

**Municipal Building
Park Ridge, NJ
March 24, 2009 – 8:15 p.m.**

A Regular Meeting of the Mayor and Council of the Borough of Park Ridge was called to order at the above time, date and place. Acting Mayor Wells led those attending in the Pledge of Allegiance. Acting Mayor Wells advised those attending that Mayor Ruschman was out of town today, but that he would be joining us via telephone this evening. Mayor Ruschman will not be participating in the meeting but will be listening.

ROLL CALL:

Present: Council members Kane, Ciannella, Levinson, Maughan, Acting Mayor Wells and Mayor Ruschman (via telephone)

Absent: None

Also Present: Robert Mancinelli, Esq., Borough Attorney
Gene Vinci, Administrator
Kelley O'Donnell, Acting Borough Clerk
Colleen Ennis, C.F.O.

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

AGENDA CHANGES

None.

PUBLIC PRIVILEGE TO THE FLOOR

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

Bob Hatkins – 46 Mountain Avenue

Mr. Hatkins stated that he had read in the newspaper that Mountain Avenue was scheduled for resurfacing this year and he wanted to know if it was a discussion item this evening. Acting Mayor Wells advised Mr. Hatkins that there was no discussion scheduled for this evening on the road resurfacing program that he may contact the Borough Administrator Gene Vinci for the scope of the work and scheduling.

ORDINANCES – PUBLIC HEARING

ORDINANCE 2009-06 BOND ORDINANCE TO AUTHORIZE THE 2009 ROAD, CURB, DRAINAGE AND SIDEWALK IMPROVEMENT PROGRAM

Acting Mayor Wells asks for a motion to open the public hearing on Ordinance 2009-06, An Ordinance to Authorize the 2009 Road, Curb, Drainage and Sidewalk Improvement Program.

A motion was made by Councilmember Levinson and seconded by Councilmember Ciannella to confirm. Motion carried unanimously.

Acting Mayor Wells asks the Clerk to read the ordinance by title:

ORDINANCE 2009-06 BOND ORDINANCE TO AUTHORIZE THE 2009 ROAD, CURB, DRAINAGE AND SIDEWALK IMPROVEMENT PROGRAM IN, BY AND FOR THE BOROUGH OF PARK RIDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$887,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, 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 undertake the 2009 Road, Curb, Drainage and Sidewalk Improvement Program at various locations in, by and for the Borough, as set forth on a list on file or to be placed on file with the Borough Clerk and hereby approved as if set forth herein in full and available for public inspection during regular business hours. Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes, as amended; the "Local Bond Law"). Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$887,000 is hereby appropriated to the payment of the cost of making the improvements 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 and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements 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, and (3) the estimated cost of said purpose is \$887,000, and (4) \$42,250 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$844,750, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$118,006 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 moneys exceeding \$42,250, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purpose. The sum of \$42,250 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$844,750 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 \$844,750 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 ten 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 \$844,750 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 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 improvements 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 limitation as to rate or amount.

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

Acting Mayor Wells asks the Colleen Ennis, CFO to give a brief description of this ordinance.

Ms. Ennis:

Acting Mayor Wells asks if anyone present wishes to be heard concerning the adoption of this ordinance. There was no one.

Acting Mayor Wells asks for a motion to close the public hearing and that this ordinance be adopted and the it be published by title in “The Ridgewood News” with notice of final passage.

A motion was made by Councilmember Ciannella and seconded by Councilmember Levinson to confirm. Motion carried unanimously.

**ORDINANCE 2009-07, AN ORDINANCE AMENDING CHAPTER 77A,
PARKS AND RECREATION AREAS**

Acting Mayor Wells asks for a motion to open the public hearing on Ordinance 2009-07, An Ordinance Amending Chapter 77A, Parks and Recreation Areas

A motion was made by Councilmember Maughan and seconded by Councilmember Viola to confirm. Motion carried unanimously.

Acting Mayor Wells asks the Clerk to read the ordinance by title:

ORDINANCE 2009-07, Amending Chapter 77A Parks and Recreation Areas

WHEREAS, the Recreation & Cultural Committee of the Borough of Park Ridge has recommended certain changes to the ordinance requirements for the use of the Borough’s parks and recreation areas; 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 Chapters 77A of the Code of the Borough of Park Ridge be and is hereby amended as follows:

SECTION ONE:

Chapter 77A shall be deleted in its entirety and replaced with the following:

Chapter 77A, PARKS AND RECREATION AREAS

ARTICLE I, General Regulations

§ 77A-1. Purpose; scope.

The following rules and regulations are hereby adopted for the protection, regulation and control of public property designated as Borough Fields, including but not limited to Davies Field, Mill Pond, Huff Park/Sulak Fields, Atkins Glen, Board of Education School Fields and the Colony Avenue fields, pool and parking lot.

§ 77A-2. Alcoholic beverages, drugs or narcotics.

No person who appears to be under the influence of intoxicating beverages, drugs or narcotics shall be permitted within a Borough park or recreation area. No person shall possess or consume alcoholic beverages in any Borough park or recreation area. Non-profit organizations may obtain an application for a Special Permit for Social Affairs permit from the Borough Clerk authorized and approved by the Mayor and Council.

§ 77A-3. Group use; meetings; use of loudspeakers.

