

**Municipal Building
Park Ridge, NJ
April 28, 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. Mayor Ruschman led those attending in the Pledge of Allegiance.

ROLL CALL:

Present: Council members Ciannella, Kane, Levinson, Maughan, Viola, Wells and Mayor Ruschman

Absent: None

Also Present: Robert Mancinelli, Borough Attorney
Gene Vinci, Borough Administrator
Kelley O'Donnell, Acting Borough Clerk

Mayor Ruschman read the compliance statement, as required by Open Public Meeting Act, P.L. 1975, Chapter 231.

SUSPEND REGULAR ORDER OF BUSINESS

Mayor Ruschman asks for a motion to suspend the regular order of business for a presentation.

A motion was made by Councilmember Levinson and seconded by Councilmember Viola to suspend the regular order of business for a presentation by the Police Department to Stephen Nagel. Motion carried unanimously.

Police Department Presentation to Stephen Nagel – Work on SwiftReach 911

Mayor Ruschman asks Chief Madden to come forward.

Chief Madden stated that he was here tonight to recognize the outstanding efforts of one of our local Boy Scouts, soon to be Eagle Scout hopefully. Dr. Nagel and Chief Madden had spoken at last year's town picnic, when Dr. Nagel inquired as to whether or not there were any projects in town that Stephen could help with. Chief Madden had mentioned that the discussion of the launch of SwiftReach 911 and the need to encourage all residents to participate. The project would entail Stephen mobilizing his troop to notify and reach all residents of Park Ridge, within a few days Stephen and his family presented to the Chief a plan which involved breaking the town into quadrants and utilizing the efforts of Troop 80 to reach everyone. One of the requirements for an Eagle Scout Service Project is demonstration of leadership skills and motivation, community involvement and something that will have short term and long term effects on the community. Stephen also introduced a form that will have a legacy to it as it will be included in our new resident packets. The project took many hours to complete, and the Chief stated that he would be remiss if he did not recognize the efforts of Officer Marchese and Lt. Rampolla who assisted Stephen throughout this process. The results of Stephen's hard work is an additional 1,000 residents signed up for the SwiftReach Program. This will benefit all of the Borough's Emergency Services in addition to keeping these residents safe and informed. On behalf of the entire department the Chief presented Stephen Nagel with a token of their appreciation.

Mayor Ruschman stated that scouting plays a very important role in the Borough; both Boy Scouts and Girl Scouts. On behalf of the governing body Mayor Ruschman presented Stephen Nagel with a Certificate of Appreciation for his work on the SwiftReach Program.

AGENDA CHANGES

There were none.

PUBLIC PRIVILEGE TO THE FLOOR

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

Donna Paganelli – 240 Knoll Drive

Her property abuts the property of Mr. Battaglia. Mrs. Paganelli went on to say that she has been a resident of Park Ridge for 39 years, this coming August. They have been wonderful years until 2 years ago. Mr. Battaglia brought in so much soil which raised the level of his property and has flooded out her property and that of her neighbors Mr. Wacht and the property on both sides of him. We have written to the town, we have spoken to the town, and were advised that we would be kept updated. No one has contacted me, no one has called, no one has written. I have watched my yard go from what used to be a beautiful lush, pretty backyard to one that is moss, mold, the ivy has died, I have lost trees and bushes. I have lost my patience. For 2 years we have waited for answers. Mrs. Paganelli further stated that the town engineer had come and advised Mr. Battaglia what needed to be done and he has not done it and the town has not followed up on what needs to be done. Isn't it incumbent on the Borough to follow up on the recommendations made by the Borough Engineer? Mayor Ruschman turned it over to the Borough Administrator Gene Vinci who apologized for not returning any correspondence. Our current Zoning Officer, Nick Saluzzi has been very involved and the Borough Engineer has been to the site. It is Mr. Vinci's understanding that a private engineer was hired by Mr. Battaglia and Mr. Boccher. Mr. Vinci was advised by the Zoning Officer that the work done on the Battaglia property is adequate. If you wish I can have the Zoning Officer contact you to discuss this further. Mr. Vinci mentioned the drainage easement on the properties that have not been maintained by the property owners over the years. Mayor Ruschman stated that the prior Borough Engineer was in contact with the residents and she was also in contact with the private engineer hired by the property owners. Mayor Ruschman stated that the Borough Engineer also advised the property owners that if the drainage easement was restored the Borough would install a catch basin at the street. Mayor Ruschman stated that he himself would ask the Zoning Officer to contact her and update her on the status of the situation.

Norellen Boccher-Bolella – 246 Knoll Drive

Mrs. Bolella stated that her parents live on Ellin Drive and though she is not directly effected by the actions of Mr. Battaglia her parents are. Mrs. Bolella questioned the ability to bring soil into ones property, and asked if it was a violation. Mr. Vinci stated that it was not. A permit to move a certain volume of soil. Mr. Vinci stated that the soil did not require a permit. There was some remedial action taken on both properties. Mr. Vinci referenced a letter received from the Borough Engineer in which it was stated that either the soil was to be removed or a seepage pit would be installed. Mrs. Bolella stated that the only action not complete on the Boccher property was the removing or turning of a boulder. Mrs. Bolella asked for a date of installation on the seepage pit. Mr. Vinci stated that it was not known at this time.

Councilmember Viola asked Mr. Vinci for a written history of the events that could be provided to the residents in chronological order; outlining the Borough's responsibility and the property owner's responsibility.

Mr. Mancinelli stated that he too would like to see in writing the events. It is his understanding that many times the enforcement of an easement is between the residents and the Borough has no obligation. Mr. Mancinelli asked for time to review the file.

Mr. Ruschman stated that he and the Council would like nothing more than to see this matter resolved as quickly as possible for all parties.

Robert Wacht – 242 Knoll Drive

Soil moving ordinance states that if the soil moving causes a hardship on the surround properties, regardless of quantity the Borough would get involved and issue fines if warranted. Mr. Wacht further stated that he lost his built-in pool. He moved in 2-1/2 years ago in July. Within 3 months the pool was filled, I have had to replace my shed, the walkways have sunk and are still sinking. Mr. Wacht stated that he asked Mr. Battaglia to remove the soil from the easement. It is his understanding that R & L Engineering's recommendation has not been adhered to. Mr. Wacht stated that his own engineer also stated that it is not up to par. The easement is working better, but it is not up to par. There are still problems.

Mayor Ruschman stated that he would ask Mr. Vinci to do a chronological listing of what has taken place so the entire Council is aware. Mayor Ruschman promises the Borough will stay on top of it and make sure it gets done.

