPTER 97, VEHICLES AND TRAFFIC, OF THE CODE OF THE BOROUGH OF PARK RIDGE, NEW JERSEY

Mayor Ruschman asks for a motion to introduce on first reading Ordinance No. 2011-036, An Ordinance Amending Chapter 97, Vehicles and Traffic, of the Code of the Borough of Park Ridge, New Jersey.

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:

BOROUGH OF PARK RIDGE

ORDINANCE NO. 2011-036

AN ORDINANCE AMENDING CHAPTER 97, VEHICLES AND TRAFFIC, 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 Police Department to add a prohibition to left turns on certain streets within the Borough; 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 97-45, Schedule XV: prohibited Turns at Intersections are amended to include the following restrictions as follows:

<u>Name of Street</u>	<u>Direction of Travel</u>	<u>Prohibited Turn</u>	<u>Location</u>
Wampum	West	Left turn between 2pm and 4pm on school days	at the intersection with Pascack Road
Johnsvale Road	East	left turn between 2pm and 4pm on school days	at the intersection with Pascack Road

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 comes to us by way of recommendation from our Police Department it specifically prohibits left hand turns in westerly direction on Wampum near the intersection of Pascack Road between the hours of 2:00 and 4:00PM on school days. As well prohibition of left hand turns on easterly direction on Johnsvale Road at intersection of Pascack Road again between the hours of 2:00 and 4:00PM on school days.

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

Speaker: Councilmember Hopper requested anti idling signs as well.

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 December 13, 2011.

A motion was made by Council President Maguire and seconded by Councilmember Kane 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: Councilmember Hopper, Ask for Resolution #1 to be under New Business
Councilmember Viola questioned probationary promotions.

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

Speaker: NONE

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

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

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

RESOLUTIONS:

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-349
POLICE RESERVE CLOTHING ALLOWANCE**

WHEREAS, during the period November 1, 2010 to October 31, 2011, the Park Ridge Police Reserves have served traffic control details; and

WHEREAS, funds for the nominal payment of said details in the form of clothing allotments have been provided in the 2011 Municipal Budget (1-01-25-245-000-011);

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the members of the Police Reserves are entitled to clothing allotments according to the following schedule:

<u>OFFICER</u>	<u>RANK</u>	<u>TOTAL</u>
PAUL WITTE	CHIEF	2,640
PETER DEPALMA	CAPTAIN	2,015
JAMES DUNCAN	LIEUTENANT	1,745
CHRIS BROWN	LIEUTENANT	1,710
MICHAEL LAWN	SERGEANT	1,030
GERALD POWERS	RESERVE OFFICER	800
JOHN VAN WETERING	RESERVE OFFICER	465
ERIC BONGARD	RESERVE OFFICER	100
MICHAEL CAPANO	RESERVE OFFICER	100
CHRISTOPHER POLIFRONE	RESERVE OFFICER	430
MATTHEW BRUNO	RESERVE OFFICER	430
EDWARD DECANDIDO	RESERVE OFFICER	430
ERIC INGOGLIA	RESERVE OFFICER	430
MICHAEL MARCELLARI	RESERVE OFFICER	430
GREGORY SANTANGELO	RESERVE OFFICER	430
KEVIN ZINK	RESERVE OFFICER	430
ANDREW KARA	RESERVE OFFICER	430
KEVIN SCARPA	RESERVE OFFICER	430
HORACE PARKER	RESERVE OFFICER	430
VINCENT LEMBA	RESERVE OFFICER	430
JASON FRUDDEN	RESERVE OFFICER	430
MICHAEL PELINO	ACTIVE LIFE	175
ARCHIBALD HARVEY Jr.	ACTIVE LIFE	50
FRANCIS MAHON	ACTIVE LIFE	50
	TOTAL	16,040.00

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-350**

POLICE DEPARTMENT UNIFORM MAINTENANCE ALLOWANCE

WHEREAS, by collective bargaining agreement, members of the Park Ridge Police Department are entitled to annual uniform purchase and maintenance allowances of \$925.00 per member; and

WHEREAS, the agreement stipulates that \$450 is payable in the month of December, immediately following the first public meeting of the Mayor & Council; and

