

Municipal Building  
Park Ridge, NJ  
October 27, 2009 – 8:15 pm

A regular Meeting of the Mayor and Council of the Borough of Park Ridge was called to order at the above time, date and place. Mayor Ruschman led those attending in the Pledge of Allegiance.

**ROLL CALL:**

Present: Councilmembers Kane, Ciannella, Levinson, Maughan, Viola  
Mayor Ruschman  
Absent: Council President Wells  
Also Present: Robert Mancinelli, Esq., Borough Attorney  
Kelley O'Donnell, RMC, Borough Clerk

**Mayor Ruschman Reads 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 the presentation of the 2009 Community Service Awards.

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

**AYES:** Councilmembers Kane, Ciannella, Levinson, Maughan, Viola

**2009 COMMUNITY SERVICE AWARDS**

Mayor Ruschman presented Community Service Awards to the following residents:

**NOMINEE**

James Duncan  
Maria Nunberg  
Mike Mintz  
Jeanne & Warren Lazelle  
Theresa Cudequest  
Florence Craffey  
Carol Kobbe  
Howard H. Vander Vliet  
Paul Wharton  
Ruth Francke  
Arely Gaytan  
Dick Bozzone  
Sally Peterson  
Anthony D'Avanzo  
Chris Brown  
Edward Martine  
Harriet Engber  
Kathryn Boyle  
Lawrence Morgan  
Bob Howell  
Sarah Hespe  
Bob Ludwig  
Kathy Contratto  
Richard Onorato

**NOMINATED BY**

Park Ridge Police Reserves  
East Brook Parent Teacher Org.  
Park Ridge Athletic Assoc.  
Park Ridge United Methodist Church  
Tri-Boro Volunteer Ambulance Corps  
Our Lady of Mercy Catholic Church  
First Congregational Church  
Park Ridge Fire Department  
P.R. Recreation & Cultural Committee  
P.R. Golden Age Social Club  
P.R. Public Library  
P. R. American Legion – Post 153  
Pascack Mental Health Center  
Pascack Food Center  
Park Ridge High School  
Pascack Historical Society  
Temple Beth Sholom  
Greater Pascack Valley Woman's Club  
Charwon American Korean War Veteran  
P. R. High School Baseball Boosters  
P.R. High School PEP  
PKRG-TV Committee  
Girl Scouts of Park Ridge  
P.R. High School Football Boosters

George Sherman

Park Ridge Rotary Club

**AGENDA CHANGES**

There were no agenda changes.

**PUBLIC PRIVILEGE OF THE FLOOR:**

**George Heller, 80 Second Street** asked if there was any particular reason why the council was doing Resolution #3? He asked if it affected Park Ridge.

Mayor Ruschman said he did not believe it dramatically affected the borough at this time but when it does, the borough would have something on record and to support other towns that it does affect.

Mr. Mancinelli said this was just a model resolution from the League of Municipalities that we were asked to consider and the borough decided to go forward with it. It addresses certain statutory languages with regard to proofs required when one seeks a Use variance when traditionally it may not have been considered an “inherently beneficial” use. The legislators, he said, decided to add this additional language with regard to energy uses.

Mr. Heller said he has asked in the past about liquor licenses and why Park Ridge cannot benefit from them. He said there was a recent ad about a Park Ridge liquor license for sale and wanted to know if there was any consideration on the part of the governing body to purchase it.

Ms. O’Donnell said she had seen the ad and called the number. She advised that there is a pocket license in Park Ridge which went from Marcy’s to Café 99 and is currently inactive. She said the person who placed the ad did not call her back.

Mr. Heller said his question was why the borough did not buy it and either sell it at a profit at a later date to benefit financially or to have control over who does have a liquor license. He said we license all sorts of things, why not this.

Ms. O’Donnell said the borough does approve the liquor licenses on an annual basis and there is a licensing fee that the borough collects each year. When a license transfers, in addition to the background checks done by the police there are advertisements that must be made by statute and the governing body approves or disapproves the transfer of the license.

Mayor Ruschman said the council will certainly discuss and look into it.

Mr. Heller said he noted with some dismay that Ordinance 2009-19 was not on the agenda although it was to be discussed this evening. He asked why.

Mayor Ruschman responded that there still were some questions about it and some tweaking going on. He said they would be addressing it right after this meeting in open session and there will be some discussion on it. Mayor Ruschman said hopefully it will be passed at either a special meeting or later this evening.

Mr. Heller asked if there was an update on the aspects of the council’s staffing and organizational efficiency study, which was done earlier this year?

Mayor Ruschman said there has been some movement as far as personnel goes and also some movement as far as the physical layout of the office. He said they were still in the throes of putting some final touches on both.

Mr. Heller said it would be interesting to know the specifics and the validity of the work that was done.