Heather McGee – Montvale Resident

I am living with my parents at this time while I am renovating my home in Montvale. I have been with the Ambulance Corps for 18 years now and I see the hardship this is causing my parents health. My father is 85 years old and my mother is 82 years old. Just living there and going through this, my father has done everything that was asked of him. The boulder that the engineer wants moved has been there for 42 years, it was put there by the builder. In the past 2

years my parents have had to deal with water in their basement, a problem they never had before. Mrs. McGee further stated that she does not feel that Mr. Battaglia has done everything he was asked to do. He has done nothing in her opinion.

Mayor Ruschman stated that we are doing everything we can legally.

Michael Boccher – Son of Aldo & Veronica Boccher who reside at 241 Ellin Drive

Mr. Boccher thanked the Mayor and Council for taking the time to listen to them this evening. Notice to Cease & Desist from Nick Saluzzi dated 4/2/08 citing both property owners; Block 2501, Lots 16 & 17 as being in violation. Mr. Boccher stated that he has been advised by both the state and municipality that the municipalities to have the ability to enforce the maintenance of drainage easements. Mr. Mancinelli stated that Mr. Saluzzi did not find any violations upon his recent inspection, therefore there have been no summons. Mr. Mancinelli stated that the letter received from Brooker Engineering dated February 24, 2009 both property owners have failed to comply with the requirements; including as built surveys. Mr. Boccher questioned why an as built survey was required when all they needed to do was reorient the boulder.

Councilmember Viola stated that the council needs to be advised of the history of the matter as mentioned earlier. In a letter dated October 2008 we were deemed to be complete. Then in a letter dated February 2009 we have outstanding matters. Mr. Boccher feels that he has been pushed away from borough officials from what I feel is a legitimate concern. One resident has caused an adverse impact on 3 adjacent property owners by bringing in soil to his property; thereby changing the grade and drainage. I believe that there is a statute violation as well as an ordinance violation.

Mr. Mancinelli stated that the Zoning Officer has found no violation. That this is a neighbor dispute and that the neighbors have the right to civil action.

Mr. Boccher feels that the borough is not enforcing conditions that were part of the original subdivision.

Mayor Ruschman stated that 2 years ago the borough investigated their responsibility in this issue, and found that we have no legal responsibility in this. Mayor Ruschman asked if all the parties have sat down together with Mr. Saluzzi to discuss what needs to be done, including Mr. Eichenlaub of R & L Engineering and our Borough Attorney if necessary.

Mayor Ruschman suggested everyone get together at one time in one room.

Mr. Boccher stated that they are looking to reduce the hardship that has been imposed on his family who has resided in the borough for the past 42 years. Mr. Boccher asked the borough to look at the chronological events and determine if there is any action that can be taken.

Al Boccher – 241 Ellin Drive

The neighbors were not aware of the drainage easement. Mr. Boccher stated that Mr. Battaglia brought in over a 100 cubic yards of dirt and placed it on the easement. Mr. Boccher stated that Mr. Battaglia refused to remove the soil and refused to sign the agreement the engineer drew up. All of the water from Mr. Battaglia's property is draining on my property. Mr. Battaglia refused to maintain the swale as directed by the engineer. Mr. Boccher questioned why the town had the Borough Engineer direct them to hire an independent engineer.

Mayor Ruschman stated that the Borough was trying to help, at the taxpayers expense, when the Borough sent the Engineer out to make a recommendation.

Mr. Mancinelli stated that the agreement is between the neighbors and an independent engineer. If one of the neighbors is not complying, then the matter is between the neighbors and R & L Engineering.

Mr. Boccher stated that they agreed to move the boulder when the town put in the catch basin.

Mr. Mancinelli stated that if there are violations the Zoning Officer will issue a summons. Mr. Mancinelli stated that he will sit down with Mr. Saluzzi and Mr. Vinci and review the file and a letter will be sent from the administrator. Mr. Mancinelli further stated that it appears that there is a difference of opinion as to whether or not there are violations. Mr. Saluzzi stated that as of today he saw no violations on the property, but the neighbors feel that there are.

Michael Boccher asked when an opinion could be rendered by the borough attorney.

Mr. Mancinelli asked for at least a week's time to review the 2 years of correspondence.

Steve Hopper – 114 DeGroff Place

Wanted to publicly thank Mr. Vinci and thank him for finding a temporary place for Cyclesport to conduct business after the recent fire. Mr. Hopper also wanted to acknowledge the outstanding efforts of the Fire Department, Police Department, Ambulance and Emergency Management.

ORDINANCES – INTRODUCTION

**ORDINANCE 2009-03 AN ORDINANCE AMENDING CHAPTER 64;
GARBAGE, RUBBISH AND TRASH**

Mayor Ruschman asks for a motion to introduce on first reading by title Ordinance 2009-03, an ordinance amending Chapter 64 of the Code of the Borough of Park Ridge.

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

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

**ORDINANCE 2009-03 AN ORDINANCE AMENDING CHAPTER 64; GARBAGE,
RUBBISH AND TRASH, OF THE CODE OF THE BOROUGH OF PARK RIDGE,
NEW JERSEY**

WHEREAS, on January 2, 2006, the New Jersey Department of Environmental Protection (NJDEP) formally adopted the Updated Statewide Management Plan (State Plan); and

WHEREAS, on November 30, 2007, the NJDEP certified the Updated Bergen County District Solid Waste Management Plan Amendment (BCUA Plan); and

WHEREAS, the BCUA has imposed a mandatory deadline of March 31, 2009 for the Borough of Park Ridge to amend its recycling ordinance to provide for the inclusion of additional materials as a mandatory recyclable.

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 64 of the Code of the Borough of Park Ridge be and is hereby amended as follows:

SECTION ONE.

Chapter 64, GARBAGE, RUBBISH AND TRASH

§ 64-10. Definitions.

As used in this Article, the following terms have the meanings indicated:

ALUMINUM CANS

Food and beverage containers made entirely of aluminum.

AUTOMOTIVE WASTE OIL

A petroleum-based or synthetic oil which, through use, storage or handling, has become unsuitable for its original purpose due to the presence of impurities or loss of original properties. "Automotive waste oil" includes used oil from autos, lawn mowers and motorcycles.

BATTERIES, HOUSEHOLD

Non-rechargeable alkaline: commercial alkaline, zinc and lithium types in AAA, AA, C, D, 9-volt and lantern size; Rechargeable alkaline: Nickel cadmium and sealed lead acid. Also available in common cell sizes AAA, AA, C, D and 9-volt; button cells; silver oxide, lithium, zinc air and alkaline-manganese.