A. Except for the pool and pool parking lot; which shall require separate approval from the Municipal Pool Commission, no group shall use a Borough park or recreation area without first submitting an application for Request of Use of Facilities with the Borough Clerk not later than fifteen days before the proposed date of use. The filing of the required application does not guarantee approval of the requested group use. Upon review and approval of the application, the Field Coordinator shall issue the required permit and schedule the use of the Borough park or recreation area subject to availability. Priority of group use shall be as follows: Borough sanctioned recreation events; PRAA youth sports; School athletics; Club Sports for adults and youths; and any group consisting of at least

50% of Borough residents. For annual group use requests, all required applications shall be submitted by January 15th and field schedules shall be determined on or about February 28th of each year. Group use shall be limited to designated areas. Adult supervision of children's groups is required at all times.

B. No person shall call or hold any public meeting or give any concert or public entertainment of any kind within a Borough park or recreation area without first having obtained written permission from the Borough Administrator in advance no later than fifteen days before the proposed date of use.

C. No person shall use loudspeakers, public address systems or amplifiers within a Borough park or recreation area without first having obtained permission in advance from the Borough Administrator no later than seven days before the proposed date of use.

D. Each Group that applies to use a Borough park or recreation area must provide the Borough Clerk with a certificate of insurance and sign a hold harmless form provide by the Borough. The certificate of insurance must show evidence of at least \$1,000,000 general liability coverage naming the Borough as an additional insured. The Borough Clerk may require additional insurance coverage limits in his discretion depending on the type of proposed use.

E. Fees.

(1) The Mayor and Council shall adopt a Resolution on an annual basis establishing the fees for both Resident and Non Resident Teams which have received the required permit to use any Borough fields for that calendar year. A Non Resident Team shall be defined as any team in which Borough residents comprise less than 50% of the team's roster.

§ 77A-4. Littering; pollution.

A. No person shall leave bottles, broken glass, ashes, wastepaper or other rubbish within a Borough park or recreation area except in a properly provided receptacle designated for that purpose.

B. No person shall throw or place any dirt, stone, rock, debris, foreign or waste substance into or upon any Borough park or recreation area.

C. No person shall throw, cast, lay or drop, discharge into or allow to remain in the water of a Borough park or recreation area, or any tributary, brook, stream or storm sewer or drain flowing into said waters, any substance or matter which may result in the pollution of said waters.

§ 77A-5. Property damage.

No person shall cut, break, dig up or in any way mutilate or injure any tree, shrub, plant, grass, turf, railing, seat, fence, structure or any other object within a Borough park or recreation area.

§ 77A-6. Fires and fireworks.

A. No person shall build, light or maintain a fire within a Borough park or recreation area maintained or designated for such purpose unless a permit for same has been obtained from the Borough fire Prevention Bureau.

B. No person shall discharge or set off within any Borough park or recreation area any firecrackers, torpedoes, rockets or other fireworks unless a permit for same has been obtained from the Borough Fire Prevention Bureau.

§ 77A-7. Firearms and hunting.

A. No person shall discharge any weapon or firearms within or into a Borough park or recreation area. Firearms shall not be carried nor had in possession of any person. Shooting with a bow and arrow is prohibited.

B. No person shall knowingly molest, trap, capture, hold, remove, injure or kill any animal or disturb its habitat within a Borough park or recreation area.

§ 77A-8. Prohibitions.

A. No person shall swim or bathe in any pond or stream within a Borough park or recreation area.

B. No person shall use motorized boats, other than model boats, of any kind on any pond or stream within a Borough park or recreation area.

C. No person or group shall engage in any commercial enterprise, including but not limited to the offering of services, soliciting, selling or peddling of any liquids or edibles for human consumption, or distribute circulars or hawk, or peddle or vend any goods, wares or merchandise within a Borough park or recreation area without meeting the requirements of Chapter 67 of the Code of the Borough of Park Ridge entitled "Hawkers, Peddlers and Solicitors."

D. No person shall cut, carve, point, mark, paste or fasten on any tree, fence, wall, building, monument or other object within a Borough park or recreation area any bill, advertisement or inscription, nor shall any person distribute, cast, throw or place any handbill, pamphlet, circular, advertisement or notice of any kind within a Borough park or recreation area.

§ 77A-9. Vehicular restrictions.

A. No person shall use any portion of a Borough park or recreation area for the purpose of a roadway, except drives, parking areas, roadways, paths, walks and trails established for such purpose by the Mayor and Council. Footpaths or walks established for pedestrian travel shall not be used for vehicular travel. The use of mopeds,

snowmobiles or motorized bikes within a Borough park or recreation area shall not be permitted. (See Chapter 45 of the Code of the Borough of Park Ridge.)

B. No person shall drive or propel or cause to be driven or propelled along or over any road within a Borough park or recreation area any vehicle at a rate of speed greater than 10 miles per hour.

§ 77A-10. Hours of operation

No person shall, without permission, enter into or remain within a Borough park or recreation area, except during the hours that the park or recreation area is open to the general public, generally, daylight to 11:00 p.m. at Sulak Field and Davies Field and daylight to 1/2 hour after sunset for all other parks and recreation area.

§ 77A-11. Violations and penalties.

Any person, firm or corporation violating any provisions of this article shall be subject, upon conviction thereof, to a fine of not more than \$500 or to imprisonment in the county jail for a term of not exceeding 90 days, or both for a first offense. The fine shall be doubled for each and every subsequent offense. Any person or group convicted of a second offense shall be placed on probation for a period of six months. Any person or group convicted of violating this article while on probation shall be prohibited from obtaining a use permit for a period of two years.