Mayor Ruschman said the council really has not come up with a final report addressing what finally came out as a result of it.

Mr. Heller with respect to the ordinance the governing body was going the way of a part-time administrator, which at the time, Mr. Heller felt was acceptable, however, after discussing things with Council President Wells, he has given it more thought and he would like to know

exactly what you want this borough administrator to do. He said this question has never been answered.

Mayor Ruschman replied that it would be discussed at open work session right after this meeting and Mr. Heller was encouraged to stay and listen.

He said the other thing was that you wanted a person separate from the clerk and he doesn't understand why the clerk cannot do this since we once had an administrator, who was also clerk. He asked if anyone had ever contacted Mr. Gasior with regard to his thoughts about the administrator and clerk being one person.

Mayor Ruschman said he hadn't spoken with Mr. Gasior in several months.

Mr. Heller said the reason he is not in favor of a part-time administrator is what happens when he is not around? He said it would be a problem for the administrative team to decide what should be done when a situation arises and the administrator is not there.

Mayor Ruschman said it has been found over the past several months that the A-Team consisting of Borough Clerk O'Donnell, Director of Ops Beattie and CFO Ennis have filled in more than adequately. He said they have done an outstanding job and the borough has not had any problems operating that way.

Mr. Heller asked who would keep track of this person's time? He asked who would know when this person was in or not, would there be a definite schedule?

Mayor Ruschman said that was a detail that had as yet to be worked out. He said he did not know the answer to that right now.

Mr. Heller said he guaranteed that there was no good answer and that Mr. Beattie, Ms. O'Donnell and Ms. Ennis were not going to be doing that. He said it is a problem when you have a part-time person in a managerial position.

Mayor Ruschman said it was something to be considered.

Councilmember Viola said the person being considered had high qualifications and could be trusted to keep track of their hours.

Mr. Heller said he did not think so and that it was a loophole that could eventually lead to antagonism between the governing body, the person and the administrative staff as well.

Councilman Maughan said the position was not personalized but that it was determined that the position was a part-time one and over 200 applicants applied. He said if Mr. Heller had a problem it was an administrative one that should be addressed with the Mayor & Council in terms of their strategic decision to set the position up as 25 hours per week.

Mr. Heller said his point was well taken but he still felt it leads to difficulty in defining a key management position in Park Ridge. He also feels there is entirely too much verbiage in the ordinance.

Councilman Maughan said the entire council had input into the ordinance and it contained what they wanted and while Mr. Heller may find fault with it, and it is his right to do so, it came as a result of a collective thought process.

Mr. Heller said this was brought before the public in August and here it is two months later and the council is still fussing around with it, which is indicative of a lack of understanding of what you are looking for on the part of the governing body. Mr. Heller said he is reading it as a lack of confidence in what you are doing and since this is going to be a relatively new council with different people on January 1<sup>st</sup>, you would do well to table it now and let the new governing body decide what the ordinance should be and the job description.

Councilmember Maughan said Mr. Heller was on target with the time line and two months to sort through 250 resumes, which netted down to 25 interviews with people, which netted down to a final five interviews by the entire council is a process. He said what the council wanted to do was make the process as thorough and productive as possible and that does take time. He said in a period of eight weeks the council was not dragging their feet in this issue.

Mayor Ruschman reminded Mr. Heller that he was partially responsible for this with his many questions and his input and while it was appreciated, Mr. Heller should remember that the council tries to be responsive to the residents and he is one of the people who gives a lot of input and the council has been trying to be responsive these past couple of months.

**ORDINANCE – INTRODUCTION**

**Ordinance 2009-22 – Amending Chapter 51 – Development Fees of the Code of the Borough of Park Ridge**

Mayor Ruschman asks for a motion to introduce on first reading by title Ordinance 2009-22, an Ordinance amending Chapter 51 – Development Fees of the Code of the Borough of Park Ridge.

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

**AYES:** Councilmembers Kane, Ciannella, Levinson, Maughan, Viola

Mayor asks the Borough Clerk to read the ordinance by title.

**BOROUGH OF PARK RIDGE**

**ORDINANCE NO. 2009-22**

**AN ORDINANCE AMENDING CHAPTER 51, DEVELOPMENT FEES, OF THE CODE OF THE BOROUGH OF PARK RIDGE, NEW JERSEY**

**WHEREAS**, the Borough of Park Ridge received first round substantive certification of its housing element and fair share plan on January 29, 1990, and received second round substantive certification on June 5, 1996; and

**WHEREAS**, the Borough received approval of a development fee ordinance from COAH on April 3, 1996; which was codified in the Borough Code as Chapter 51, Development Fees; and

**WHEREAS**, Park Ridge submitted a petition to COAH for third round substantive certification on December 29, 2008, which was deemed complete on February 11, 2009; and

