

Municipal Building
Borough of Park Ridge
February 28, 2012–8:20 pm

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

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

ROLL CALL:

Present: Councilmember Galdi, Councilmember Kilmartin, Councilmember Oppelt
Councilmember Bosi, Councilmember Hopper, Council President Misciagna,
Mayor Maguire

Absent: None

Also Present: John Ten Hoeve Jr., Esq. Borough Attorney
Kelley O'Donnell, Borough Clerk/Administrator

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

PROCLAMATION

Read Across America – NJ

WHEREAS, the citizens of the Borough Park Ridge stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, the Borough of Park Ridge has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is the key to the community's well-being and long-term quality of life; and

WHEREAS, NEA's Read Across America, a national celebration of reading, will be conducted on March 2, 2012, which would have been the 108th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, Read Across America-NJ is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association and their local affiliates across the state to promote reading and adult involvement in the education of our community's students:

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council call upon the citizens of the Borough of Park Ridge to assure that every child is in a safe place reading together with a caring adult on March 2, 2012;

AND BE IT FURTHER RESOLVED that this body enthusiastically endorses NEA's Read Across America and Read Across America – NJ and recommits our community to engage in programs and activities that make America's children the best readers in the world.

AGENDA CHANGES

Resolution No: 012-077

PUBLIC PRIVILEGE OF THE FLOOR:

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

Speaker: NONE

ORDINANCES – INTRODUCTION

**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2012-004**

(Bond Ordinance \$200,000 – Electric Utility – Bucket Truck)

Mayor Maguire asks for a motion to introduce on first reading Ordinance No. 2012-004,

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

AYES: Councilmembers, Galdi, Kilmartin, Oppelt, Bosi, Hopper, Council President Misciagna

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

**BOROUGH OF PARK RIDGE
ORDINANCE NO 2012 - 004**

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF AN AERIAL BUCKET TRUCK IN, BY AND FOR THE ELECTRIC UTILITY OF THE BOROUGH OF PARK RIDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$200,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Borough of Park Ridge, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to acquire a new automotive vehicle, including original apparatus and equipment, consisting of an aerial bucket truck for the use of the Electric Department, in, by and for the Electric Utility of the Borough. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$200,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized by this ordinance. No down payment is required for this bond ordinance pursuant to the provisions of N.J.S.A. 40A:2-11(c) and 40A:2-7(h). Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New

Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$200,000, and (4) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$200,000, and (5) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$5,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that the Electric Utility would have been self-liquidating, as defined in Section 47(a) of the Local Bond Law, during the fiscal year beginning January 1, 2011, had there been included in the interest and debt redemption charges for such year an amount equal to interest for one year at the rate of four and one half percentum (4 1/2%) per annum on said bonds or notes, and the amount of the first installment of serial bonds legally issuable to finance such purpose plus an amount for charges as aforesaid with respect to all bonds and notes authorized but not issued for such Electric Utility.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$200,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$200,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of five years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$200,000, but said \$200,000 shall be deducted from gross debt pursuant to Section 44(c) of the Local Bond Law and that the issuance of the bonds and notes authorized by this ordinance is permitted by an exception to the debt limitations prescribed by the Local Bond Law as provided in Sections 47(a) and 7(h) of the Local Bond Law.

Section 10. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 12. The Borough intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitations as to rate or amount.

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

Mayor Maguire asks the CFO to give a brief description of this ordinance

Ms. Ennis: Electric Utility is looking to purchase a bucket truck approximate cost is \$200,000. This ordinance is a mechanism to provide for the funding. For everyone's knowledge funding is paid through the utilities.

Mayor Maguire asks the Clerk if she is in receipt of the Supplemental Debt Statement.

Clerk: Yes Mayor

Mayor Maguire asks if there is anyone present that wishes to be heard concerning the introduction of the ordinance.

Speaker: NONE

Mayor Maguire asks for a motion to pass this ordinance on first reading by title and that it be published in full in The Ridgewood News with notice of Public Hearing to be held on March 13, 2012.