ARTICLE II, Davies Field

§ 77A-12. Application.

This article shall apply to the recreational field with the artificial surface in Davies Field in Park Ridge and all grounds which are part of the Davies Field complex, including bleachers, benches, parking areas, fences and lights and any other auxiliary structures.

§ 77A-13. Permit required.

The recreational field, which is part of Davies Field, shall be used only by the issuance of a permit from the Borough of Park Ridge. The Borough Clerk should create a permit application packet to be completed by each user. The application packet shall include the following information: the name and address of the user, including zip code, email address, telephone number and responsible person from the user, a description of the use, the date or dates of use of the field and all such information deemed by the Borough Clerk to be necessary for the proper administration of this article. Application packets shall be made available at Borough Hall on the Borough's web site.

§ 77A-14. Prohibit uses or activities.

The following uses and/or activities are prohibited on the recreational field in Davies Field:

- A. The use of metal spikes on the artificial surface.
- B. Littering.
- C. The consumption or possession of any soft drinks; bottled or can drinks, alcoholic beverages or sports drinks.
- D. The eating of food of any type.
- E. Chewing gum or smoking.
- F. The erection of any tents or stands on the artificial surface, including the installation of stakes.
- G. There should be no use of any marking paint, marking lime or any other liquid or powder to mark or identify any area on the artificial surface unless prior written approval has been obtained from the Administrator.
- H. No animals are allowed on the artificial surface at any time.
- I. No fires are allowed in the artificial surface.
- J. No remote control planes, cars or any other models powered by any electrical or mechanical device would be allowed in the artificial surface at all times.
- K. No skateboards, bikes, rollerblades, scooters, all-terrain vehicles or any other similar devices should be allowed on the artificial surface.
- L. If the field is snow covered, it is closed; no one is authorized to shovel or remove snow from the artificial surface.

§ 77A-15. Loss of privileges.

Any user who violates these rules and regulations shall lose their use of the field and can be subject to the fines and penalties as provided herein.

§ 77A-16. Violations and penalties.

Any person who violates this article or any provision herein may be held liable for a fine not to exceed \$500 or to imprisonment in the county jail for a term of not exceeding 90 days, or both for a first offense. The fine shall be doubled for each and every subsequent offense. Any person or group convicted of a second offense shall be placed on probation for a period of six months. Any person or group convicted of violating this article while on probation shall be prohibited from obtaining a use permit for a period of two years.

ARTICLE III, Smoking

§ 77A-17. Prohibition.

No person shall smoke or carry any type of tobacco products, including cigarettes, cigars or pipes, in or on any Borough recreation area or parks, including the Park Ridge Pool, at any time.

§ 77A-18. Violations and penalties.

Any person violating this article shall be subject to violations and penalties set forth in § 77A-11.

ARTICLE IV, Certification of Coaches

§ 77A-19. All coaches and managers participating in programs sponsored and supervised by the PRAA, as well as programs administered by privately organized athletic associations wherein the Borough provides insurance coverage, shall enroll in and complete an authorized certification course through the Rutgers S.A.F.E.T.Y. clinic or any other approved comparable course.

§ 77A-20. Such certification course shall be a recognized program and shall have the prior approval of the Borough Administrator who shall promulgate rules and regulations for administration of the certification process and the requirement for periodic renewals.

§ 77A-21. All persons covered by the terms of this article shall complete the required course within the time limits set by the Borough Administrator.

ARTICLE V, Summer Day Camp Program

§ 77A-22. Participation in the Summer Day Camp shall be made available to the children of Park Ridge residents or any child attending any public or private school within the Borough, entering Kindergarten through Grade 7 in September of the upcoming school year. If any child is in the care of a guardian residing within the Borough, that child shall be eligible to participate in the day camp program. Day camp shall start on the first Monday following the end of the public school term and shall continue for five consecutive weeks. In the event of any inclement weather resulting in the cancellation of day camp, said cancellation shall be posted on the Borough's web site and on the Summer Day Camp Program's dedicated voice mail. There shall be no reimbursement of any fees resulting from the cancellation of day camp resulting from inclement weather, any expulsion or for any dates not attended.

The Mayor and Council shall adopt a Resolution on an annual basis establishing the hours of operation and participation fees for the Summer Day Camp Program.

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

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

SECTION FOUR: This Ordinance shall take effect immediately following final passage, adoption and publication as provided by law.

Acting Mayor Wells asks the Borough Attorney Robert Mancinelli to give a brief description of this ordinance.

Mr. Mancinelli:

Acting Mayor Wells asks if anyone present wishes to be heard concerning the introduction of this ordinance. There was no one.

Acting Mayor Wells asks for a motion to close the public hearing and that this ordinance be adopted and the it be published by title in "The Ridgewood News" with notice of final passage.

A motion was made by Councilmember Maughan and seconded by Councilmember Viola to confirm. Motion carried unanimously.

**ORDINANCE 2009-08, AN ORDINANCE AMENDING CHAPTER 101-20(J)
OUTDOOR CAFÉS**

Acting Mayor Wells asks for a motion to open the public hearing on Ordinance 2009-08, An Ordinance Amending Chapter 101-20(J) Outdoor Cafes

A motion was made by Councilmember Ciannella and seconded by councilmember Viola to confirm. Motion carried unanimously.