**WHEREAS**, COAH received the Borough's December 29, 2008 petition; and

**WHEREAS**, on July 27, 2009 Governor Corzine signed the New Jersey Economic Stimulus Act of 2009 (P.L. 2009, c. 90), portions of which impact local development fee ordinances, in regard to fees collected for non-residential development; and

**WHEREAS**, this new legislation suspends the statewide development fee of two and one-half percent (2.5%) for nonresidential development; and

**WHEREAS**, specifically, the imposition of a non-residential development fee does not apply to non-residential properties that received preliminary or final site plan approval prior to July 1, 2010, provided a building permit is issued prior to January 1, 2013; and

**WHEREAS**, municipalities may continue to collect nonresidential development fees from non-residential properties that have made or committed to make a financial or other contribution prior to July 17, 2008; and

**WHEREAS**, a developer is considered to have made or committed itself to make a financial or other contribution if the contribution has been transferred, including but not limited to when the funds have already been received by the municipality; the developer has obligated itself to make a contribution as set forth in a written agreement with the municipality; such as a developer's agreement; or the developer's obligation to make a contribution is set forth as a condition in a land use approval issued by a municipal land use agency pursuant to the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.); and

**WHEREAS**, municipalities may continue to collect nonresidential development fees from non-residential properties that received preliminary or final site plan approval prior to July 17, 2008, which have not been issued certificates of occupancy, in accordance with the non-residential fee percentage included in its COAH approved development fee ordinance in place prior to the enactment of the Statewide Non-Residential Development Fee Act; and

**WHEREAS**, any portion of Park Ridge Borough's development fee ordinance that conflicts with P.L. 2009, c.90 is null and void; and

**WHEREAS**, the proposed amendments herein supplements the current development fee ordinance with COAH's current model development fee ordinance.

**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 51, Development Fees, of the Code of the Borough of Park Ridge be and is hereby amended as follows:

**SECTION ONE:**

Chapter 51, Development Fee is hereby repealed in its entirety and replaced as follows:

## 1. Purpose

a) In *Holmdel Builder's Association V. Holmdel Township*, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules.

b) Pursuant to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non- Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have a COAH-approved spending plan may retain fees collected from non-residential development.

c) This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance P.L.2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.

### 1. Basic requirements

a) This ordinance shall not be effective until approved by COAH pursuant to *N.J.A.C. 5:96-5.1*.

b) The Borough of Park Ridge shall not spend development fees until COAH has approved a plan for spending such fees in conformance with *N.J.A.C. 5:97-8.10* and *N.J.A.C. 5:96-5.3*.

### 2. Definitions

a) The following terms, as used in this ordinance, shall have the following meanings:

i. "**Affordable housing development**" means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.

ii. "**COAH**" or the "**Council**" means the New Jersey Council on Affordable Housing established under the Act which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the State.

iii. "**Development fee**" means money paid by a developer for the improvement of property as permitted in *N.J.A.C. 5:97-8.3*.

iv. "**Developer**" means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

v. "**Equalized assessed value**" means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).

vi. "**Green building strategies**" means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

### 4. Residential Development fees

a) Imposed fees

i. Within all zone districts, residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of one (1) percent of the equalized assessed value for residential development provided no increased density is permitted.

ii. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a "d" variance) has been permitted, developers may be required to pay a development fee of six (6) percent of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two year period preceding the filing of the variance application.

a) Eligible exactions, ineligible exactions and exemptions for residential development.

i. Affordable housing developments and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.

ii. Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.

iii. Developers who expand, enlarge, or improve existing single family or two family residences, unless the expansion, enlargement, or improvement leads to the creation of additional dwelling units(s).

iv. Owner-occupied residential structure demolished and replaced as a result of a fire, flood or natural disaster shall be exempt from paying a development fee.

## 5. Non-residential Development fees

### a) Imposed fees

i. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half (2½) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.

ii. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2½) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.

### b) Eligible exactions, ineligible exactions and exemptions for non-residential development.

i. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and one-half (2½) percent development fee, unless otherwise exempted below.

ii. The two and one-half (2½) percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.

iii. The two and one-half (2½) percent fee shall not apply to developers of any not-for-profit uses; federal, state and municipal government uses; churches and other places of worship; and public schools.

iv. Non-residential developments shall be exempt from the payment of nonresidential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" Form. Any exemption claimed by a developer shall be substantiated by that developer.

v. A developer of a non-residential development exempted from the nonresidential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.

vi. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid nonresidential development fees under these circumstances may be enforceable by the Borough of Park Ridge as a lien against the real property of the owner.

## 6. Collection procedures

a) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.

b) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The Developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.

c) The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.

d) Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.

e) The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.

f) Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.

g) Should the Borough of Park Ridge fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).

h) Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.

### i) Appeal of development fees

1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by the Borough of Park Ridge. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by the Borough of Park Ridge.