WHEREAS, appropriations for such expenditures are included in the 2011 Municipal Budget under Police Department, Uniforms 1-01-25-240-000-013;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the following members of the Park Ridge Police Department are entitled to the second installment of said uniform maintenance allowances of Four Hundred Fifty Dollars (\$450.00):

Lieutenant Joseph Rampolla
Sergeant Nicholas Errico
Sergeant Peter Mauro
Sergeant Anthony DiBlasi
Police Officers:

Paul Marchese
Scott Laughton
Scott Malloy
Gregory Stalb
James M. Babcock
Matthew Eitner
Michael G. Babcock
Christopher Puglis
Daniel Hoffman
Todd Stowe
John Szot
John Gleason

BE IT RESOLVED that the Borough Treasurer be and she is hereby authorized to make said payments according to the aforementioned schedule and to charge said allowances against departmental charge 1-01-25-240-000-013.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-351**

**AUTHORIZE RECEIPT OF BIDS
TRAILWAY – WALKWAY PROJECT
BERGEN COUNTY OPEN SPACE TRUST FUND
MUNICIPAL PROGRAM
CONTRACT NO. TFMP-PR-11-00609**

WHEREAS, the Mayor and Council of the Borough of Park Ridge wish to create a Trailway through parklands in the Borough of Park Ridge; and

WHEREAS, the Borough Council of the Borough of Park Ridge adopted a Resolution at its October 25, 2011 meeting to enter into a grant agreement for 2010 Funding Round of the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund for the project entitled Trailway and Walkway Project; and

WHEREAS, the anticipated expenditure for these improvements is over \$36,000.00; and

WHEREAS, the provisions of New Jersey Statute 40A:11-4 requires the public advertising for bids when the anticipated expenditures for a project are over \$36,000; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Park Ridge hereby authorizes the receipt of sealed bids for the Trailway and Walkway Project.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-352**

**AWARD OF CONTRACT 2011 ROLL-OFF CONTAINER TRUCK
CAMBRIA AUTOMOTIVE**

WHEREAS, upon recommendation of the Park Ridge Board of Public Works, the Mayor and Council did authorize the receipt of bids for the purchase of a Roll-Off Container Truck with Hoist for the Road Department; and

WHEREAS, pursuant to the Notice to Bidders, duly advertised, two bids were received on November 10, 2011, with the results as follows:

Bidding Contractor List					
Bidder	Address	Roll-off Container Truck	Optional Trade-In 1986 Cat IT28 Loader	Net Bid Assuming Trade-In	Make and Model
Cambria Automotive	Edison, NJ	169,990.00	10,000.00	159,990.00	Mack Granite GU813
Gabrielli Kenworth of NJ	Dayton, NJ	176,693.00	14,000.00	162,693.00	Kenworth T800

WHEREAS, the bid of Cambria Automotive is the lowest apparent bid; and

WHEREAS, said bid included a \$10,000.00 optional trade-in allowance for the Road Department's existing 1997 Mack Model DM688S Roll-off Container Truck; and

WHEREAS, based on the age and condition of the 1997 Roll-Off Truck, the Supervisor of Public Works feels the trade-in allowance provided by Cambria Automotive is below the market value and the Borough would probably get a higher price by selling it at a public auction; and

WHEREAS, accordingly the Supervisor of Public Works would not recommend exercising the optional trade-in allowance; and

WHEREAS, the Director of Operations has reviewed the bid submitted by Cambria Automotive and has deemed it complete and therefore the lowest responsible bid; and

WHEREAS, said total price submitted by Cambria Automotive in the amount of \$169,990.00 is within the range of the budgeted and expected cost; and

WHEREAS, the Chief Financial Officer has certified that the appropriate funds are available as a result of bond ordinance 2011-20.

WHEREAS, the Board of Public Works has recommended that the Mayor and Council accept the bid of Cambria Automotive in the amount of \$169,990.00 subject to the review by the Borough Attorney.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge accept the bid of Cambria Automotive in the amount of \$169,990.00 subject to the review by the Borough Attorney.