Acting Mayor Wells asks the Clerk to read the ordinance by title:

ORDINANCE 2009-08, An Ordinance Amending Chapter 101-20(J) Outdoor Cafés

WHEREAS, the Construction Code Official of the Borough of Park Ridge has recommended certain changes to the ordinance requirements for outdoor cafes; and

WHEREAS, the Mayor and Council of the Borough of Park Ridge believe that this action 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 Chapters 101-20(J) of the Code of the Borough of Park Ridge be and is hereby amended as follows:

SECTION ONE: J. Outdoor cafes.

(4)(e) shall be deleted in its entirety;

(11) shall be deleted in its entirety;

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

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

SECTION FOUR: This Ordinance shall take effect immediately following final passage, adoption and publication as provided by law.

Acting Mayor Wells asks the Borough Attorney Robert Mancinelli to give a brief description of this ordinance.

Mr. Mancinelli:

Acting Mayor Wells asks if anyone present wishes to be heard concerning the introduction of this ordinance. There was no one.

Acting Mayor Wells asks for a motion to close the public hearing and that this ordinance be adopted and the it be published by title in “The Ridgewood News” with notice of final passage.

A motion was made by Councilmember Ciannella and seconded by Councilmember Kane to confirm. Motion carried unanimously.

ORDINANCE 2009-09, AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF PARK RIDGE, NEW JERSEY TO PROVIDE FOR CHAPTER 75, ARTICLE V, CLOTHING BINS

Acting Mayor Wells asks for a motion to open the public hearing on Ordinance 2009-09, An Ordinance Amending the Code of the Borough of Park Ridge to provide for Chapter 75, Article V, Clothing Bins

A motion was made by Councilmember Levinson and seconded by Councilmember Maughan to confirm. Motion carried unanimously.

Acting Mayor Wells asks the Clerk to read the ordinance by title:

ORDINANCE 2009-09, An Ordinance Amending the Code of the Borough of Park Ridge, New Jersey to Provide for Chapter 75, Article V, Clothing Bins

WHEREAS, an ordinance is needed to regulate the use of a donation clothing bin within the limits of the Borough of Park Ridge.

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 75 of the Code of the Borough of Park Ridge is hereby established as follows:

SECTION ONE:

§ 75-35 Regulations.

Notwithstanding any other provision to the contrary, no person shall place, use or employ a donation clothing bin, for solicitation purposes, unless all of the following requirements are met:

- a. The donation clothing bin is owned by a charitable organization registered with the Attorney General of the State of New Jersey pursuant to P.L. 1994, c.16 or any person; and
- b. The donation clothing bin is limited to an area at the Borough Recycling Center as determined by the Construction Code Official or the Department of Public Works Road Supervisor; and
- c. The registered charitable organization or the person has obtained a zoning permit valid for a period of one (1) year, from the Construction Code Official the Department of Public Works Road Supervisor in accordance with the following:
 1. In applying for such a zoning permit, the registered charitable organization or person shall include:
 - (a) The manner in which the charitable organization or person anticipates any clothing or other donations collected via the bin would be used, sold or dispersed, and the method by which the proceeds of collected donations would be allocated or spent;
 - (b) The name and telephone number of the bona fide office of the applicant and of any entity which may share or profit from any clothing or other donations collected via the bin; and
 - (c) The schedule of pickups removing the articles from the bins, which can be no less often than once per week, and the name and telephone number of the person to be notified if the bin is overflowing prior to the scheduled date of pickup.
 2. The Construction Code Official or the Department or Public Works Road Supervisor shall not grant an application for a zoning permit to place, use, or employ a donation clothing bin if it determines that the placement of the bin could constitute a safety hazard. Such hazards shall include, but are not limited to, the placement of a donation clothing bin in any area that interferes with pedestrian or vehicular traffic, or any place which stores large amounts of, or sells, fuel or other flammable liquids or gases.
 3. The fee for such application for the zoning permit shall be fifty (\$50.00) dollars.
 4. An expiring zoning permit for a donation clothing bin may be renewed by a charitable organization or person upon payment of the twenty-five (\$25.00) dollar renewal fee and by application that shall include the following information:
 - (a) The manner in which the person has used, sold or dispersed any clothing or other donations collected via the bin, the method by which the proceeds of collected donations have been allocated or spent, and any changes the person anticipates it may make in these processes during the period covered by the renewal;
 - (b) The name, and telephone number of the bona fide office of the applicant and any entity which shared or profited from any clothing or other donations collected via the bin, and of any entities which may do so during the period covered by the renewal; and
 - (c) The schedule of pickups removing the articles from the bins, which can be no less often than once per week, and the name and telephone number of the person to be notified if the bin is overflowing prior to the date of pickup.
 5. The following information shall be clearly and conspicuously written in either paint or permanent marker on the exterior of the donation clothing bin:
 - (a) The name and address of the registered charitable organization or person that owns the bin, and of any other entity which may share or profit from any clothing or other donations collected via the bin;
 - (b) The telephone number of the organization's bona fide office and, if applicable, the telephone number of the bona fide office of any other entity which may share or profit from any clothing or other donations collected via the bin. The telephone number of an answering machine or service unrelated to the charitable organization does not satisfy this requirement; and
 - (c) The charitable organization's registration number, permit number and its date of expiration.
 - (d) In cases when any entity other than the person who owns the bin may share or profit from any clothing or other donations collected via the bin, a notice, written in a clear and easily understandable manner, indicating that clothing or other donations collected via the bin, their proceeds, or both, may be shared, or given entirely to, an entity other than the person who owns the bin, and identifying all such entities which may share or profit from such donations; and

(e) A statement, indicating the manner in which the charitable organization or person anticipates any clothing or other donations collected via the bin would be used, sold or dispersed, and the method by which the proceeds of collected donations would be allocated or spent.

c. The Zoning Officer shall receive and investigate, within forty-five (45) days, any complaints from the public about the bin.