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Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

### **7. Affordable Housing trust fund**

a) There is hereby created a separate, interest-bearing housing trust fund to be maintained by the chief financial officer for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.

b) The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:

1. payments in lieu of on-site construction of affordable units;
2. developer contributed funds to make ten (10) percent of the adaptable entrances in a townhouse or other multistory attached development accessible;
3. rental income from municipally operated units;
4. repayments from affordable housing program loans;
5. recapture funds;
6. proceeds from the sale of affordable units; and
7. any other funds collected in connection with the Borough of Park Ridge's affordable housing program.

c) Within seven days from the opening of the trust fund account, the Borough of Park Ridge shall provide COAH with written authorization, in the form of a three party escrow agreement between the municipality, the bank, and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:97-8.13(b).

d) All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

### **8 Use of funds**

a) The expenditure of all funds shall conform to a spending plan approved by COAH. Funds deposited in the housing trust fund may be used for any activity approved by COAH to address the Borough of Park Ridge's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:97-8.7 through 8.9 and specified in the approved spending plan.

b) Funds shall not be expended to reimburse the Borough of Park Ridge for past housing activities.

c) At least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.

i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.

ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income.

iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.

d) The Borough of Park Ridge may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.

e) No more than 20 percent of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

### **9. Monitoring**

a) The Borough of Park Ridge shall complete and return to COAH all monitoring forms included in monitoring requirements related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow

funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with the Borough of Park Ridge's housing program, as well as to the expenditure of revenues and implementation of the plan certified by COAH. All monitoring reports shall be completed on forms designed by COAH.

**10. Ongoing collection of fees**

a) The ability for the Borough of Park Ridge to impose, collect and expend development fees shall expire with its substantive certification unless the Borough of Park Ridge has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned for substantive certification, and has received COAH's approval of its development fee ordinance. If the Borough of Park Ridge fails to renew its ability to impose and collect development fees prior to the expiration of substantive certification, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (C.52:27D-320). The Borough of Park Ridge shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification or judgment of compliance, nor shall the Borough of Park Ridge retroactively impose a development fee on such a development. The Borough of Park Ridge shall not expend development fees after the expiration of its substantive certification or judgment of compliance

**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 the Borough Attorney to give a brief description of this ordinance.

Borough Attorney explained that this substantially replaces the existing ordinance with respect to the collection of Development Fees and was driven by two issues. The borough had submitted to COAH their petition for Third Round Certification in December of 2008, which was deemed complete by COAH on February 11, 2009 and was followed by a bill signed by the governor utilizing some of the language of the New Jersey Economic Stimulus Act. This ordinance makes the Park Ridge ordinance consistent with both the COAH certification but conforms our existing ordinance to reflect changes that the State had implemented.

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

A motion was made by Councilmember Ciannella to pass this ordinance on first reading by title and that it be published in full in the Ridgewood New with notice of Public Hearing to be held on November 10, 2009. Seconded by Councilmember Levinson to confirm

**AYES:** Councilmember Kane, Ciannella, Levinson, Maughan, Viola

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**Ordinance 2009-23 – Amending Chapter 101, Zoning, of the Code of the Borough of Park Ridge Regarding Provisions Related to the Floor Area Ratio.**

Mayor Ruschman asks for a motion to introduce on first by title Ordinance 2009-23, An Ordinance Amending Chapter 101, Zoning, of the Code of the Borough of Park Ridge.

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

**AYES:** Councilmembers Kane, Ciannella, Levinson, Maughan, Viola

Mayor asks the Borough Clerk to read the ordinance by title.

**BOROUGH OF PARK RIDGE**

**ORDINANCE NO. 2009-23**

**AN ORDINANCE AMENDING CHAPTER 101, ZONING, OF THE CODE OF THE BOROUGH OF PARK RIDGE, NEW JERSEY**

**WHEREAS**, the Zoning Ordinance of the Borough of Park Ridge currently contains floor area ratio provisions which provides for the inclusion of the square footage of basements in the floor area calculations; and

**WHEREAS**, the objective of floor area ratio provisions, in part, is to limit the size of structures in zoning districts and to insure that dwellings remain in conformity with other development in zoning districts; and

**WHEREAS**, individuals have been thwarting the purpose and intent of floor area ratio requirements by either constructing new structures and/or additions to structures without basements,

**NOW, BE IT ORDAINED** by the Mayor and Council of the Borough of Park Ridge, in the County of Bergen and State of New Jersey that Chapter 101 of the Code of the Borough of Park Ridge be and is hereby amended as follows:

**SECTION ONE:**

ARTICLE II Section 101-4, Definitions is hereby amended to delete the existing FLOOR AREA RATIO definition and replace said definition, in its entirety, with the following definition:

FLOOR AREA RATIO: The gross floor area of all principal buildings or structures on a lot divided by the total lot area. The gross floor area of all principal buildings or structures excludes any floor area where the finished floor level is greater than three feet below the average grade measured 6 feet from the structure and any floor area associated with a detached garage.