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

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-353**

FIRE DEPARTMENT CLOTHING ALLOWANCE 2011

WHEREAS, the 2011 Municipal Budget provides for uniform maintenance and stipend allowances to members of the Park Ridge Fire Department; and

WHEREAS, appropriations for such expenditures are included in the 2011 Municipal Budget under Fire Department Clothing Allowance 1-01-25-255-000-012;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the following members of the Park Ridge Fire

<u>NAME</u>	<u>2011 PRFD STIPEND</u>
Babcock, James M.	\$820
Babcock, James R.	\$845
Bosi, R.	\$805
Bruno, Matt	\$505
Cangialosi, Travis	\$505
Caviello, Nick	\$510
Decker, Christopher	\$0
Derienzo, Jr. Thomas	\$2,505
Diedtrich, William D.	\$565
Diedtrich, Sr., William	\$1,495
Diedtrich, Jr., William	\$2,675
DiGregorio, David	\$500
Durst, Mark I.	\$820
Eisen, Mark	\$520
Friedman, Evan	\$255
Gebhardt, Paul	\$755

Geppner, Walter	\$565
Hahn, William	\$535
Halzack, Michael	\$525
Hansen, John	\$855
Harkin, Peter	\$0
Hoeschle, Andreas	\$0
Hughes, Thomas	\$0
Izzo, Mario	\$830
Lepore, Thomas	\$2,760
Levinson, Matt	\$815
Ludwig, Robert A.	\$4,100
Mancision, Gary	\$810
Marchesini, Evan	\$2,045
Mauro, Peter	\$2,990
Mauro, Joseph	\$540
Morgan, Frank	\$560
Moser, Bradley	\$505
Musicant, Alan	\$540
Napolitano, A	\$0
Puglis, Christopher	\$515
Rideout, Daniel	\$0
Rodgers, Blake	\$500
Rodgers, Tyler	\$500
Rothe, Fredric	\$540
Schnoor, Bernard	\$840
Sigillito, John	\$1,150
Steele, Ken	\$500
Stepe, John	\$510
Strabone, James	\$1,335
Szot, Sabastian J	\$510
Taormina, Jason	\$765
Thomas, John	\$1,065
Vanacore, Dominic	\$0
VanderVliet, Howard	\$555
VanderVliet, Kurt J	\$835
Walker, William	\$540
Wirth, John	\$1,140
Wolfe, George	\$820
RESERVES	
Bruno, Christopher	\$110
Bruno, Nick	\$110
Cardone, Tyler	\$0
DeCandido, Ed	\$0
Derienzo, Thomas G.	\$660
DiBlasi, Lauren	\$110
Ladewig, Kyle	\$110
Mceldowney, Dan	\$0
Nicholson, Alex	\$0
Parisi	\$0
Sigillito, Jack	\$110
Wurhman, Daniel	\$0
TOTAL	\$46,885

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-354**

**AUTHORIZATION TO REQUEST PROPOSALS UNDER
THE FAIR AND OPEN PROCESS**

WHEREAS, the New Jersey Local Unit Pay-to-Play Law NJSA 19:44A-20.4 et seq. specifies the processes by which municipalities may award contracts in excess of \$17,500; and

WHEREAS, the Governing Body of the Borough of Park Ridge wishes to award contracts for various professional services for the year 2012 through a Fair and Open Process in accordance with NJSA 19:44A-20.5 et seq.;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the Borough Clerk is hereby authorized to advertise for and receive proposals for the following professional services under the Fair and Open Process: Borough Attorney, Borough Engineer, Borough Auditor, Bond Counsel, Risk Manager, Borough Planner, Rate Counsel, Special Rate Counsel, Rate Engineer and Environmental Engineer.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-355**

AUTHORIZE PROBATIONARY PROMOTION JOSEPH J. RAMPOLLA TO CAPTAIN OF POLICE

WHEREAS, a vacancy exists in the position of Captain of Police on the Park Ridge Police Department;
and

WHEREAS, the hiring process was conducted in accordance with Civil Service requirements; and

WHEREAS, the Borough was notified on October 14, 2011 that CEO/Chair Robert M. Czech had approved the permanent appointment of Joseph J. Rampolla to the position of Police Captain; and

WHEREAS, this appointment is subject to the satisfactory completion of the required ninety (90) day work test period.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that Joseph J. Rampolla is hereby appointed as Captain of Police effective December 1, 2011 at a salary of \$145,226.60.