1. Whenever it appears to the Borough that an organization or a person has engaged in or is engaging in any act or practice in violation of this section, the organization or person who placed the bin shall be issued a warning, stating that if the violation is not rectified or an appeal taken within fifteen (15) days, then the bin, any clothing or other donations collected via the bin will be sold at public auction. In addition to any other means used to notify the person who placed the bin, a warning shall be affixed to the exterior of the bin itself.

2. In the event that the person who placed the bin does not rectify the violation or request a hearing within fifteen (15) days of the posting of the warning, the Borough may seize the bin, remove it or have it removed, at the expense of the person who placed the bin, and sell it at public auction or otherwise dispose of any clothing or other donations collected via the bin. Any proceeds from the sale of the donations collected via the bin shall be paid to the Borough.

3. In addition to any other penalties or remedies under this section, any person who violates any provision which results in the seizure of the donation clothing bin shall for each violation, be penalized by a fine of not more than \$500 per day of violation or by imprisonment in the county jail for a term not exceeding 90 days.

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

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

SECTION FOUR: This Ordinance shall take effect immediately following final passage, adoption and publication as provided by law.

Acting Mayor Wells asks the Borough Attorney Robert Mancinelli to give a brief description of this ordinance.

Mr. Mancinelli:

Acting Mayor Wells asks if anyone present wishes to be heard concerning the introduction of this ordinance. There was no one.

Acting Mayor Wells asks for a motion to close the public hearing and that this ordinance be adopted and that it be published by title in "The Ridgewood News" with notice of final passage.

A motion was made by Councilmember Levinson and seconded by Councilmember Maughan to confirm. Motion carried unanimously.

CONSENT AGENDA:

Acting Mayor Wells asks if any Councilmember would like to abstain from voting on any resolution listed under the Consent Agenda: There was none.

Acting Mayor Wells asks if any Councilmember would like to have any resolution removed from the consent agenda and placed under New Business. There was none.

Acting Mayor Wells asks for a motion to accept the Consent Agenda with the abstentions so noted:

A motion was made by Councilmember Maughan and seconded by Councilmember Ciannella to confirm. Motion carried unanimously.

RESOLUTIONS

BOROUGH OF PARK RIDGE RESOLUTION NO. 09-074

AUTHORIZE CANCELLATION OF CONTRACT WITH MARVEC CONSTRUCTION CORP.

WHEREAS, on August 24, 2007, the Borough of Park Ridge entered into a written Contract with Marvec Construction Corp., to complete work regarding the Mill Pond Dam Rehabilitation; and

WHEREAS, the Mayor & Council has previously concluded that Marvec Construction Corp. has failed to perform its obligation and provide the agreed upon services set forth in the aforementioned contract and wishes to formally cancel contract with Marvec Construction Corp; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge hereby recommends that that the contract dated August 24, 2007 between the Borough of Park Ridge and Marvec Construction Corp. is cancelled.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-075**

ESTABLISHMENT OF PARKS AND RECREATION FEE FOR 2009

WHEREAS, the Recreation & Cultural Committee of the Borough of Park Ridge has recommended certain changes to the ordinance requirements for the use of the Borough's parks and recreation areas; and

WHEREAS, on March 24, 2009, the Mayor and Council of the Borough of Park Ridge approved Ordinance No 2009-07 amending Chapter 77A, Parks and Recreation Areas, of the Code of the Borough of Park Ridge, New Jersey; and

WHEREAS, the aforesaid ordinance requires the Mayor & Council to adopt a Resolution on an annual basis establishing the fees for both Resident and Non Resident Teams which have received the required permit to use any Borough fields for that calendar year and to establish the hours of operation and participation fees for the Summer Day Camp Program.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge hereby approve the following fee schedule for the year 2009.

Day Camp

Single Camper \$100.00
2nd camper from same family \$75.00
any additional campers from same family \$50.00
late fee \$20.00 after May 1st

Extras program before care service \$55.00
late fee \$10.00 after May 1st

Day camp program shall start on the first Monday following the end of the public school term and shall continue for five consecutive weeks.

Fields

Adult club teams \$500.00 per team per season not to exceed 3 months or 50 dates. Any additional time or dates will constitute an additional season. Per diem charges of \$50.00 for resident team and \$75.00 for non-resident team.

Children (under 18) club teams \$300.00 per team per season not to exceed 3 months or 50 dates. Any additional time or dates will constitute an additional season. Per diem charges of \$30.00 for resident team and \$45.00 for non-resident team.
per team.