**SECTION TWO:**

ARTICLE IV Section 101-8 Schedule of Regulations, Schedule IV-2 Area, Yard and Bulk Requirements, is hereby amended as follows:

<b>Zone</b>	<b>Maximum Floor Area Ratio</b>
R-40	20% up to <b>9,200</b> square feet of floor area
R-20	22% up to <b>4,800</b> square feet of floor area
R-15	25% up to <b>4,250</b> square feet of floor area
R-10	30% up to <b>3,333</b> square feet of floor area

**SECTION THREE:**

ARTICLE XIIIIB Section 101-58.13 RP-1 and RP-2 Residential/Professional Office Zones is hereby amended to read as follows:

A. Residential/Professional Office Zone-1 (RP-1), Northerly Area (Block 1504 Lots 1-18).

(4) Area and Bulk Regulations:

<u>Regulation</u>	<u>RP-1 Single-Family</u>	<u>RP-1 Professional Office</u>
Maximum Floor Area Ratio (%)	20	30

B. Residential/Professional Office Zone-2 (RP-2), Southerly Area (Block 1601 Lots 2-11).

(4) Area and Bulk Regulations:

<u>Regulation</u>	<u>Permitted Uses</u>	<u>Conditional Use Professional Office</u>	<u>Multifamily Residential</u>
Maximum Floor Area Ratio (%)	20	30	NA

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

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

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

Mr. Mancinelli said this ordinance was driven by recommendations from the Planning Board and other professionals and simply reflects a change to the existing ordinance.

There was no one present wishing to be heard on this ordinance.

A motion was made by Councilmember Levinson to pass the 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 November 10, 2009. Seconded by Councilmember Ciannella to confirm.

**AYES:** Councilmember Kane, Ciannella, Levinson, Maughan, Viola

**CONSENT AGENDA:**

Mayor Ruschman asks if any Councilmembers would like to abstain from voting on any other resolutions.

There was no one who wished to abstain from any resolution nor anyone who wished any resolution removed and placed under New Business.

**RESOLUTIONS:**

**BOROUGH OF PARK RIDGE**

**RESOLUTION NO. 09-262**

**RESOLUTION APPROVING MANDATORY DEVELOPMENT FEE**

**ORDINANCE AMENDMENT**

**BOROUGH OF PARK RIDGE, BERGEN COUNTY**

**WHEREAS**, the Borough of Park Ridge ("Park Ridge" or "the Borough"), Bergen County, received first round substantive certification of its housing element and fair share plan on January 29, 1990, and received second round substantive certification on June 5, 1996; and

**WHEREAS**, the Borough received approval of a development fee ordinance from COAH on April 3, 1996; and

**WHEREAS**, Park Ridge submitted a petition to COAH for third round substantive certification on December 29, 2008, which was deemed complete on February 11, 2009; and

**WHEREAS**, COAH received the Borough's December 29, 2008 petition; and

**WHEREAS**, on July 27, 2009 Governor Corzine signed the New Jersey Economic Stimulus Act of 2009 (P.L. 2009, c. 90), portions of which impact local development fee ordinances, in regard to fees collected for non-residential development; and

**WHEREAS**, this new legislation suspends the statewide development fee of two and one-half percent (2.5%) for nonresidential development; and

**WHEREAS**, specifically, the imposition of a non-residential development fee does not apply to non-residential properties that received preliminary or final site plan approval prior to July 1, 2010, provided a building permit is issued prior to January 1, 2013; and

**WHEREAS**, municipalities may continue to collect nonresidential development fees from non-residential properties that have made or committed to make a financial or other contribution prior to July 17, 2008; and

**WHEREAS**, a developer is considered to have made or committed itself to make a financial or other contribution if the contribution has been transferred, including but not limited to when the funds have already been received by the municipality; the developer has obligated itself to make a contribution as set forth in a written agreement with the municipality; such as a developer's agreement; or the developer's obligation to make a contribution is set forth as a condition in a land use approval issued by a municipal land use agency pursuant to the "Municipal Land Use Law," P.L. 1975, c. 291 (C.40:55D-1 et seq.); and

**WHEREAS**, municipalities may continue to collect nonresidential development fees from non-residential properties that received preliminary or final site plan approval prior to July 17, 2008, which have not been issued certificates of occupancy, in accordance with the non-residential fee percentage included in its COAH approved development fee ordinance in place prior to the enactment of the Statewide Non-Residential Development Fee Act; and

**WHEREAS**, any portion of Park Ridge Borough's development fee ordinance that conflicts with P.L. 2009, c. 90 is null and void; and