[Added 12-13-1994 by Ord. No. 94-986]

BATTERIES, LEAD ACID

Batteries from automobiles, trucks, other vehicles and machinery and equipment. This does not include consumer (household) batteries.

BRUSH/TREE PARTS

Branches and wood chips generated from residential and institutional sources (e.g., storm damage and pruning activities).

COMMINGLED RECYCLABLE MATERIALS

Those designated recyclable materials which may be disposed of together in a common reusable receptacle. These shall include aluminum cans, glass containers, bimetal (tin) cans, PET beverage containers and plastic bottles. Glass containers shall not be broken. All labels must be removed from all commingled recyclable materials.

COMPLIANCE OFFICER

The Borough Administrator shall be designated as the Compliance Officer. The Compliance Officer shall be responsible for all administrative duties and all required reporting including filing of annual tonnage reports with the appropriate federal, state, and/or county agencies.

COMPOSTABLE BAG

A biodegradable, two-ply, wet strength treated, recyclable paper or corn silk bag which can be placed or added directly to a compost pile.

CONCRETE/ASPHALT AND MASONRY/PAVING MATERIALS

Asphalt or asphalt-based roofing shingles, concrete, brick, cinder block, ceramic materials, stones, other masonry materials and paving materials. Note: This material must be recycled at a registered, exempted or pending Class B recycling facility. Contact the Recycling Coordinator for a list of registered facilities.

CONSTRUCTION AND DEMOLITION DEBRIS

Waste building material and refuse resulting from construction, remodeling and repair operations on houses, commercial buildings and other structures.

CORRUGATED CARDBOARD

Containers and similar paper items usually used to transport supplies, equipment parts or other merchandise.

DESIGNATED RECYCLABLE MATERIALS

Those recyclable materials, including ferrous scrap (white goods), aluminum, glass containers, plastic containers, corrugated cardboard, newspaper, high-grade paper, mixed office and computer paper, automotive waste oil, batteries (excluding household batteries), yard waste, construction and demolition debris, food waste, PET beverage containers, leaves, grass and tin cans.

FERROUS SCRAP

All products made of metal, including aluminum, including heavy iron, white goods and light iron.

FOOD WASTE

Food plate wastes and food processing wastes. "Food processing wastes" include food processing vegetative waste (material generated in trimming and reject sorting operations from the processing of fruits and vegetables in canneries and similar industries, e.g., tomato skins, pepper cores, bean snips, cranberry hulls), food processing residuals and animal processing wastes. If the material is transported and processed as animal feed, it should be identified as such.

GLASS CONTAINERS

All products made from silica or sand, soda ash and limestone which are transparent or translucent and used for packaging or bottling of various matter including food or beverages, and all materials commonly known as "glass," excluding, however, blue and flat glass commonly known as "window glass" or "plate glass."

GRASS CLIPPINGS

Grass clippings derived from the mowing of lawns or other grassy areas.

HAZARDOUS WASTE

Hazardous waste is a solid waste (solid waste includes solids, liquids and compressed gases) that possesses at least one of four characteristics (ignitibility, corrosivity, reactivity, or toxicity), or that appears on federal or state official lists of hazardous wastes as set forth in: a) Title 40 of the Code of Federal Regulations (CFR), Part 261; b) N.J.A.C. 7:26G-5; or c) pursuant to the Bergen County Utilities Authority rules and/or regulations.

HEAVY IRON

All ferrous scrap, structural steel or cast-iron components.

HIGH-GRADE OFFICE PAPER

White typing and ledger paper, white notepad paper, copier paper, carbonless computer printout paper, manila tab cards and file folders.

LEAVES

Leaves and other yard debris, excluding grass and brush, from residential, institutional, commercial or industrial sources.

MISCELLANEOUS RECYCLABLE MATERIALS

Includes any other nonhazardous material which would otherwise be classified as solid waste and is not otherwise defined in this section and documented as being recycled. Examples include but are not limited to furniture, carpeting and padding.

MIXED OFFICE AND COMPUTER PAPER

Any and all types of office-type paper, including but not limited to carbonless computer printout paper, high-grade white paper, typing paper, copier paper, onionskin, tissue paper, notepad, envelopes, manila folders and colored paper, or any mix thereof.

NEWSPAPER

All paper marketed as newsprint or newspaper and containing at least 70% newsprint or newspaper (American Forrester and Paper Association grade nos. 6, 7 and 8 news).

NONFERROUS AND OTHER ALUMINUM SCRAP

All noncontainer aluminum, stainless steel, copper, zinc, brass and other metals which generally do not rust.

OTHER GLASS

All noncontainer glass such as plate glass, drinking glasses and automotive glass.

OTHER PAPER/MAGAZINES/JUNK MAIL

All paper which is not defined as corrugated, mixed office paper, computer paper or newspaper. Examples are as follows: magazine stock, telephone directories, wrapping paper, chipboard, books, papers coated with plastic, film or foil, paper contaminated with food and grocery bags.

PET BEVERAGE CONTAINERS

Hermetically sealed or airtight containers with a metal or plastic cap, with a minimum wall thickness of not less than ten-thousandths (0.010) inch and composed of thermoplastic synthetic polymeric materials.

PLASTIC CONTAINERS

Containers such as polyethylene terephthalate (PETE - No. 1) soda bottles, high-density polyethylene (HDPE - No. 2) milk, water or detergent bottles, low-density polyethylene (LDPE - No. 4) containers, vinyl (V - No. 3) or polyvinyl chloride (PVC - No. 5) bottles and rigid and foam polystyrene (PS - No. 6).

PRIVATE SCAVENGER

A carter which holds a tariff from the New Jersey Board of Regulatory Commissioners or license from the New Jersey Department of Environmental Protection and Energy.

RECYCLING CENTER

The area designated by the borough as such where designated recyclable materials may be disposed of in the appropriate receptacles provided. The "recycling center" is located in an area at the rear of the Utility and Road Garages.

RECYCLING COORDINATOR

The Recycling Coordinator is responsible for overseeing the Recycling Center Operations at Sulak Lane whose duties shall include, but not be limited to all communication and enforcement matters at the Recycling Center; interact with all residents concerns; collecting and gathering any and all statements, reports and payments from outside vendors; disseminate information to the Compliance Officer as necessary. The Recycling Coordinator shall be appointed on an annual basis at the annual reorganization meeting of the Mayor and Council.