Field fees to be paid by each league.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-076**

SUPPORTING PARTICIPATION IN THE SUSTAINABLE JERSEY MUNICIPAL CERTIFICATION PROGRAM

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Park Ridge strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, the Borough of Park ridge hereby acknowledges that the residents of Park Ridge desire a stable, sustainable future for themselves and future generations; and

WHEREAS, the Borough of Park Ridge wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path, the Borough of Park Ridge is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of the Borough of Park Ridge we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community,

NOW, THEREFORE, BE IT RESOLVED, that to focus attention and effort within the Borough of Park Ridge on matters of sustainability, the Mayor and Council wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Park Ridge that we do hereby authorize Borough Administrator, Gene Vinci to serve as the Borough of Park Ridge's agent for the Sustainable Jersey Municipal Certification process and authorize him to complete the Municipal Registration on behalf of the Borough of Park Ridge.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-077**

AUTHORIZE SIGNING OF CONSULTANT'S AGREEMENT

WHEREAS, Ann Kilmartin has retired from her full-time position as Chief Financial Officer effective December 31, 2008; and

WHEREAS, Colleen Ennis, Chief Financial Officer has advised the Mayor and Council that she wishes to retain the services of Ann Kilmartin as a consultant; and

WHEREAS, Ann Kilmartin has agreed to be retained as a consultant.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council authorize the Mayor and Clerk to execute the proposed Consultant's Agreement with Ann Kilmartin subject to the approval as to form and substance by the Borough Attorney; and

BE IT FURTHER RESOLVED, that a true copy of this resolution shall be sent to Ann Kilmartin within ten (10) days from the date of its adoption.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-078**

AUTHORIZE RECEIPT OF BIDS FOR PARK RIDGE TRAIN STATION PEDESTRIAN IMPROVMENTS

WHEREAS, the Mayor and Council wish to make pedestrian improvements to the Park Ridge Train Station; and

WHEREAS, the anticipated expenditure for this project exceeds \$29,000.00; and

WHEREAS, the provisions of New Jersey Statute 40A:11-4 requires the public advertising for bids when the anticipated expenditure is over \$29,000.00; 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 the Pedestrian Improvements to the Park Ridge Train Station.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-079**

2009 EMERGENCY TEMPORARY APPROPRIATIONS

WHEREAS, an emergent condition has arisen in that the Borough of Park Ridge is expected to enter into contracts, commitments or payments prior to the 2009 Budget and no adequate provision has been made in the 2009 temporary budget for the aforesaid purposes; and

WHEREAS, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose, and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2009 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A 4-20) including this resolution total \$4,638,450,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Park Ridge, in the County of Bergen, State of New Jersey, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

Emergency temporary appropriations be and the same are hereby made in the amount of \$4,318,500 as follows:

GENERAL APPROPRIATIONS

OPERATIONS

General Government:

| | | |
|---|--|-----------|
| Office of the Administrator/Clerk | | |
| Salaries & Wages | | \$ 31,500 |
| Other expenses | | 6,600 |
| Administrative & Executive: | | |
| Salaries & Wages | | 6,900 |
| Other expenses | | |
| Mayor's Special Committee | | 4,800 |
| Municipal Clerk | | |
| Salaries & Wages | | 15,500 |
| Other expenses | | 7,000 |
| Consultant Grant | | |
| Other expense | | 2,000 |
| Assessment of Taxes: | | |
| Salaries & Wages | | 7,000 |
| Other expenses | | 1,600 |
| Finance Administration | | |
| Salaries & Wages | | 50,000 |
| Other expenses | | 2,700 |
| Collection of Taxes: | | |
| Salaries & Wages | | 4,000 |
| Other expenses | | 4,000 |
| Legal Services and Costs: | | |
| Other expenses | | 25,000 |
| Municipal Court: | | |
| Salaries & Wages | | 17,500 |
| Other expenses | | 2,000 |
| Municipal Prosecutor: | | |
| Salaries & Wages | | 1,600 |
| Public Defender: | | |
| Salaries & Wages | | 1,000 |
| Engineering Services & costs: | | |
| Other expenses | | 6,000 |
| Public Buildings & Grounds: | | |
| Salaries & Wages | | 10,000 |
| Other expenses | | 15,000 |
| Planning Board: | | |
| Salaries & Wages | | 5,500 |
| Other expenses | | 2,000 |
| Board of Adjustment: | | |
| Salaries & Wages | | 8,000 |
| Other expenses | | 3,500 |
| Insurance: | | |
| Group medical/dental/disability insurance | | 250,000 |
| Other insurance premiums | | 40,000 |
| Public Safety: | | |
| Fire | | |
| Other expenses | | 25,000 |
| Fire Prevention Bureau | | |
| Salaries & Wages | | 7,300 |
| Other expenses | | 500 |
| Police: | | |
| Salaries & Wages | | 530,000 |
| Other expenses: | | 15,000 |
| Police Reserves | | |
| Other expenses | | 6,500 |
| Municipal Alliance | | |
| Salaries & Wages | | 2,700 |
| Other expenses | | 500 |
| Tri-Boro Safety Corp: | | |
| Salaries & Wages | | 2,000 |
| Other expenses | | 75,000 |
| Pistol Range | | |
| Salaries & Wages | | 1,000 |

| | | |
|--|--------|---------------|
| Capital Improvements: | | |
| Capital outlay | | 5,000 |
| Statutory Expenditures: | | |
| PERS | | 58,500 |
| Social Security | | <u>10,000</u> |
| | Total: | \$444,500 |
| <u>Electric Utility:</u> | | |
| Operating: | | |
| Purchase of current | | 715,000 |
| Salaries & Wages | | 100,000 |
| Other expenses | | 150,000 |
| Group insurance plan for employees | | 75,000 |
| Capital Improvements: | | |
| Capital outlay | | 65,000 |
| Interest on Bonds/Principal | | 25,000 |
| Statutory Expenditures: | | |
| Contribution to: | | |
| PERS | | 65,700 |
| Social Security | | <u>4,700</u> |
| | TOTAL: | \$1,200,400 |
| Swimming Pool Utility: | | |
| Operating: | | |
| Salaries & Wages | | 15,000 |
| Other expenses | | 5,000 |
| Statutory expenditures: | | |
| Contribution to Social Security System | | 1,500 |
| | TOTAL: | \$21,500 |