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

AYES: Councilmembers, Galdi, Kilmartin, Oppelt, Bosi, Hopper, Council President Misciagna

ORDINANCES – PUBLIC HEARING

**BOROUGH OF PARK RIDGE
ORDINANCE NO. 2012-003**

A GENERAL CAPITAL ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION FOR THE IMPROVEMENTS TO MILL POND PARK AND DAVIES (MEMORIAL) FIELD TRAILWAY AS A GENERAL IMPROVEMENT AND APPROPRIATING \$75,000 TO BE ENTIRELY FUNDED BY A 2007 GRANT UNDER BERGEN COUNTY OPEN SPACE, TRUST FUND MUNICIPAL PROGRAM FOR PARK IMPROVEMENTS AND DEVELOPMENT AVAILABLE IN THE GENERAL CAPITAL FUND AND APPROPRIATING \$75,000 FROM THE BOROUGH OF PARK RIDGE OPEN SPACE TRUST FUND FOR A TOTAL OF \$150,000

Mayor Maguire asks for a motion to open the Public Hearing on Ordinance No. 2012-003, a General Capital Ordinance Authorizing a Supplemental Appropriation for the Improvements to Mill Pond Park and Davies (Memorial) Field Trailway as a General Improvement and Appropriating \$75,000 to be entirely funded by a 2007 Grant Under Bergen County Open Space, Trust Fund Municipal Program for Park Improvements and Development Available in the General Capital Fund and Appropriating \$75,000 from the Borough of Park Ridge Open Space Trust Fund for a Total of \$150,000.

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

AYES: Councilmembers, Galdi, Kilmartin, Oppelt, Bosi, Council President Misciagna

NAYES: Councilmember Hopper

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

**BOROUGH OF PARK RIDGE
ORDINANCE NO 2012 - 003**

A GENERAL CAPITAL ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION FOR THE IMPROVEMENTS TO MILL POND PARK AND DAVIES (MEMORIAL) FIELD TRAILWAY AS A GENERAL IMPROVEMENT AND APPROPRIATING \$75,000 TO BE ENTIRELY FUNDED BY A 2007 GRANT UNDER BERGEN COUNTY OPEN SPACE, TRUST FUND MUNICIPAL PROGRAM FOR PARK IMPROVEMENTS AND DEVELOPMENT AVAILABLE IN THE GENERAL CAPITAL FUND AND APPROPRIATING \$75,000 FROM THE BOROUGH OF PARK RIDGE OPEN SPACE TRUST FUND FOR A TOTAL OF \$150,000

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 a supplement appropriation to that previously authorized by the adoption of Ordinance No. 2011-033 on November 29, 2011, inclusive of all appropriations herefore made thereof and amounting in the aggregate to \$150,000 of which from the Bergen County Open Space Trust Fund Municipal Program for Park Improvement and Development for 2007 Award Year pursuant in an award transmitted by letter dated December 30, 2011, from the Bergen County Executive \$75,000 has been reappropriated and the amount of \$75,000 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 2007 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 complete the second phase of the Mill Pond Trail Project which includes the installation of the last section of the Trail to connect Davies (Memorial) Field from Mill Pond Walkway and bridge, the connection of the outdoor classroom, a seating area and landscaping; all work, materials and costs necessary therefore or incidental thereto

\$150,000

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 \$75,000 as a dollar for dollar match for the Bergen County Open Space Trust Fund Municipal Program for Park Improvement and Development for 2007 Award Year grant in the amount of \$75,000.

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 \$150,000 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 Maguire asks Ms. O'Donnell to give a brief description of this ordinance

Ms. O'Donnell: This a mechanism required to put the \$75,000 grant received from Bergen County Open Space Trust Fund to our general fund.

Mayor Maguire asks if there is anyone present that wishes to be heard concerning the adoption of this ordinance.

Speaker: NONE

Mayor Maguire 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 Misciagna and seconded by Councilmember Bosi to confirm

AYES: Councilmembers, Galdi, Kilmartin, Oppelt, Bosi, Council President Misciagna

NAYES: Councilmember Hopper

CONSENT AGENDA:

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

Speaker: NONE

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

Speaker: NONE

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

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

AYES: Councilmembers, Galdi, Kilmartin, Oppelt, Bosi, Hopper, Council President Misciagna

RESOLUTIONS:

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 012-061**

AUTHORIZING THE 2011 RECYCLING TONNAGE GRANT APPLICATION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2011 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council

of the Borough of Park Ridge to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the Borough of Park Ridge hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Kelley R. O'Donnell, Borough Clerk / Administrator to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 012-062**

**AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIENHOLDER**

WHEREAS, at the Municipal Tax Sale held on November 29, 2011, a lien was sold on Block 2402 Lot 14, also know as 307 Park Avenue in Park Ridge, for 2010 utility charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #11-944 was sold to Anthony Freeman for 18% interest and,

WHEREAS, Columbia Bank on behalf of Christopher and Karen Criscuolo, owner, has affected redemption of Certificate #11-944 in the amount of \$2,685.17.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is authorized to issue a check in the amount of \$2,685.17, payable to Anthony Freeman, 13 Pelham Lane, Ridgefield, CT 06877, for the redemption of Tax Sale Certificate #11-944.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 012-063**