**WHEREAS**, the proposed replaces the previous ordinance with COAH's current model development fee ordinance; and

**WHEREAS**, pursuant to N.J.A.C. 5:97-8.3©, the Borough of Park Ridge proposes to impose mandatory development fees of one percent (1%) of the equalized assessed value of all new residential development within all zoning districts, provided no increase in density is permitted; and

**WHEREAS**, the Borough also proposes to exempt developers who expand, enlarge, or improve existing, single family or two family residences, unless the expansion, enlargement or improvement leads to the creation of additional dwelling unit(s); and

**WHEREAS**, if a "d" variance is granted pursuant to N.J.S.A. 40:55D-70d(5), then the additional residential units realized (above what is permitted by right under the existing zoning) will incur a development fee of one percent (1%) of the equalized assessed value of the additional residential development; and

**WHEREAS**, Park Ridge has exempted from payment of development fees all affordable housing development, developments where the developer has made a payment in lieu of constructing affordable units, and residential developments that have received preliminary and or final approval prior to the effective date of the initial development fee ordinance (unless the developer seeks a substantial change in the approval); and

**WHEREAS**, the proposed ordinance applies a mandatory development fee of two and one-half percent (2.5%) of the equalized assessed value of the land and improvements for all new nonresidential construction on an unimproved lot(s) within the Borough; and

**WHEREAS**, the non-residential development fee applies to the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes, or resulting from the replacement of a demolished building, in which cases the fee is based on the difference in equalized value of the pre-existing land and improvements and the equalized value of the newly improved or replaced structure (i.e., land and improvement); and

**WHEREAS**, the ordinance exempts from the non-residential development fee the following: an increase in equalized assessed value resulting from alterations; change in use within an existing footprint; reconstruction, renovations and repairs; and other

exemptions required pursuant to P.L.2008, c.46; and

**WHEREAS**, fifty percent of the development fees shall be collected at the time of issuance of a building permit and the remaining portion shall be collected at the issuance of a certificate of occupancy; and

**WHEREAS**, the procedure for development fee collection is outlined in the ordinance; and

**WHEREAS**, Park Ridge Borough has established a separate interest bearing housing trust fund for the purpose of depositing development fees collected in accordance with the ordinance and other sources of funding, which shall at all times be identifiable by

source and amount; and

**WHEREAS**, development fees that are contested will be placed in an interest bearing escrow account by the Borough, and any part of fees returned to a developer will include interest accrued on the returned amount; and

**WHEREAS**, Park Ridge has executed a three-party escrow agreement with the institution in which the funds are deposited and COAH; and

**WHEREAS**, the expenditure of funds must be consistent with a spending plan to be approved by COAH, and in case of nonconformance with COAH's rules, COAH may direct the manner in which the housing trust fund shall be expended; and

**WHEREAS**, at least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low and moderate-income households in affordable units included in the Borough's Fair Share Plan, one-third of which shall be used to provide affordability assistance to very low income households; and

**WHEREAS**, COAH has reviewed Park Ridge's development fee ordinance for compliance with N.J.A.C. 5:97-8 and has determined that with minor revisions noted, the ordinance complies with all the requirements set forth in these sections, as outlined in the COAH report dated September 23, 2009 (Exhibit B).

**NOW, THEREFORE, BE IT RESOLVED** that COAH hereby approves Park Ridge Borough's development fee ordinance with the following minor revisions:

1. Add **Section 4, (b) (iv)** to read: *Owner-occupied residential structures demolished and replaced as a result of a fire, flood or natural disaster shall be exempt from paying a development fee.*
2. Delete **Section 5.(b)(iii)**
3. Delete the last sentence in **Section 8. (c)(ii)**

**BE IT FURTHER RESOLVED** that COAH's approval of the Development fee ordinance and the adoption of the ordinance by Park Ridge's governing body will enable the Borough to begin imposing residential development fees at the percentages permitted by N.J.A.C. 5:97-8.3(c) and continue to collect non-residential fees as required pursuant to P.L.2008, c.46 and P.L. 2009, c.90; and

**BE IT FURTHER RESOLVED** that the development fee ordinance must be submitted to COAH within seven days of adoption by the governing body; and

**BE IT FURTHER RESOLVED** that Park Ridge must receive approval of a development fee spending plan prior to the grant of third round substantive certification and before it may disburse any of these funds; and

**BE IT FURTHER RESOLVED** that in the event Park Ridge withdraws its petition, fails to obtain substantive certification, allows its certification to lapse or its substantive certification is revoked, this ordinance shall be null and void.