REUSABLE RECEPTACLE

Those receptacles used to place commingled recyclable materials, grass clippings or yard waste, at curbside for disposal. These receptacles shall be a reusable type (aluminum, plastic or metal) with a capacity no larger than 40 gallons.

SCRAP AUTOS

Crushed or shredded automobile or truck bodies excluding auto shredder residue or fluff.

STEEL CANS

Rigid containers made exclusively or primarily of steel or tin-plated steel and steel and aluminum cans used to store food, beverages, paint and a variety of other household and consumer products.

STUMPS

Unfinished wood from commercial land clearing activities. Note: This material must be recycled at a registered, exempted or pending Class B recycling facility. Contact the Recycling Coordinator for a list of registered facilities.

WHITE GOODS AND LIGHT IRON

All appliances such as washers, dryers, refrigerators, stoves, hot-water heaters, tire rims, springs, bicycles, bimetal cans (tin cans) or scrap metal, as well as products made from sheet iron, such as shelving, file cabinets, metal desks, recycled or reconditioned steel drums and other nonstructural ferrous scrap.

WOOD SCRAPS

Finished or unfinished lumber from construction or demolition projects. Included in this definition are telephone poles, railroad ties and wooden pallets. Note: This material must be recycled at a registered, exempted or pending Class B recycling facility. Contact the Recycling Coordinator for a list of registered facilities.

YARD WASTE

Brush, branches, twigs and thatch.

§ 64-12. Separation and collection of recyclables for one- to four-family homes.

- A. Effective March 1, 2009, it shall be mandatory for all for all persons, lessees and occupants of one-to four family residential properties to separate newspaper, glass containers, aluminum cans, plastic containers, ferrous scrap, leaves, white goods, tin cans, grass, automotive waste oil, yard waste and batteries (lead acid and household) waste from all other solid waste produced by such residences for collection/deposit and the ultimate recycling of said material.
- B. Designation of recyclable materials.
 - (1) Mandatory. The following are identified as mandatory recyclable materials:
 - (a) Aluminum cans.
 - (b) Glass containers.
 - (c) Leaves.
 - (d) Grass.
 - (e) Newspapers/magazines.
 - (f) Ferrous scrap.
 - (g) White goods.
 - (h) Plastic containers.
 - (i) PET beverage containers.
 - (j) Bimetal (tin) cans.
 - (k) Batteries, lead acid.
 - (l) Automotive waste oil.
 - (m) Yard waste.
 - (n) Household batteries.
- C. Placement of materials.

Separation, collection and disposal methods of designated recyclable materials.

(1) Commingled recyclable materials, including aluminum cans, glass, bimetal (or tin) cans, PET beverage containers and plastic bottles, shall be separated from other household waste and trash and placed in a common reusable container for curbside collection not to exceed fifty (50) pounds in weight. The reusable container shall be placed at curbside for collection as scheduled by the Recycling Coordinator, to be collected by the borough

scavenger. Commingled recyclable materials may also be disposed of in receptacles provided at the Municipal Recycling Center during posted hours of operation. Glass containers shall not be broken.

(2) Automotive waste oil shall be separated and disposed of in receptacles provided at the Municipal Recycling Center or authorized service station.

(3) Ferrous scraps and white goods shall be separated at curbside for collection after special arrangements have been first made with the Department of Public Works. Disposal may also be made in the receptacles provided at the Municipal Recycling Center.

(4) Grass or yard waste shall be placed in a reusable receptacle or a compostable bag, of a specific type designated by the Municipal Recycling Coordinator and placed at curbside the evening before the scheduled pickup each week, during the months designated by the Municipal Recycling Coordinator.

(5) Leaves (mandatory) shall be placed at curbside during the months of October through December, as provided by the collection schedule prepared by the Board of Public Works. During the months of January through September, residents are required to compost or mulch leaves on their private property, engage the services of a private landscaper for the removal of the same or bring leaves to a facility or site so designated by the Borough. In no event shall leaves be placed within ten (10) feet of any storm drain. [Amended 8-9-1988 by Ord. No. 88-10; 10-9-1990 by Ord. No. 90-21]

(6) Newspapers/magazines shall be secured and tied in bundles or placed in compostable bags, not to exceed 15 inches in height and fifty (50) pounds in weight. Such bundles shall not be contained in plastic bags. These bundles shall be placed at curbside for collection on the designated days as scheduled by the Recycling Coordinator, to be collected by the borough scavenger. Bundles of newspaper/magazines may also be disposed of in receptacles provided at the Municipal Recycling Center.

(7) Yard waste shall be placed in a reusable receptacle or in compostable bags of a specific type designated by the Municipal Recycling Coordinator and placed at curbside the evening before the scheduled pickup each week, during the months designated by the Municipal Recycling Coordinator.

(8) Townhouse and apartment residents shall place mandatory recyclable items described in § 64-13 in designated areas within the respective complex for collection purposes. Newspapers/magazines must be bundled as described in Subsection C(6) above. Townhouses and apartment residents may also dispose of recyclable materials in receptacles provided at the Municipal Recycling Center during posted hours of operation.

(9) Household batteries shall be separated and disposed of in the receptacle provided at the Municipal Recycling Center.

D. Set-out time. For collection pursuant to a schedule announced by the Borough of Park Ridge, all approved containers must be placed at the curb line where easily accessible. No containers shall be set out prior to 5:00 p.m. on the day prior to collection, and all containers shall be removed by 8:00 p.m. on the collection day. When a regular collection day falls on a legal holiday, containers shall not be set out until the next regularly scheduled collection unless special announcement of collection is made by the Borough.

E. Solid waste wrapped in newspaper is permissible. Anything herein to the contrary notwithstanding, any person who is an owner, lessee or occupant may wrap solid waste in used newspapers and discard the same with regular solid waste.

F. Procedure upon refusal to collect. Any solid waste placed for collection by a residential user not in accordance with this section will be refused by the borough scavenger, and it shall be the responsibility of the residential user to remove said solid waste from the curb line by 8:00 p.m. on the day of collection and have it properly containerized, packaged or secured for purposes of collection on the next schedule date.

G. Washing aluminum, glass and plastic containers. All aluminum, glass, bimetal and plastic food containers must be washed, rinsed and have labels removed to be free of food residue before placing at curbside

§ 64-14. Rules for commercial and industrial users.