AUTHORIZE TAX OVERPAYMENT REFUND

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the Borough Treasurer is hereby authorized and directed to return the following 1st quarter 2012 tax overpayment:

<u>Block</u>	<u>Lot</u>	<u>Qual.</u>	<u>Name</u>	<u>Amount</u>
103	3	C0177	Herbert & Sharon Miller 177 Camelot Gate Park Ridge, NJ 07656	\$ 4,751.22
501	2		Gregory & Gina Mathis 8 Glenbrook Drive Park Ridge, NJ 07656	\$ 8,841.92
102	13		Corelogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9887 Re: 223 Doxey Drive Park Ridge, NJ 07656	\$ 2,434.17
1706	8		Kuppahally & Shilaja Srinkantiah 20 Kinderkamack Road Park Ridge, NJ 07656	\$ 725.36

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 012-064**

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF PARK RIDGE, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF PARK RIDGE AND AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$5,819,000 BOND ANTICIPATION NOTE, DATED FEBRUARY 3, 2012, PAYABLE AUGUST 16, 2012, AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Borough of Park Ridge, in the County of Bergen, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations the interest on which is excluded from gross income for Federal income tax purposes and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough desires to designate a \$5,819,000 Bond Anticipation Note, dated February 3, 2012, payable August 16, 2012 (the "Note"), as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Code;

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

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Borough (including the Note) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and the other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) the Note is not a "private activity bond" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2012.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2012.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough be and they hereby are authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2012 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its adoption.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 012-065**

BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION – LEHMANN GARDENS

WHEREAS, a Bergen County Community Development Block Grant (CDBG) of \$97,000.00 has been proposed by the Housing Authority of Bergen County for the replacement of the hot water heater and boiler at Lehmann Gardens in the municipality of Park Ridge, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Mayor and Council, and

WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Park Ridge and the County of Bergen, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds,

Now, Therefore, Be It Resolved, that the Mayor and Council of the City of Hackensack hereby confirm endorsement of the aforesaid project, and

Be It Further Resolved, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 012-066**

TRI BORO AMBULANCE LOSAP ELIGIBLES

WHEREAS, The Borough of Montvale, Park Ridge and Woodcliff Lake have each adopted a LOSAP program for the members of the Tri Boro Ambulance Corps.; and

WHEREAS, to be eligible for the annual \$1,416.55 stipend, plus a \$42.50 cost of living increase at the rate of 3.0%, members must meet certain criteria; and

WHEREAS, the attached list of eligibles have met the established criteria; and

WHEREAS, the Borough of Park Ridge is responsible for the Tri Boro Ambulance Corps. payment of \$36,476.25 for 2011; and

WHEREAS, the Tri Boro Ambulance Corps. Payment is to be divided by the three (3) Boroughs, the cost per each Borough is \$12,158.75;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the Borough Treasurer initiate LOSAP payments in the names of those Tri Boro Ambulance Corps. Members deemed eligible to receive them.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 012-067**

**RESOLUTION AUTHORIZING ISSUANCE OF CONCESSION FOR
SWIMMING POOL SNACK STAND CONCESSION**

WHEREAS, the Mayor and Council of the Borough of Park Ridge have decided that it is in the best interest of the Borough to enter into an agreement awarding a snack stand concession for the operation of a snack stand at the Borough Municipal Swim Club; and

WHEREAS, the Borough Administrator has solicited quotations from various entities willing to pay the Borough for the right to operate said concession; and

WHEREAS, P & M Food Concessions, Inc., d/b/a Mary's Snack Bar, and Pete LaBarbiera have submitted the most favorable price for the right to operate said concession; and

WHEREAS, the Borough Administrator has recommended that the Borough enter into an agreement with P & M Food Concessions, Inc., d/b/a Mary's Snack Bar, and Pete LaBarbiera, the current operators of the concession at the pool; and

WHEREAS, the Borough Pool Commission has also recommended that the Borough award the concession to said concessionaire; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Park Ridge that the Borough enter into the attached concession agreement with P & M Food Concessions, Inc., d/b/a Mary's Snack Bar and Pete LaBarbiera.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute the Agreement for said concession.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 012-068**

**AUTHORIZE REIMBURSEMENTS TO BEARS NEST CONDOMINIUM ASSOCIATION
2010-2011 SNOW SEASON AND 2010 LEAF REMOVAL SEASON**

WHEREAS, the Borough of Park Ridge has agreed to a reimbursement under the Municipal Services Act, N.J.S.A. 40:67-23.2 et al, for removal of snow and landscaping debris for the Bears Nest Condominium association as follows:

2010-2011 SNOW SEASON	\$9,300
2010 LEAF REMOVAL SEASON	<u>\$2,500</u>
Total	\$11,800 =====

and

WHEREAS, by letter dated February 9, 2012 the Bears Nest Condominium Association's Board of Directors has agreed to said reimbursements pursuant to the above cited Municipal Services Act.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Park Ridge that the total reimbursement for the period above is \$11,800 to be made to the Bears Nest Condominium Association.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 012-069**

**APPROVE MEMBERSHIP OF VOLUNTEER FIRE
RESERVE APPLICANT - FARRO**

WHEREAS, Fire Chief Peter Mauro has approved an application prepared by Troy Farro, 82 Brook Road, for the Park Ridge Volunteer Fire Reserve Program,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge hereby approve the membership of Troy Farro, 82 Brook Road, in the Park Ridge Volunteer Fire Reserve Program.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 012-070**

**AUTHORIZE ANNUAL ANIMAL CONTROL SERVICES CONTRACT
2012**

WHEREAS, the Borough of Park Ridge is required to provide for Animal Control Services by State Law; and

WHEREAS, Tyco Animal Control Service , 1 Stout Lane, Ho-Ho-Kus, NJ 07423 has provided a proposal for the provision of said services for the calendar year 2012 for the sum of \$9,900 per annum to be paid monthly, effective January 1, 2012 through and including December 31, 2012; and

WHEREAS, Tyco Animal Control Service has provided the State mandated Business Registration Certificate copy attached to the original of this resolution; and

WHEREAS, the total cost for said services is not anticipated to exceed either the Pay-to-Play (P.L. 2005 c. 271) threshold and/or the State Bid threshold during calendar year 2012; and

WHEREAS, the MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27 (Exhibit A) is hereby incorporated into this contract; and

WHEREAS, the Board of Health has recommended the Borough of Park enter into a contract for the calendar year 2012 with Tyco Animal Control Service for the provision of these services and additional related services as outlined in said proposal, as may be needed and the Borough Administrator concurs; and

WHEREAS, the Chief Financial Officer has certified to the availability of funds, subject to the appropriation of said funds in the 2012 Municipal Budget, budget account 2-01-27-330-000-194.

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Park Ridge does authorize the Mayor and Borough Clerk to authorize a contract on behalf of the Borough of Park Ridge, said contract to be in the form as approved by the Borough Attorney.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 012-071**

AUTHORIZE BANNER REQUESTS

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

Banner:

“Easter Egg Hunt”
Park Avenue
March 26 – April 1

“Town Picnic”
Park Avenue
June 4 – June 11

“Day Camp”
Park Avenue
June 25 – July 2

“Concert at Gazebo”
Park Avenue
July 30 – August 7

“Fireworks & Concert”
Park Avenue
August 27 – September 3

“Ragamuffin Parade”
Park Avenue
October 15 – October 22

“Tree Lighting”
Park Avenue
November 26 – December 3

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 012-072**

**RESOLUTION AUTHORIZING ENVIRONMENTAL
ENGINEERING SERVICES
Soil Boring and Testing – Mill Pond**

WHEREAS, the Borough of Park Ridge has need to acquire professional environmental engineering services relating to the proposed dredging of Mill Pond; and

WHEREAS, the Borough of Park Ridge has solicited and received a proposal from Leggette, Brashears & Graham, Inc. dated January 16, 2012 in an amount not to exceed \$15,000; and

WHEREAS, the vendor will not be required to submit a Business Entity Disclosure Certification since Leggette, Brashears & Grahma, Inc. is the Borough’s Environmental Engineer for calendar year 2012 and was selected through a “fair and open” process pursuant to N.J.S.A. 19:44A-20.5 and all necessary forms were submitted to the Borough of Park Ridge as part of the selection process; and

WHEREAS, the MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27 (Exhibit A) was incorporated into the 2011 contract and attached to the original contract for Borough Engineering Services and considered a part hereof; and

WHEREAS, Board of Public Works has agreed to share the cost of the soil boring and testing; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account No C-04-55-914-000-004 and Account No. 2-07-55-502-000-517.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Park Ridge authorize the issuance of a purchase order as described herein pursuant to the January 16, 2012 proposal.