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**BOROUGH OF PARK RIDGE**  
**RESOLUTION NO. 09-263**

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

**WHEREAS**, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year 2008 has been filed by a Registered Municipal Accountant with the *Municipal Clerk* pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

**WHEREAS**, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE, BE IT RESOLVED**, That the *Mayor and Council* of the *Borough of Park Ridge*, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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**BOROUGH OF PARK RIDGE**  
**RESOLUTION NO. 09-264**

**Resolution Expressing Opposition to A-3062 and S-1303 Regarding**  
**"Inherently Beneficial Uses"**

**WHEREAS**, A-3062 and S-1303 will establish renewable energy as an "inherently beneficial use" for purposes of municipal zoning; and

**WHEREAS**, A-3062/S-1303 defines "inherently beneficial use" as a use which is universally considered of value to the community because it fundamentally serves the public good and promotes the general welfare, including, but not limited to, a hospital, school, child care center, group home or a wind, solar or photovoltaic energy facility or structure; and

**WHEREAS**, the Borough of Park Ridge does not believe that renewable energy facilities demonstrate the same level of public benefit as is associated with other "inherently beneficial uses" including hospitals, schools, child care centers and group homes; and

**WHEREAS**, while the intent of A-3062/S-1303 is admirable, it permits solar panel fields and wind generation facilities to be placed anywhere in a municipality without regard to the comprehensive municipal master plan and zoning regulations or any other state planning initiatives; and

**WHEREAS**, while the Borough of Park Ridge supports the intent to develop legislation that will encourage renewable energy in New Jersey, it must be done without negatively effecting the growth, farmland and open space preservation plans of municipalities; and

**WHEREAS**, municipalities are best equipped to address local land use issues and should be provided with discretion to establish appropriate regulations and controls consistent with their master plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Park Ridge, in the County of Bergen, State of New Jersey, hereby urge Governor Corzine to veto A-3062 and S-1303; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be forwarded to Senator Gerald Cardinale, Assemblyman John E. Rooney and Assemblywoman Charlotte Vandervalk, the New Jersey League of Municipalities and the Governor of the State of New Jersey

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**BOROUGH OF PARK RIDGE**  
**RESOLUTION NO. 09-265**

**AUTHORIZE RECEIPT OF SEALED BIDS FOR THE PURCHASE OF FIRE HYDRANTS**

**WHEREAS**, due to normal operation and maintenance of the water distribution system, the Water Department needs to purchase a number of fire hydrants; and

**WHEREAS**, over a one (1) year period, the anticipated total annual expenditure for said fire hydrants is over \$21,000.00; and

**WHEREAS**, the provisions of New Jersey Statute 40A:11-4 requires the public advertising for bids when total annual expenditures for similar materials or supplies is over \$21,000;

**WHEREAS**, the Board of Public Works, Borough of Park Ridge, in the County of Bergen and the State of New Jersey, recommends to the Mayor and Council to authorize for the receipt of sealed bids for unit prices for the purchase of fire hydrants.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Park Ridge that it hereby authorizes the receipt of sealed bids for unit prices for the purchase of fire hydrants.

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**BOROUGH OF PARK RIDGE**  
**RESOLUTION NO. 09-266**

**AWARD OF CONTRACT FOR MAINTENANCE, SERVICE AND REPAIR OF POTABLE WATER STORAGE, TREATMENT, PUMPING AND DISTRIBUTION SYSTEM FACILITIES**

**WHEREAS**, the Mayor and Council did authorize the receipt of sealed bids for unit labor prices for the Maintenance, Service and Repair of Potable Water Storage, Treatment, Pumping and Distribution System Facilities; and

**WHEREAS**, pursuant to the Notice to Bidders, duly advertised, four bids were received on October 20, 2009; and

**WHEREAS**, the following table lists the bid total results based on the estimated hours of the various trades needed for the first year and optional second year of the contract; and

Bidder	Address	**Year 1	**Year 2 (option)
Universal Electric Motor Service, Inc.	Hackensack, NJ	67,060.00	76,290.00
Roberge Electric Co., Inc.	Dumont, NJ	67,555.00	78,185.00
A.C. Schultes	Woodbury Heights, NJ	124,015.00	142,317.00
Rapid Pump & Meter Service Co., Inc.	Paterson, NJ	86,830.00	103,672.00

**WHEREAS**, the Director of Operations has deemed the bid of Universal Electric Motor Service Inc. as the lowest responsible bidder; and

**WHEREAS**, the labor rates submitted by Universal are within the range of the expected costs; and

**WHEREAS**, the Board of Public Works of the Borough of Park Ridge has made a recommendation to the Mayor and Council to accept the bid of Universal Electric Motor Service Inc, of Hackensack, New Jersey.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Clerk are authorized to execute a contract approved as to form and content by the Borough Attorney with Universal Electric Motor Service, Inc. of Hackensack, NJ for the Maintenance, Service and Repair of Potable Water Storage, Treatment, Pumping and Distribution System Facilities.