A. Effective May 1, 2009, it shall be mandatory for all owners, lessees and occupants of any business, commercial and/or industrial properties and for all private, public and governmental institutions and buildings to separate the following materials from their solid waste stream and to cause said materials to be disposed of as a recycled material:

- (1) All clean, mixed paper, including newspaper, magazines, office paper and high-grade paper.
- (2) Cardboard and corrugated cardboard materials.
- (3) Glass containers, aluminum cans and ferrous and nonferrous scrap, including white goods.
- (4) Construction/demolition debris.

B. Separation, collection and disposal of designated materials.

(1) All materials itemized in Subsection A above, with the exception of construction/demolition debris, shall be separated and either disposed of by private scavenger, disposed of in receptacles provided at the Municipal Recycling Center with prior authorization by the Municipal Recycling Coordinator, or sold through a third party recycler pursuant to Subsections D and E of this section.

(2) Construction/demolition debris shall be separated and disposed of by private scavenger or sold through a third party recycler pursuant to Subsections D and E of this section.

C. Registration requirements. It shall be the responsibility of all owners, lessees and occupants of business and/or commercial properties to register annually with the Municipal Recycling Coordinator on forms provided by the Borough. The annual registration must be filed with the Recycling Coordinator on or before January 10 of each year. New businesses and/or commercial properties must file within forty-five (45) days of the issuance of a certificate of occupancy.

D. Reporting requirements. It shall be the responsibility of all owners, lessees and occupants of business and/or commercial properties to report semiannually to the Recycling Coordinator, on or before March 1 for the preceding six-month period of July 1 through December 31 and on or before September 1 for the preceding six-month period of January 1 through June 30, the quantities of materials recycled on forms prescribed and provided by the Recycling Coordinator.

E. For those users who sell their recyclable materials through a third-party recycler, an exemption from the recycling program shall be requested by any owner, lessee or occupant of business and/or commercial properties by filing with the Recycling Coordinator the form, entitled "Request for Exemption from Mandatory Municipal Recycling Program." The reporting requirements of Subsection D above shall remain in effect.

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.

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

Mr. Mancinelli: This ordinance evolves from directives from both the NJDEP and the BCUA. The municipalities were instructed to review their existing ordinances and to update them in accordance with recent changes that the state had made. As a result of that directive I met with the Clerk, Councilman Viola and Recycling Coordinator and we looked at the entire ordinance which had not been updated in many years and we also found some other necessary changes. The ordinance proposed here today simply amends the existing chapter 64 to both include the mandatory updates from both the NJDEP and the BCUA and also to bring our existing ordinance into conformity with our existing contracts with outside scavengers.

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

Mayor Ruschman 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 May 12, 2009.

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

ORDINANCE NO. 2009-10, AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND ESTABLISH A CAP BANK

Mayor Ruschman asks for a motion to open the public hearing on Ordinance 2009-10, an Ordinance to exceed the municipal budget appropriation limits and to establish a CAP bank.

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

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

ORDINANCE NO. 2009-10, AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK.

**CALENDAR YEAR 2009
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Governing Body of the Borough of Park Ridge in the County of Bergen finds it advisable and necessary to increase its CY 2009 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Governing Body hereby determines that a 1% increase in the budget for said year, amounting to \$81,892 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Governing Body of the Borough of Park Ridge, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2009 budget year, the final appropriations of the Borough of Park Ridge shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 1%, amounting to \$81,892, and that the CY 2009 municipal budget for the Borough of Park Ridge be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Ruschman asks Colleen Ennis, CFO to give a brief description of this ordinance.

Mrs. Ennis states that this ordinance replaces the ordinance adopted 1-1/2 months ago. The calculated amount varies slightly from the previous ordinance.

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

Mayor Ruschman asks for a motion to pass this ordinance on first reading by title and that it be published in full in The Record with notice of public hearing to be held on May 12, 2009.

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

ORDINANCE NO. 2009-11, A GENERAL CAPITAL ORDINANCE – PEDESTRIAN IMPROVEMENTS AT THE PARK RIDGE TRAIN STATION

Mayor Ruschman asks for a motion to open the public hearing on Ordinance 2009-11, a General Capital Ordinance for Pedestrian Improvements at the Park Ridge Train Station.

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

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

ORDINANCE NO. 2009-11, A GENERAL CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$79,000 FOR PEDESTRIAN IMPROVEMENTS AT THE TRAIN STATION TO BE UNDERTAKEN BY THE BOROUGH OF PARK RIDGE AND TO APPROPRIATE \$ 79,000 FROM A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT AVAILABLE IN THE GENERAL CAPITAL FUND.

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

SECTION 1. The improvement described in Section 2 of this Ordinance is hereby respectively authorized as a general capital improvement to be made by the Borough of Park Ridge, New Jersey, for the said improvements or purposes stated in Section 2, there are hereby appropriated the sum of money therein stated as the appropriation made for said improvement or purpose, said sum being inclusive of all appropriations heretofore made thereof and amounting in the aggregate to \$79,000 which is now available through a New Jersey Department of Transportation 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:

Pedestrian Improvements at the Train Station, including all work, materials and costs necessary therefore or incidental thereto	<u>\$79,000</u>
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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 a New Jersey Department of Transportation Grant available in the General Capital Fund in the amount of \$79,000.

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 \$79,000 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 Ruschman asks Colleen Ennis, CFO to give a brief description of this ordinance.

Mrs. Ennis states that this is a fully funded project and we are required to pass an ordinance to include this project in our Capital Budget. We received a grant for Pedestrian Improvements at the train station and received bids. We would like to award the contract and this ordinance is required to do so.

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

Mayor Ruschman asks for a motion to pass this ordinance on first reading by title and that it be published in full in The Record with notice of public hearing to be held on May 12, 2009.

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

RESOLUTIONS

TEMPORARY CAPITAL BUDGET

BOROUGH OF PARK RIDGE
TEMPORARY CAPITAL BUDGET RESOLUTION NO. 09-115

Whereas, the local capital budget for the year 2009 has not been adopted.

Whereas, it is desired to Introduce a Capital Ordinance.