BE IT FURTHER RESOLVED that Notice of this action shall be published in the newspaper The Bergen Record within ten (10) days of adoption.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 012-073**

AUTHORIZE RECEIPT OF SEALED BIDS

Department of Public Works – Well Drilling and Redevelopment Services

WHEREAS, the Borough of Park Ridge Department of Public Works is in need of a contractor to perform well drilling and redevelopment services at several ground water supply wells; and

WHEREAS, the anticipated expenditure for said services are over \$36,000; and

WHEREAS, the provisions of New Jersey Statute 40A:11-4 requires the public advertising for bids when anticipated expenditures are over \$36,000.00; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge hereby authorize the receipt of sealed bids for well drilling and redevelopment services.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 012-074**

AUTHORIZE RECEIPT OF SEALED BIDS

Department of Public Works – Service and Maintenance of Water Pumping, Storage and Distribution System

WHEREAS, the Borough of Park Ridge Department of Public Works is in need to of a contractor to perform Service and Maintenance of the Borough’s Water Pumping, Storage and Distribution System due to normal operation and Maintenance; and

WHEREAS, over a one (1) year period, the anticipated expenditure for said maintenance is over \$36,000; and

WHEREAS, the provisions of New Jersey Statute 40A:11-4 requires the public advertising for bids when anticipated expenditures are over \$36,000.00; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge hereby authorize the receipt of sealed bids for unit prices for Maintenance, Service and Repair of Potable Water Storage, Treatment, Pumping and Distributions System Facilities.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 012-075**

**AUTHORIZE CHANGE ORDER No. 1 – RAY PALMER & ASSOC. INC.
Arsenic Treatment Well #13**

WHEREAS, by Resolution No. 011-371 the Park Ridge Mayor and Borough Council awarded a contract to Ray Palmer & Associates Inc. for an Arsenic Treatment System at Well #13 in the amount of \$415,950.00; and

WHEREAS, during the installation, it was determined that some additional work not included in the original specifications would be required to properly complete the project; and

WHEREAS, said work includes the purchase and installation of a new submersible well pump and motor; additional piping work needed to bypass a sub grade conflict; and change to the well casing construction which resulted in a deduct to the total project; and

WHEREAS, Ray Palmer Associates has provided pricing to provide the additional materials and installation at a total net cost of \$15,073.00; and

WHEREAS, the Water Department’s consulting engineering firm, Quad Three Group, has reviewed the proposals and would recommend the approval of the changes, a copy of their letter of recommendation for Change Order No.1 being attached to this resolution; and

WHEREAS, based on the above, the Director of Operations recommends the Borough approve Change Order #1 as permitted under the New Jersey Public Contracts Law.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Park Ridge, that Change Order No. 1 for the contract with Ray Palmer Associates Inc. is hereby authorized in the amount of \$15,073.00.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 012-076**

**RESOLUTION AUTHORIZING AGREEMENT WITH BEARS NEST CONDOMINIUM ASSOCIATION
FOR REIMBURSEMENTS UNDER THE MUNICIPAL SERVICES ACT**

WHEREAS, the Municipal Services Act, N.J.S.A. 40:67-23.2, et seq. and amendments thereto, provides that qualified, private communicators, as defined in the Act, are entitled to receive certain municipal services; and

WHEREAS, the Act further provides that in lieu of providing such municipal services the municipality shall have the option to financially reimburse the Association in an amount not to exceed the actual cost that would be incurred by the municipality if it provided the services directly; and

WHEREAS, the Borough and the Association have mutually agreed to providing reimbursement as opposed to providing the services directly; and

WHEREAS, the Borough and the Association have mutually agreed to a reimbursement rate for leaf and snow removal; and

WHEREAS, the Borough and Association wish to enter into a multi-year agreement for the reimbursement of such costs; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the Borough enter into the attached agreement with the Bears Nest Condominium Association for 2012, 2013 and 2014; a copy of which is attached.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute the Agreement for leaf and snow removal.

-2-
3 YEAR CAPITAL PROGRAM 2012-2014

SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 PROJECT	2 Estimated Total Cost	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid And Other Funds	7 BONDS AND NOTES			
		Current Year 2012	Future Years				General	Self Liquidating	Assessment	School
Acquisition of a Bucket Truck for the Electric Utility	\$ 200,000						\$ 200,000			
TOTAL ALL PROJECTS	\$ 200,000						\$ 200,000			

Be It Further Resolved that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.
It is hereby certified that this is a true copy of a resolution creating the temporary capital budget section adopted by the governing body on the 28th day of February, 2012.

COMMUNICATIONS:

OLD BUSINESS:

NEW BUSINESS:

APPROVAL OF MINUTES

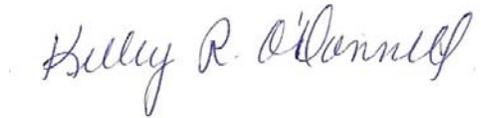
None

ADJOURN

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

Meeting adjourned at 8:30 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kelley R. O'Donnell".

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