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

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-356**

AUTHORIZE PROBATIONARY PROMOTION NICOLAS J. ERRICO TO POLICE LIEUTENANT

WHEREAS, a vacancy exists in the position of Police Lieutenant on the Park Ridge Police Department;
and

WHEREAS, the hiring process was conducted in accordance with Civil Service requirements; and

WHEREAS, by Certification of Eligibles for Appointment dated September 30, 2011 the Borough of Park Ridge has been notified that Nicholas J. Errico has been certified as the sole qualified person for said promotion.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that Nicholas J. Errico is hereby appointed as Police Lieutenant effective December 1, 2011 at a salary of \$128,978.00, subject to the satisfactory completion of the required ninety (90) day work test period.

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

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-357**

AUTHORIZE PROBATIONARY PROMOTION JAMES M. BABCOCK TO POLICE SERGEANT

WHEREAS, a vacancy exists in the position of Police Sergeant on the Park Ridge Police Department; and

WHEREAS, the hiring process was conducted in accordance with Civil Service requirements; and

WHEREAS, by Certification of Eligibles for Appointment dated October 12, 2011 the Borough of Park Ridge has been notified of the applicants qualified for said promotion.

WHEREAS, the Search Committee has recommended that James M. Babcock be promoted to the position of Police Sergeant; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that James M. Babcock is hereby appointed as Police Sergeant effective December 1, 2011 at a salary of \$119,114, subject to the satisfactory completion of the required ninety (90) day work test period.

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

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-358**

**AUTHORIZATION TO EXECUTE CAPTAIN OF POLICE CONTRACT
JOSEPH J. RAMPOLLA**

WHEREAS, the Mayor and Council of the Borough of Park Ridge have appointed Joseph J. Rampolla to the position of Police Captain effective December 1, 2011; and

WHEREAS, direct negotiations have taken place between the Captain, the Police Commissioner and the Borough Administrator; and

WHEREAS, the Borough Attorney has reviewed the contract which commences on December 1, 2011 through December 31, 2014.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council hereby authorizes Mayor Donald J. Ruschman to execute the new agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED that a copy of said agreement executed by the Mayor and the Captain be filed permanently with the Borough Clerk.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-359**

**AUTHORIZE SETTLEMENT OF TAX APPEAL WITH
VINCENT CAMPIONE, TRUSTEE**

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 Vincent Campione, Trustee (hereinafter the "Tax Appeal"), under Docket Number 016235-2010, and;

WHEREAS, the property under appeal is located at 268 Hampshire Ridge in the Borough of Park Ridge, otherwise known as Block 103, Lot 3, CO268, 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 \$1,101,690 to \$1,041,000 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 \$1,101,690 to \$1,041,000 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. 011-360**

**AUTHORIZE SETTLEMENT OF TAX APPEAL WITH
RICHARD VOGLER AND GERALDINE VOGLER**

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 Richard Vogler and Geraldine Vogler (hereinafter the "Tax Appeal"), under Docket Number 016243-2010, and;

WHEREAS, the property under appeal is located at 265 Hampshire Ridge in the Borough of Park Ridge, otherwise known as Block 103, Lot 3, CO265, 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 \$1,145,900 to \$1,080,000 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 \$1,145,900 to \$1,080,000 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. 011-361**

**AUTHORIZE SETTLEMENT OF TAX APPEAL WITH
ANDREW ZUCARO AND LORI ZUCARO**

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 Andrew Zucaro and Lori Zucaro (hereinafter the "Tax Appeal"), under Docket Number 016243-2010, and;

WHEREAS, the property under appeal is located at 28 Sherwood Downs in the Borough of Park Ridge, otherwise known as Block 103, Lot 3, CO028, 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 \$724,700 to \$685,000 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 \$724,700 to \$685,000 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. 011-362**

**AUTHORIZE SETTLEMENT OF TAX APPEAL WITH
PASCACK PARTNERS, LLC**

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 Pascack Partners, LLC (hereinafter the "Tax Appeal"), under Docket Number 011376-2011, and;

WHEREAS, the property under appeal is located at 131 Kinderkamack Road in the Borough of Park Ridge, otherwise known as Block 1805, Lot 11, 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 result in the dismissal of the tax appeal for the 2011 tax year and adjust the taxpayer's assessment from \$2,243,200 to \$1,900,000 for the 2012 and 2013 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 resulting in the dismissal of the tax appeal for the 2011 tax year and to adjust the Subject Properties' tax assessment from \$2,243,200 to \$1,900,000 for the 2012 and 2013 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. 011-363**