Now, Therefore Be It Resolved, by the Borough Council of the Borough of Park Ridge, County of Bergen that the following temporary capital budget amendment of 2009 be made:

	(CIANNELLA	((
	(KANE	(ABSTAIN (
RECORDED VOTE	AYES (LEVINSON	NAYS ((
(Insert last names)	(MAUGHAN	(ABSENT (
	(VIOLA	((
	(WELLS	((

CAPITAL BUDGET (Current Year Action)
 2009

1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	5 PLANNED FUNDING SERVICES FOR CURRENT YEAR 2009					6 TO BE FUNDED IN FUTURE YEARS
				5a 2009 Budget Appropriations	5b Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	
Pedestrian Improvements at the Train									
	Station	\$ 79,000					\$ 79,000		
TOTAL ALL PROJECTS		\$ 79,000					\$ 79,000		

3 YEAR CAPITAL PROGRAM 2009 - 2011
 Anticipated PROJECT Schedule and Funding Requirement

1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 ESTIMATED COMPLETION TIME	5 FUNDING AMOUNTS PER YEAR					
				Budget Year 2009	2010	2011	2012	2013	2014
Pedestrian Improvements at the Train									
	Station	\$ 79,000		\$ 79,000					
TOTAL ALL PROJECTS		\$ 79,000		\$ 79,000					

Mayor Ruschman asks Colleen Ennis, CFO to give a brief description of this Resolution

Mrs. Ennis states that this resolution relates to the Pedestrian Improvements at the train station. This is a procedure necessary since we have not adopted the budget to put the temporary funding in place. In order to award the contract it is necessary to have the funding in place.

Mayor Ruschman asks for a motion to adopt the Temporary Capital Budget Resolution

A motion is made by Councilmember Maughan and seconded by Councilmember Kane to confirm. Motion carried unanimously.

INTRODUCTION OF 2009 MUNICIPAL BUDGET

Mayor Ruschman announces that the 2009 Municipal Budget is being introduced tonight, and asks Councilmember Maughan to present the budget for introduction.

Councilmember Maughan spoke on behalf of the Finance Committee which is comprised of himself, Council members Levinson and Kane, as well as Borough Administrator Gene Vinci and CFO Colleen Ennis as well as Borough Auditor Paul Lerch. He further stated that they were please to introduce the Municipal Budget for 2009. The appropriation called for general

expenditures of \$11,616,970. The amount to be raised by taxation is \$7,612,264. Based on an increase of \$5,000,000 in the assessed value, our assessment base is currently \$1.732 Billion . Our municipal tax rate for 2009 will be .439 per \$100 of assessed valuation. An increase of 0% in both the tax rate and the amount to be raised by taxes. The total Electric Utility appropriations budget, it is a self funding budget of \$10,785,143. The total Water Utility appropriations budget of \$3,500,882 and the total Swim Pool Utility appropriations of \$262, 286.

Mayor Ruschman asks the Borough Clerk to read the Budget Resolution

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-114**

INTRODUCTION OF 2009 BUDGET

BE IT RESOLVED, that the following statement of revenues and appropriations attached hereto constitute the local Budget of the Borough of Park Ridge, Bergen County, New Jersey for the year 2009.

BE IT FURTHER RESOLVED, that the said budget be published in the Bergen Record in the issue of May 8th, 2009, and that a hearing on the budget will be held at the Municipal Building on May 26th, 2009 at 8:15 p.m. or as soon thereafter as the matter may be reached.

Mayor Ruschman asks for a motion to introduce the 2009 Municipal Budget and that the budget be published in The Record with a public hearing to be held on May 26th .

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

CONSENT AGENDA:

Mayor Ruschman asks if any Councilmember would like to abstain from voting on any resolution on the consent agenda:

Councilmember Ciannella abstained from voting on Resolution #7 on the Consent Agenda – Rejecting Bids for Firehouse Improvements

Councilmember Levinson abstained from voting on Resolution #3 on the Consent Agenda – Authorize Unemployment Claim

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

Mayor Ruschman asks for a motion to accept the Consent Agenda with the abstentions so noted: A motion was made by Councilmember Levinson and seconded by Council President Wells to confirm. Motion carried unanimously.

RESOLUTIONS

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-100**

**ESTABLISHING A PROCEDURE AS TO THE ALLOCATION OF
ENGINEERING REVIEWS RELATIVE TO BOROUGH LAND USE PROJECTS**

WHEREAS, Borough Engineer, Azzolina & Feury Engineering, Inc, has requested the Mayor and Council establish a procedure as to the allocation of Engineering reviews relative to the review of Borough Land Use projects; and

WHEREAS, said Borough Engineer has requested the allocation protocol set forth in a letter dated January 9, 2009 to the Governing Body of the Borough of Park Ridge; and

WHEREAS, the Mayor and Council of the Borough of Montvale are in accord with the scenario set forth in the said Engineer's aforementioned correspondence.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Park Ridge, County of Bergen as follows:

1. In Non-Performance Guaranty/Developer Agreement applications, the Zoning and/or Planning Board Engineer's duties shall terminate at the time the Zoning and/or Planning Board formally approves the resolution pertaining to a particular Land Use application.

2. In Land Use applications where a Performance Guaranty/Developer's Agreement is required the Zoning and/or Planning Board Engineer shall terminate its services upon the Zoning and/or Planning Board's approval of an appropriate resolution together with the Zoning and/or Planning Board's Engineer's preparation of a Performance Guaranty estimate.
3. Upon completion of said abovementioned actions the Borough Engineer shall assume responsibility and/or control of the said project.
4. A copy of this resolution shall be provided to all appropriate parties, i.e. Borough Engineer, Planning Board Engineer, Chairman of the Zoning Board and Chairman of the Planning Board for further reference and action.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-101**

STATE TRAINING FEES

WHEREAS, the State Bureau of Construction Code enforcement of the Department of Community Affairs instituted a State Training Fee that is based on the cubic feet volume of new construction; and

WHEREAS, the municipality collects these fees for the state and pursuant to NJAC 5:23-4.19 payment of these fees must be made quarterly; and

WHEREAS, \$2,011 based upon 0 cubic feet of new construction and \$1,309,811 of construction in alterations has been collected for the period of January 1 through March 31, 2009;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the Treasurer be and she is hereby directed to draw a check to the Treasurer, State of New Jersey.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-102**

AUTHORIZE UNEMPLOYMENT CLAIM REIMBURSEMENT

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

WHEREAS, the Division of Unemployment and Disability Insurance of New Jersey Department of Labor and Industry had submitted a bill in the amount of \$68.67 as the borough share of unemployment claims made during the 4th quarter of 2008; and

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

EMPLOYEE	POSITION	PERIOD COVERED	AMOUNT
Linda Strabone	Crossing Guard	12/27/08	\$ 68.67

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

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-103**

**AUTHORIZE PROFESSIONAL SERVICES FOR ENGINEERING FOR
2009 ROAD RESURFACING PROGRAM**

WHEREAS, the Borough of Park Ridge requires the professional services of an engineer to prepare the scope of work for the project including quantity take off and preliminary cost estimate for the inclusion in the Pascack Valley Resurfacing Cooperative; and