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**BOROUGH OF PARK RIDGE**  
**RESOLUTION NO. 09-267**

**AWARD OF CONTRACT FOR ELECTRIC DISTRIBUTION MATERIAL AND SUPPLIES**

**WHEREAS**, the Mayor and Council did authorize the receipt of sealed bids for unit prices for the purchase of electric distribution material and supplies; and

**WHEREAS**, pursuant to the Notice to Bidders, duly advertised, three bids were received on October 20, 2009; and

**WHEREAS**, attached is a table showing the details of all of the bids that were submitted; and

**WHEREAS**, upon performing a thorough review of the bids and comparing the total cost based on the estimated quantities for all of the line items bid by the two lowest apparent bidders, the Director of Operations has deemed the bid of WESCO Distribution of Richmond, VA as the lowest apparent bid; and

**WHEREAS**, a copy of the table showing this fair comparison is attached to this resolution; and

**WHEREAS**, the bid submitted by WESCO does comply with all the requirements of the bid proposal; and

**WHEREAS**, based on the above, the Director of Operations has deemed the bid of WESCO as the lowest responsible bid and has recommended award to this supplier; and

**WHEREAS**, the Board of Public Works of the Borough of Park Ridge has made a recommendation to the Mayor and Council to accept the bid of WESCO of Richmond, VA , pending review by the Borough Attorney.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Clerk are authorized to execute a contract approved as to form and content by the Borough Attorney with WESCO of Richmond, VA for the purchase of electric distribution material and supplies.

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**BOROUGH OF PARK RIDGE  
RESOLUTION NO. 09-268**

**AWARD OF CONTRACT FOR ELECTRIC SUBSTATION DIAGNOSTIC TESTING AND MAINTENANCE SERVICES**

**WHEREAS**, the Mayor and Council did authorize the receipt of bids for the Electric Substation Diagnostic Testing and Maintenance Services; and

**WHEREAS**, pursuant to the Notice to Bidders, duly advertised, three bids were received on October 20, 2009 as follows:

<b>Bidding Contractor List</b>			
<b>Bidder</b>	<b>Address</b>	<b>Year 1</b>	<b>Year 2 (option)</b>
M&L Power Systems	Old Bridge, NJ	29,015.00	15,508.00
Reuter Hanney	Ivyland, PA	88,630.00	25,227.00
Lisco Electric	Westwood, NJ	83,390.00	39,000.00

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

**WHEREAS**, the Board of Public Works concurs with the Director of Operations recommendation; and

**WHEREAS**, the bid amount is within the range of the budgeted and expected cost.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council to accept the bid of M&L Power Systems, of Old Bridge, NJ in the amount of \$29,015.00 for the first year, and \$15,508.00 for an optional second year, subject to review by the Borough Attorney.

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**BOROUGH OF PARK RIDGE  
RESOLUTION NO. 09-269  
APPOINTMENT OF ASSISTANT MUNICIPAL TREASURER**

**WHEREAS**, the retirement of Ann Kilmartin and promotion of Colleen Ennis has left a vacancy in the position of Assistant Municipal Treasurer; and

**WHEREAS**, the job opening was posted internally as required by the civil service regulations and duly advertised; and

**WHEREAS**, the Director of Finance has performed a thorough evaluation of all candidates who applied for said open position; and

**WHEREAS**, members of the Borough's Finance Committee and Board of Public Works also interviewed the candidates; and

**WHEREAS**, the Director of Finance has recommended that Jeannine Hosselet be appointed to the position of Assistant Municipal Treasurer; and

**WHEREAS**, the members of the Borough's Finance Committee and Board of Public Works support this recommendation.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Park Ridge that Jeannine Hosselet, of 462 Jersey Avenue, Greenwood Lake, NY 10925 be appointed to the position of Assistant Municipal Treasurer effective November 9, 2009 at an annual salary of \$55,000.

**BE IT FURTHER RESOLVED** that a true copy of this resolution be sent to Jeannine Hosselet within ten (10) days of its adoption.

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**COMMUNICATIONS**

None

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**APPOINTMENT TO BOARD OF HEALTH**

**David Alvarez – North Avenue**

A motion was made by Councilmember Ciannella and seconded by Councilmember Levinson that David Alvarez be appointed Alternate II, with term expiring 12/31/10 to the Board of Health.

**AYES:** Councilmembers Kane, Ciannella, Levinson, Maughan, Viola

Councilmember Kane advised the Board of Health was looking for a Public Advisory Committee to support the board.

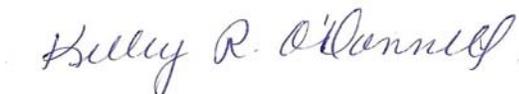
**ADJOURN:**

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

**AYES:** Councilmembers Kane, Ciannella, Levinson, Maughan, Viola

**Meeting adjourned at 9:05 pm.**

Respectfully submitted,



Kelley O'Donnell, RMC  
Borough Clerk