Appointment of Relief Crossing Guards for 2011

WHEREAS, at the 2011 Reorganization Meeting of the Mayor and Council held on January 1, 2011 the Mayor and Council did appoint the School Crossing Guards for 2011; and

WHEREAS, Sergeant Peter Mauro of the Park Ridge Police Department has recommended the appointment of two additional relief guards for 2011; and

WHEREAS, Chief Joseph Madden concurs with this recommendation; and

WHEREAS, both Joseph D'Angelo and Marcia Eisen will have completed the mandatory School Crossing Guard training by December 12, 2011.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and council of the Borough of Park Ridge hereby appoint Joseph D'Angelo and Marcia Eisen as Relief Crossing Guards for 2011, in addition to those School Crossing Guards previously appointed on January 1, 2011.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-364**

**AUTHORIZE SETTLEMENT OF TAX APPEAL WITH
FRED ELLIS AND JOAN ELLIS**

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 Fred Ellis and Joan Ellis (hereinafter the "Tax Appeal"), under Docket Number 016-11-2010, and;

WHEREAS, the property under appeal is located at 212 Bearwoods Road in the Borough of Park Ridge, otherwise known as Block 103, Lot 3, CO212, 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 \$1,228,400 to \$1,160,000 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 \$1,228,400 to \$1,160,000 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. 011-365**

**AUTHORIZE PUBLIC AUCTION OF BLOCK 1601, LOT 10
 38 Park Avenue**

WHEREAS, the Borough of Park Ridge is the owner of a certain parcel of land and improvements located at 38 Park Avenue, Park Ridge, New Jersey, also known as Block 1601, Lot 10 as shown on the Official Tax Map of the Borough of Park Ridge (the "Property"); and

WHEREAS, the Mayor and Borough Council of the Borough of Park Ridge hereby determines that said Property is not required for any public purpose now or to be anticipated and that the public interest is best served by restoring said Property to the tax rolls;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOROUGH COUNCIL of the Borough of Park Ridge, in accordance with the provisions of N.J.S.A. 40A:12-13(a) as follows:

1. The Property located at 38 Park Avenue, Park Ridge, New Jersey, also known as Block 1601, Lot 10 shall be offered for public sale at auction to the highest bidder after advertisement thereof in The Record by two (2) insertions of said advertisement, at least once each week, during two (2) consecutive weeks, the last publication to be not earlier than seven (7) days prior to the date of said sale, which date and the location of the auction sale shall be set forth in said advertisement.
2. Said auction shall be made subject to the following conditions which shall be deemed included in the bidder's bid thereof:
 - a. The minimum price at which the sale of the said Property shall take place shall be Eight Hundred Eight Thousand Five Hundred Eighty Three Thousand Dollars (\$808,583.00). Purchaser shall be permitted to obtain mortgage financing for the purchase in a sum not to exceed 75% of the accepted bid.
 - b. The Purchaser shall agree to develop the Property for a mixed use building containing commercial and residential uses, including the dedication of one (1) residential unit as an affordable housing unit, having a floor area in the minimum aggregate of 12,750 sf. within a 3 story structure inclusive of the basement and meet all other requirements of the Borough's NB District Zone Ordinance and Borough Code.
 - c. The Purchaser shall agree to dedicate a public easement for pedestrian access and/or pedestrian trailway in accordance with the Borough's Vision Plan and/or Open Space Plan.
 - d. The Purchaser shall agree to provide the Borough and the adjacent property owners with an easement access agreement providing for shared parking and/or circulation to the Property.
3. The Mayor and Borough Council by not later than its second regular meeting following the holding of the aforesaid public auctions sale, shall, with respect to the sale of said Property, either accept the highest bid therefore, or reject all bids, and the Borough Council hereby expressly reserves the right to reject all bids respecting the sale of said Property.
4. The auction sale of said Property shall be conducted by the Borough Clerk, who may adjourn same, at the above time and place or prior thereto, for a period of not more than one (1) week, without re-advertising; and the Borough Clerk is hereby authorized and directed to place the required advertisements of sale, to accept deposits, to conduct said sale, and to require appropriate proofs of the bidder's ability to comply with the conditions hereinabove stated.