WHEREAS, the Borough of Park Ridge will need additional engineering services with regard to this project; periodic construction observations, review of contractor payment requests and any change order requests during construction; and

WHEREAS, **Azzolina & Feury Engineering, Inc.** has quoted an estimated fee of \$77,156.20, proposal dated February 4th, 2009, for this project; and

WHEREAS, it is the recommendation of the Borough Administrator that the Mayor and Council accept this proposal; and

WHEREAS, the Chief Finance Officer has certified the funds are available in Account Nos. C-04-55-921-000-005 and C-04-55-922-000-004.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge, Bergen County, New Jersey, authorizes the professional services of Azzolina & Feury Engineering, Inc. for the 2009 Road Resurfacing Program.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-104**

**AUTHORIZE PROFESSIONAL SERVICES FOR ENGINEERING FOR
2009 ROAD IMPROVEMENT PROGRAM**

WHEREAS, the Borough of Park Ridge requires the professional services of an engineer to prepare the scope of work for the 2009 Road Improvement Program; and

WHEREAS, Brooker Engineering, PLLC has provided professional services, as outlined in the attached letter, in 2008 for the 2009 Road Improvement Program; and

WHEREAS, the total amount due Brooker Engineering, PLLC for the services provided in 2008 is Thirteen Thousand Four Hundred Seventeen Dollars and Fifty Cents (\$17,417.50); and

WHEREAS, it is the recommendation of the Borough Administrator that the Mayor and Council authorize payment be made for these services; and

WHEREAS, the Chief Finance Officer has certified the funds are available in Account No. C-04-55-920-000-000.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that payment be made in the amount of Thirteen Thousand Four Hundred Seventeen Dollars and Fifty Cents (\$17,417.50) to Brooker Engineering, PLLC for professional services provided for the 2009 Road Improvement Program.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-105**

**AUTHORIZING AN AGREEMENT WITH CONCRETE CONSTRUCTION
TO CONSTRUCT HANDICAP RAMPS UNDER THE BERGEN COUNTY
ROAD RESURFACING PROGRAM**

WHEREAS, the County of Bergen has awarded the 2008 road resurfacing project for Park Ridge's County roads to Tilcon of New York; and

WHEREAS, the County of Bergen also awarded a master construction contract to Concrete Construction Corporation for required ADA ramps, curbs, and detectable warning surfaces upon the affected roadways which must be completed prior to resurfacing ; and

WHEREAS, the Borough of Park Ridge is responsible for completing the ADA ramps, curbs, and detectable warning surfaces whose cost is in the estimated amount of \$38,200 which shall be reimbursed to the Borough of Park Ridge by the County of Bergen; and

WHEREAS, the Borough Engineer has recommended the inclusion of five (5) additional Handicap Ramps and Mats along Pascack Road and Park Avenue in the Borough at a cost estimate of \$6,500; and

WHEREAS, the Borough Administrator has recommended to the Mayor and Council that this additional work be completed; and

WHEREAS, the Chief Financial Officer has certified the funds are available in Account No. C-04-55-917-000-001.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Park Ridge to enter into an agreement with Concrete Construction Corporation, P.O. Box 4063, South Hackensack, NJ for ADA ramps, curbs and mats as part of the County road-resurfacing project in Park Ridge.

BE IT FURTHER RESOLVED, that the County of Bergen agrees to refund the Borough of Park Ridge all construction costs related to the re-surfacing project.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-106**

REJECTING BIDS FOR FIREHOUSE IMPROVEMENTS

WHEREAS, the Mayor and Council of the Borough of Park Ridge pursuant to N.J.S.A. 40A:11-4 placed for public bid certain improvements to the Borough of Park Ridge Fire House; and

WHEREAS, on April 7, 2009 two bids were received; with the low bid being received from Zinno Construction Corporation of Vernon, New Jersey in the amount of One Hundred Seventy-Nine Thousand, Three Hundred and Seventy- Eight Dollars (\$179,378.00); and

WHEREAS, the Mayor and Council had received a cost estimate from Perry Petrillo, AIA as to the cost of this work and budgeted accordingly; and

WHEREAS, the Chief Financial Officer has advised the Mayor and Council that there are insufficient funds to fund this project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the bid of One Hundred Seventy-Nine Thousand, Three Hundred and Seventy- Eight Dollars (\$179,378.00) being the same is hereby rejected; and

BE IT FURTHER RESOLVED that notice of this action shall be published in the newspaper of record within ten (10) days of the date of adoption; and

BE IT FURTHER RESOLVED that on October 8, 2008 a single bid was received for these same improvements to the Park Ridge Fire House Exterior and on October 14, 2008, by resolution of the Mayor and Council, that bid was rejected due to the fact that the amount exceeded the budgeted amount.

BE IT FURTHER RESOLVED that pursuant to N.J.S.A. 40A:11-5 the Mayor and Council of the Borough of Park Ridge do hereby authorize the Administrator to negotiate a contract.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-107**

Award of Contract for Mill Pond Dam Rehabilitation Project

WHEREAS, the Mayor and Council have placed for public bid the Mill Pond Dam Rehabilitation Project; and

WHEREAS, on March 31, 2009 the Borough received twelve (12) bid responses for this public improvement project; and

WHEREAS, T & M Associates, of 1373 Broad Street, Suite 306, Clifton, NJ on behalf of the Borough has reviewed the Specifications and qualifications of the bidder and recommends Adamsville Maintenance Inc. of 548 E. Main Street, Bound Brook, NJ as the lowest responsible bidder for the price of \$883,961.25 (Eight Hundred Eighty-Three Thousand Nine Hundred Sixty-One Dollars and Twenty-Five Cents); and

WHEREAS, the Borough Attorney has reviewed the Bid Specifications and advised that the Mayor and Council may award to Adamsville Maintenance Inc. this bid as the lowest responsible bidder.