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-080**

2008 APPROPRIATION RESERVE TRANSFERS

WHEREAS, certain 2008 Budget Appropriation Reserves are in excess of requirements; and

WHEREAS, other 2008 Budget Appropriation Reserves are insufficient to pay expenditures contracted before the end of the fiscal year and are payable at this time.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the following appropriation transfers be made:

| <u>FROM</u> | | <u>TO</u> | |
|-------------------------|-------|---------------------|-------|
| Zoning Board of Adj-S&W | 1,500 | Vehicle Maint.-O/E | 275 |
| Tri-Boro Radio-S&W | 4,750 | Tri-Boro Radio-O/E | 450 |
| | | Gasoline/Fuel Depot | 5,525 |

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-081**

AWARD OF BID FOR ELECTRIC DISTRIBUTION TREE TRIMMING

WHEREAS, the Borough of Park Ridge Mayor and Council did authorize the receipt of bids for ELECTRIC DISTRIBUTION TREE TRIMMING; and

WHEREAS, the specifications for the ELECTRIC DISTRIBUTION TREE TRIMMING called for separate quotes on trimming the east side (section 1) and the west side (section 2) of the Borough along with a lump sum total for both sides of town; and

WHEREAS, pursuant to the Notice to Bidders, duly advertised, bids were received on March 17, 2009 as follows:

| NO. | BIDDER | ADDRESS | Section 1 (east side) | Section 2 (west side) | Both Sections |
|-----|-------------------------------|--------------------------------------|--------------------------|--------------------------|---------------|
| 1 | ABC Professional Tree Service | 4831 Old Galveston Rd Houston TX | 115,000.00 | 62,500.00 | 177,500.00 |
| 2 | Asplundh Tree Expert | 708 Blair Mill Rd Willow Grove PA | 129,273.00 | 111,232.00 | 240,505.00 |
| 3 | Lewis Tree Service | 300 Lucius Gordon Dr W. Henrietta NY | 64,324.00 | 67,808.00 | 130,150.00 |
| 4 | Davey Tree Expert Co | 1500 N. Mantua St Kent OH | No Bid | No Bid | 300,205.00 |
| 5 | Jaflo Inc | PO Box 279 Orefield PA | 197,925.00 | 187,275.00 | 369,975.00 |
| 6 | Downes Tree Service | 65 Royal Ave Hawthorne NJ | 34,500.00 | 34,500.00 | 66,500.00 |

WHEREAS, the Board of Public Works has recommended that both section 1 and section 2 be trimmed but spread out over two budget years; and

WHEREAS, although Downes Tree Service is the lowest apparent bidder, they have not provided evidence in their bid submission that they are a Certified Electric Distribution Tree Trimming Contractor as required in the bid specifications; and

WHEREAS, said requirements include the provision that the tree trimming contractor must be “trained and qualified in tree trimming in close proximity to electric distribution power lines for the purpose of preventing conflict with the power lines and associated equipment as per the requirements of OSHA Standard 29 CFR 1910.269. The contractor must have prior experience and references working for an Electric Utility as an Electric Distribution Tree Trimming Contractor”; and

WHEREAS, the bid submitted by Downes Tree Service did not include any references to job experience working for an Electric Utility as an electric distribution tree trimming contractor; and

WHEREAS, based on the above, the Director of Operations has deemed the bid of Downes Tree Service as a non-responsible bid; and

WHEREAS, the second lowest apparent bid for trimming both sections of town is from Lewis Tree Service; and

WHEREAS, in reviewing references and qualifications included in the bid submitted by Lewis Tree Service, the Director of Operations has concluded that they are a “Certified Electric Distribution Tree Trimming Contractor” as required; and

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

WHEREAS, based on the above, the Director of Operations has deemed the bid of Lewis Tree Service for trimming both sections of town as the lowest responsible bid.

WHEREAS, the Board of Public Works recommends to the Mayor and Council that the contract be awarded to Lewis Tree Service of Henrietta, New York for a total amount of \$130,150.00 (One Hundred Thirty Thousand One Hundred Fifty Dollars) for the Electric Distribution Tree Trimming.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge award the bid for Electric Distribution Tree Trimming to Lewis Tree Service of Henrietta, NY; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized to execute a contract approved as to substance and form by the Borough Attorney with Lewis Tree Service; and

COMMUNICATIONS

None.

OLD BUSINESS

None.

NEW BUSINESS

Councilmember Levinson

- Wished to notify those present of two events scheduled before the next Council meeting Next Saturday night in the High School Little Theater there will be a bicentennial celebration of talent. Past, Present and Future Alumni will be performing, still accepting participants. Councilmember Levinson wished to encourage everyone to attend.
- New Liaison roll I received this year is Council Liaison to Hospice. Prior to coming to this Mayor and Council meeting I attended a Hospice meeting. April is “Bucking for Hospice” month they are more than half way to their goal. You will see their presence in all the valley towns. They are asking everyone to contribute just one dollar.