5. Any sale of the above Property parcel shall be for cash, certified check, or cashier's check from a bank authorized to do business within the State of New Jersey, and any bid made at the holding such sale shall be accompanied by a deposit, in cash, certified check or cashier's check, in an amount equal to ten percent (10%) of the minimum bid. Closing of such sale cannot be made final at this time, however said closing shall take place no later than ten (10) calendar days after the satisfaction of all necessary site plan approvals from the Borough's Planning Board and the County of Bergen Planning Board which shall occur within six (6) months from the award of the within bid. At closing the balance of the purchase price shall be paid in full by cash or certified check, at which time a properly executed Deed of Bargain and Sale, with covenant against Grantor's Acts shall be delivered to the Purchaser; provided, however, that the Mayor and Borough Council may extend such closing date if, in its judgment, good cause exists for such extension.
6. As a condition of a sale of the aforesaid Property, the purchaser thereof shall be required to pay at closing the cost of advertising the said sale, statutory notices, appraisal fees, the sum of \$5,000.00 for legal fees incurred on behalf of the Council respecting such sale and all other charges incurred by the Borough in order to effect the sale pursuant to law.
7. In the event that title is proven to be unmarketable, the sole liability of the Borough shall be to return any deposit money.
8. Any sale shall be subject to any easement or restrictions of record and such statement of facts as an accurate survey shall reveal.
9. The successful bidder shall be responsible for the cleanup of any environmental contamination located on, under, over or within the above Property. No deduction shall be made from the purchase price for such cleanup. The successful bidder shall indemnify and hold harmless the Borough of Park Ridge from any claims relating to such environmental contamination or the cleanup thereof.
10. Said sale shall be subject to applicable federal, state, county and local statutes, ordinances, codes and rules and regulations, including specifically, but not limited to, applicable zoning and land use ordinances and building, plumbing, electrical, fire or similar codes in effect in the Borough of Park Ridge.
11. Closing shall take place in the office of Borough Attorney, Rubenstein, Meyerson, Fox, Mancinelli & Conti, P.A. with a mailing address of One Paragon Drive, Suite 240, Montvale, NJ, or such other location upon which the parties may mutually agree.
12. Said Property is sold "as is." The Borough of Park Ridge makes no representations as to the condition or quality of the land or improvements upon said Property. Bidders may inspect said Property prior to the public sale and shall be responsible to fully acquaint themselves with the condition and quality of the property prior to the public sale.
13. The Borough of Park Ridge assumes no responsibility to maintain said Property prior to closing and the risk of loss, if any, is upon the successful bidder.
14. The Borough of Park Ridge does not represent that the Property can be occupied in its present state and shall not be required to correct any violations of law or provide a Certificate of Occupancy or similar document at the time of closing.
15. In the event the successful bidder fails to enter into a contract of sale following confirmation of the acceptance of his bid, including the provision of this restriction, within ten (10) days after submission thereof by the Borough of Park Ridge, or in the event the successful bidder fails to close in accordance with the terms thereof, the Borough may retain the bidder's deposit monies as liquidated damages.
16. The successful bidder may not assign the contract to purchase said Property without the written consent of the Borough of Park Ridge.
17. Rent and real estate taxes shall be adjusted as of the date of closing.
18. The Borough of Park Ridge shall not pay any broker's commission in connection with this sale and the successful bidder shall indemnify and hold harmless the Borough of Park Ridge from any such claim therefore arising by reason of the conduct of the successful bidder.
19. Except as set forth herein, the terms and conditions of the sale shall not be modified except as may be mutually agreed upon in writing, by the Borough of Park Ridge and the successful bidder, provided that no such modifications shall result in a violation of the bidding statute.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Park Ridge that it hereby authorizes Borough Clerk to conduct said public auction.

COMMUNICATIONS:

Mayor Ruschman :received an email from Westwood Mayor Birkner which read this afternoon in New Jersey Department of Health Planning Board voted 5 to 1 to reopen HUMC North at Pascack Valley this was an enormous victory in our continuing battle to return quality and accessible health care services to our community's. The commissioner will now have 120 days to review deposit of recommendations by both Department of Health staff and Planning Board. This decision maybe returned as early as Christmas. Were not done yet but this was a big day. Thank you to everyone for the great efforts and perseverance to get to this point.