WHEREAS, the Chief Financial Officer has certified the funds are available in Account No. C-04-55-914-000-001.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough Park Ridge that the public improvement project known as Mill Pond Dam Rehabilitation Project is hereby awarded to Adamsville Maintenance Inc.; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized to execute a contract approved as to form and content by the Borough Attorney with Adamsville Maintenance Inc. of 548 E. Main Street, Bound Brook, New Jersey 08805 in the amount not to exceed \$883,961.25 (Eight Hundred Eighty-Three Thousand Nine Hundred Sixty-One Dollars and Twenty-Five Cents); and

BE IT FURTHER RESOLVED the notice of this action will be published in the newspaper of record within ten (10) days from the adoption of this Resolution; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to T & M Associates and Adamsville Maintenance Inc. ten (10) days from the date of the adoption of the Resolution.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-108**

Award of Contract for Pedestrian Improvements Park Ridge Train Station

WHEREAS, the Mayor and Council have placed for public bid the Park Ridge Train Station Pedestrian Improvements Project; and

WHEREAS, on April 17, 2009 the Borough received six (6) bid responses for this public improvement project; and

WHEREAS, Azzolina & Feury Engineering, Inc. on behalf of the Borough has reviewed the Specifications and Qualifications of the bidder and recommends Marini Brothers Construction Co., Inc. of 9 Lafayette Street, Hackensack, New Jersey as the lowest responsible bidder for the price of \$34,055.00 (Thirty Four Thousand Fifty-Five Dollars); and

WHEREAS, the Borough Attorney has reviewed the Bid Specifications and advised that the Mayor and Council may award to Marini Brothers Construction Co., Inc. as the lowest responsible bidder.

WHEREAS, the Chief Financial Officer has certified the funds are available in Account No. C04-55-914-000-001.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough Park Ridge that the public improvement project known as Pedestrian Improvements Park Ridge Train Station; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized to execute a contract approved as to form and content by the Borough Attorney with Marini Brothers Construction Co., Inc. of 9 Lafayette Street, Hackensack, New Jersey 07601 in the amount not to exceed \$34,055.00 (Thirty Four Thousand Fifty-Five Dollars); and

BE IT FURTHER RESOLVED the notice of this action will be published in the newspaper of record within ten (10) days from the adoption of this Resolution; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to Azzolina & Feury Engineering, Inc. and Marini Brothers Construction Co., Inc. ten (10) days from the date of the adoption of the Resolution.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-109**

**Approval of Engineering for the Pascack Valley Cooperative Pricing System
NJDOT Road Resurfacing Program**

WHEREAS, the municipalities of Westwood, Woodcliff Lake, River Vale and Park Ridge have received NJDOT grants for 2009 road projects in the amount of \$750,000.00; and

WHEREAS, in order to save on the cost of preparing plans and specifications for these grant funded projects and ensure consistent oversight and inspection, The Pascack Valley Cooperative Pricing System #107-PVCPS issued an RFP dated March 12, 2009; and

WHEREAS, six engineering firms responded with proposals for these grant funded projects on or before the deadline of April 1, 2009; and

WHEREAS, after review and analysis by the Administrators of Woodcliff Lake and Westwood, it has been determined that Maser Consulting, P.A., has submitted the most cost-effective proposal;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge hereby approves the Maser Consulting Proposal for the engineering oversight of the Borough's 2009 NJDOT project in an amount not to exceed \$139,000.00; and

BE IT FURTHER RESOLVED that the Borough of Park Ridge's portion is not to exceed \$35,000.00.

BE IT FURTHER ESOLVED that the Chief Financial Officer has certified the funds are available in Account No. C-04-55-922-000-001.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-110**

Award of Contract Landscape Improvements to Veteran's Park

WHEREAS, the Mayor and Council have placed for public bid the Landscape Improvements to Veteran's Park Project; and

WHEREAS, on April 8, 2009 the Borough received twelve (12) bid responses for this public improvement project; and

WHEREAS, Bill Koenig, A.S.L.A. on behalf of the Borough has reviewed the Specifications and Qualifications of the bidders and recommends Pat Scanlan Landscaping, 14 Plains Drive, New City, NY 10956; and

WHEREAS, the Borough Attorney has reviewed the Bid Specifications and advised that the Mayor and Council may award to Pat Scanlan Landscaping as the lowest responsible bidder.

WHEREAS, the Borough has entered into a matching grant agreement with the County of Bergen for the purpose of using Open Space Trust Funds in the amount of \$38,895.00; and

WHEREAS, the Chief Financial Officer has certified the funds are available in Municipal Opne Space Trust Account.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough Park Ridge that the public improvement project known as Landscape Improvements to Veteran’s Park; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized to execute a contract approved as to form and content by the Borough Attorney with Pat Scanlan Landscaping, 14 Plains Drive, New City, NY 10956 in the amount not to exceed \$44,198.58 (Forty-Four Thousand One Hundred Ninety-Eight Dollars and Fifty-Eight Cents); and

BE IT FURTHER RESOLVED the notice of this action will be published in the newspaper of record within ten (10) days from the adoption of this Resolution; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to Bill Koenig, A.S.L.A. and Pat Scanlan Landscaping ten (10) days from the date of the adoption of the Resolution.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-111**

APPOINTMENT OF ALTERNATE PUBLIC DEFENDER

WHEREAS, there exists a need in the Park Ridge Municipal Court to appoint an Alternate Public Defender to cover the absence of Scott Mooney, Esq.; and

WHEREAS, the Court Administrator, upon advice and consent of the Judge and Defender, has recommended the hiring of Michael Pellegrino, Esq., to act as Alternate Public Defender, at a rate to be paid by Borough Public Defender Scott Mooney, Esq.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that Michael Pellegrino, Esq., is hereby appointed as Alternate Public Defender for the Park Ridge Municipal Court.

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-112**

APPROVAL OF REQUEST

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

- Social Affair Permit
- Recreation Committee – Town Picnic
- June 13th (Rain Date June 14th)
- Memorial Field

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 09-113**

AUTHORIZING TEMPORARY CONSTRUCTION EASEMENT AGREEMENT

BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge hereby authorize the Mayor and Clerk to execute a Temporary Construction Easement Agreement with Edward C. and Rose Hage for the property located at 85-91 Park Avenue in the Borough of Park Ridge.

COMMUNICATIONS

There were none.

OLD BUSINESS

There were none.

NEW BUSINESS

Councilmember Ciannella asked to make a motion to authorize the preparation of a NJDOT Grant. Seconded by Council President Wells to confirm. Motion carried unanimously. Mayor Ruschman stated that this action will be memorialized by resolution at the next meeting of the Mayor and Council.

Councilmember Ciannella made a motion to authorize the preparation of Open Space Appraisal reports to be prepared. Seconded by Councilmember Levinson to confirm. Motion carried unanimously. Mayor Ruschman stated that this action will be memorialized by resolution at the next meeting of the Mayor and Council.

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

Meeting adjourned at 9:25 p.m.

Respectfully submitted,