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

**Meeting adjourned to Public Work Session at 8:35p.m.
Public Session reopened for Public Comment**

Alex Cerrato – 30 Ruth Place

Mr. Cerrato expressed concern over the Resolution adopted authorizing the collection of fees for field use. Park Ridge Men's Softball League feels they are trying to be forced out. Mr. Cerrato stated that they have receiving field permits for over 30 years. Out of town leagues come to Park Ridge to play. Mr. Cerrato asked who will be paying fees. Acting Mayor Wells asked Councilmember Maughan, as liaison to PRAA and Recreation Committee, to address the concerns of Mr. Cerrato. Councilmember Maughan stated that with the resignation of Don Davies there has been a change in procedure on field allocation and field usage. An overall review was conducted on all fields in town; group usage and maintenance requirements. A request was made to rebalance the field usage. Councilmember Maughan explained the field usage priority that was established. Councilmember Maughan also explained the field use permit process. Councilmember Maughan explained how the fees will be collected and deposited into a dedicated trust account; which will be used to maintain and improve the fields in town. Councilmember Maughan stated that the fields at Sulak will have fencing installed within the next two weeks. Councilmember Maughan said the fees were determined by looking at what other towns are charging for field usage; Park Ridge not being the highest nor the lowest. In addition the cost to maintain and improve the fields was looked at.

Larry Edinger – 51 Lockerby Lane, Westwood

The Park Ridge League is comprised of teams from many towns. Mr. Edinger explained how the games are played on fields in other towns not just in Park Ridge. Mr. Edinger said their League fees have increased to cover their insurance costs and umpires fees. Acting Mayor Wells stated that he hoped those present heard Councilmember Maughan state that careful consideration was given to the decision to charge fees and the amount of the fees. Mr. Edinger stated that Rivervale and Woodcliff Lake do not charge for field usage. Acting Mayor Wells stated that all of these factors were considered.

Alex Cerrato – 30 Ruth Place

Mr. Cerrato asked what the maintenance is charged to the Borough by the Board of Education for the maintenance of the fields at East Brook School and West Ridge School. Mr. Cerrato went on to say that there was no maintenance at these fields. Councilmember Maughan stated that there is a cooperative effort between the Borough and the Board of Education. Mr. Cerrato stated that there are maintenance issues at the East Brook and West Ridge school fees. Mr. Cerrato questioned why PRAA was not paying for field usage. Mr. Cerrato questioned the certification of the PRAA coaches and umpires. Acting Mayor Wells stated that it was not appropriate to bring these questions to the Mayor and Council. Councilmember Maughan invited Mr. Cerrato to attend a PRAA meeting and Recreation Committee meetings. Mr. Cerrato questioned the authority to charge fees on Davies Field since this was funded with Green Acre funds. Acting Mayor Wells asked Borough Attorney Robert Mancinelli to answer this question. Mr. Mancinelli stated that prior to the introduction of this fee ordinance the Mayor and Council addressed the collection of fees and the state was notified and that there will be ongoing communication with the state as required.

Ed Klein – 66 DeGross Place

Mr. Klein asked if it could be looked at as a per game fee instead of a per team fee. Mr. Klein asked what other towns impose a field usage fee. Councilmember Maughan stated that Montvale and Hillsdale have field usage fees. Mr. Klein asked if the Mayor and Council would consider charging a per game fee instead of a team fee. Acting Mayor Wells stated that the Mayor and Council needed to look at what was fair for all residents. Acting Mayor Wells asked if any Council members wished to discuss this ordinance further. Councilmember Levinson asked if the Council could review the ordinance once more, to review a per game charge.

Councilmember Kane asked if the Men's softball league had their schedule in place for 2009. If so, the Council would be willing to look at it; comparing costs by team as opposed to by game. Acting Mayor Wells asked Mr. Klein to provide last year's schedule for review of impact on the Men's Softball League. Acting Mayor Wells stated that the Fee Resolution could be looked at for next year, it has already been adopted for 2009. Acting Mayor Wells stated that he wished to make one point very clear, in addition to what was said earlier about being fair and competitive with other towns, we wish to present the best fields possible and we are also trying to share the costs with the users. We also want to make very clear that Mayor and Council are not trying to destroy something that you have enjoyed for over 30 years, we are just trying to defer some of the Borough's costs. Mr. Klein asked if they could sit down with someone when they have their schedule set. Acting Mayor Wells suggested Mr. Klein contact Borough Administrator Gene Vinci.

Alex Cerrato – 30 Ruth Place

Mr. Cerrato offered to give Acting Mayor Wells last year's field usage request. Acting Mayor Wells asked Mr. Cerrato to drop it off to Mr. Vinci Wednesday morning.

Jean Confreda – 1 Webb Court

Ms. Confreda stated that the Men's League was invited to the meeting when the field allocation and fees was being discussed. Ms. Confreda stated that they chose not to attend the meeting. Acting Mayor Wells stated that the Mayor & Council are trying to do what is best for all residents.

A motion was made by Councilmember Maughan and seconded by Councilmember Levinson to adjourn the Public meeting.

Public Session adjourned to Public Work Session at 9:00 p.m.

Respectfully Submitted,

Kelley R. O'Donnell
Acting Borough Clerk