Mayor Ruschman: said something we have all been waiting for. We are moving in the right direction.

OLD BUSINESS:

NONE

NEW BUSINESS:

Resolution authorizing the sale of \$850,000 Special Emergency Notes of the Borough of Park Ridge, in the County of Bergen, New Jersey and providing for other matters in connection therewith.

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

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

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 011-348**

**RESOLUTION AUTHORIZING THE SALE OF
\$850,000 SPECIAL EMERGENCY NOTES OF
THE BOROUGH OF PARK RIDGE,
IN THE COUNTY OF BERGEN, NEW JERSEY
AND PROVIDING FOR OTHER MATTERS
IN CONNECTION THEREWITH.**

BE IT RESOLVED by the Borough Council of the Borough of Park Ridge, in the County of Bergen (the "Borough"), as follows:

Section 1. Pursuant to the Local Budget Law and a resolution adopted by the Borough Council of the Borough on September 13, 2011 (Res. No. 011-273) (the "Resolution"), the Borough appropriated \$850,000 as a special emergency appropriation pursuant to N.J.S.A. 40A:4-54 for extraordinary capital expenses incurred, or to be incurred, as a result of Hurricane Irene. Pursuant to N.J.S.A. 40A:4-55 and the Resolution, \$850,000 principal amount of Special Emergency Notes were authorized to be issued.

Section 2. Such notes are hereby authorized to be issued pursuant to the Resolution and this resolution and shall be negotiable notes payable to bearer, and shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law, and such interest shall be payable at the maturity of such notes. The notes shall be dated on or about the date of their issuance and may be renewed from time to time, but at least 1/5 of the special emergency appropriation, shall mature and be paid in each year, so that all notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the adoption date of this resolution. The issuing officers are authorized to provide that the notes may be redeemable at the option of the Borough.

Section 3. The Mayor and the Chief Financial Officer are hereby authorized to execute said notes, and the Borough Clerk is hereby authorized to affix the seal of the Borough to such notes and to attest such seal and said notes, and said officers are hereby authorized to issue said notes in such form as they may adopt in conformity with law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes, and that said notes are within every debt and other limit prescribed by the Constitution or statutes of New Jersey.

Section 4. The Chief Financial Officer is hereby authorized to sell said notes and any renewals thereof from time to time, at not less than par and accrued interest and to determine within the limitations prescribed

by this resolution, the date, principal amount, maturity date, and denomination of said notes, and the rate of interest said notes shall bear and to deliver such notes upon receiving the purchase price to be paid therefor.

Section 5. The Borough Council hereby designates the Special Emergency Notes as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"). It is hereby determined and stated that (1) the Special Emergency 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 tax-exempt obligations (other than private activity bonds) during the calendar year 2011. 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, the Borough does not covenant to do so, and expressly states that a covenant is not made hereby.

Section 6. A certified copy of this resolution shall be filed with the Director of the Division of Local Government Services.

Section 7. This resolution shall take effect immediately upon its adoption.

Council President Maguire – asked if Colleen Ennis can explain the numbers.

Colleen Ennis- The purpose of this resolution was housekeeping on September 13th there was a resolution authorizing the Emergency for \$850,000 dollars it was brought to our attention that although it authorizes it did not specifically authorize the Finance officer to go out and sell the bond. So it was a clarification of a prior resolution but as Steve Hopper mentioned we ultimately will not be going out for \$850,000 because the scope of work has been reduced as well as we have obtained funding from various insurance agencies so the emergency would be for \$400,000, next year, we would reduce even further once we get the FEMA payment.

APPROVAL OF MINUTES

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

Closed and Work Session Minutes dated November 14, 2011

Councilman Viola to abstain.

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

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

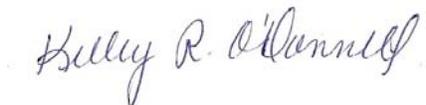
ABSTAIN: Councilmember Viola

ADJOURN

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

Meeting adjourned at 9:18 p.m.

Respectfully submitted,



Kelley R. O'Donnell, RMC
Borough Administrator