Approved February 2, 2010

Municipal Building
Park Ridge, NJ
November 10, 2009-8:17pm

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, Viola, Maughan (on speakerphone but not participating) Council President Wells, Mayor Ruschman
Absent:	Councilmember Maughan (on votes)
Also Present:	Robert Mancinelli, Esq., Borough Attorney Kelley O'Donnell, Borough Clerk

Mayor Ruschman read the Compliance Statement as required by Open Public Meetings Act, P.L. 1975, Chapter 231.

AGENDA CHANGES:

None

PUBLIC PRIVILEGE OF THE FLOOR:

Adriana Cordaro, 136 Sibbald Drive came forward asking if one homeowner has a survey drawn showing an encroachment on the adjacent homeowner's property causing that homeowner to move a fence, bushes, and rock. She asked what the first homeowner could do to establish that property corner stakes were deliberately moved or removed? Also, she asked, what can the first homeowner do to repossess property removed from the second homeowner?

Mr. Mancinelli said the only way to do it was with an attorney and to repossess the property she would need an adverse possession action or some other type of court action. He said he did not know what her grounds would be but there is action available through the court system. Mr. Mancinelli asked if she had put the property owner on notice in writing that they had taken her property.

Ms. Cordaro said she had.

Mr. Mancinelli said that this was a private dispute between two property owners and there was nothing the governing body could do to resolve it or assist in resolving it and that he could not give her independent legal advice since she was not his client and therefore not permitted to do that.

Ms. Cordaro said she moved into Park Ridge in 2001 and that in 2004 a French drain system may have been put under the ground on her property.

Mr. Mancinelli advised her that this was going to have to be rectified through the court system. He again said that he did not know how she could accomplish her goal without an attorney and it should be one who specializes in real estate.

Ms. Cordaro asked if she could meet with Mr. Mancinelli if she had any more questions.
Mr. Mancinelli replied to the extent that it involved a borough interest that would be up to the Mayor and Council but generally the answer would be "no" because he could not see her on a private matter. He said he could give her the names of three or five attorneys who specialize in this type of thing and know real estate law.

Mike Furda came forward stating he lived in Hunterdon County but was a friend of Ms. Cordaro. He asked if the borough had a fence ordinance. He asked if a permit was required to construct a fence on property and was told it was not. He then said his concern was how would one know that the fence was not constructed partly on the adjacent property. He asked if the zoning official could look into this further because obviously the fence was on her property. He felt something had gone awry when the fence was installed. He said it seemed to him that it would be a simple conclusion for him to move the fence if it is an encroachment.

Mayor Ruschman said if you meet the requirements in the ordinance about a fence you do not have to apply for a permit or survey.

Mr. Furda said if this fence was 9' in on the property then it would be a zoning matter.

Mr. Mancinelli said Ms. Cordaro could make an OPRA request with the zoning official and see if there was any fence permit taken out and if there was a survey or something else in the file that might shed some light on all this.

Ms. Cordaro said her priority right now is where the pins are, she said they have been moved over a foot.

Mr. Mancinelli said, again this is way outside the realm of what the governing body gets involved in and it is an issue that she can verify with her surveyor. Mr. Mancinelli said he understood her legal constraints but there is free legal aid through the Bergen County Bar Association to those who qualify.

Mayor Ruschman said he felt the borough attorney had given very sage advice and that he is restricted by the fact that he is the borough attorney and is only involved in official borough matters. He said he felt Ms. Cordaro should link up with the Legal Aid Society and get whatever legal aid she could from them.

Peter Disanza, 6 Willow Court asked if the public gets to comment when the governing body goes over proposed ordinances.

Mayor Ruschman answered in the affirmative.

George Heller, 80 Second Street asked about the length of time it is taking to do the curbs on the north end of Second Street.

Mayor Ruschman said they were being done all over town and that could be part of the reason.

Mr. Heller said he had been surprised to see two town questions on his sample ballot and that before he received the ballot he had no idea they were going to be there. He said he understood the questions had been approved by the governing body in the summer and that the council had "missed the boat" with respect to the Open Space Question. Mr. Heller said it was his thought that if the council was going to authorize questions on the ballot, it would be imperative for the governing body to send some kind of literature to the residents explaining why they are on and some of the history on it.

He said the hospital had quite a bit of literature on it but there was nothing on the Open Space one. Mr. Heller asked why the council did not think it was incumbent upon them to go public and tell the residents why they should vote for it.

Mayor Ruschman said it was the third time it was on the ballot in the last several years and that the council probably felt it was something the town was already familiar with and that it had been voted in twice before.

Mr. Heller said the next thing he was disappointed in and didn't understand is why there was no "sunset clause" on this issue. He said in the past there was and why was a resolution passed taxing the people of Park Ridge until the end of time? He said he was surprised at the Republicans who always have had a concern for spending.

Councilmember Viola responded that the resolution was passed 6-0 and was neither a Republican nor Democratic thing. It was passed unanimously. He said he guessed if you would look back to the other times it was on the ballot, the resolutions then were also passed unanimously because it was for Open Space not a political thing. Open Space is for all the residents of Park Ridge not just for Republicans or Democrats.

Mr. Heller replied that he was discussing the Republican party in general who for years on the national and state level felt you should not tax a person forever but have a sunset clause so that you can go and review it, remove it or continue it. He said he was not referring to Park Ridge Republicans.

Mr. Heller said he noticed that the borough administrator was being appointed this evening and the resolution gives the salary but says nothing about the hours.

Mayor Ruschman said it was in the ordinance stating part/time.

Mr. Heller asked how many hours a week did the council expect the administrator to work.

Mayor Ruschman replied anywhere between 25 and 29 hours a week.

Mr. Heller asked if there was a contract between the administrator and the borough.

Mayor Ruschman replied "yes".

ORDINANCES – INTRODUCTION

There were none.

ORDINANCES – PUBLIC HEARING

Ordinance No. 2009-19 – An Ordinance Amending Chapter 2-35.2, Borough Administrator, of the Code of the Borough of Park Ridge, New Jersey.

Mayor Ruschman asks for a motion to open the Public Hearing on Ordinance No. 2009-19, An Ordinance Amending Chapter 2-35.2, Borough Administrator, of the Code of the Borough of Park Ridge, New Jersey.

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

AYES: Councilmembers Kane, Ciannella, Levinson, Viola, Council President Wells.

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

BOROUGH OF PARK RIDGE

ORDINANCE NO. 2009-19

AN ORDINANCE AMENDING CHAPTER 2-35.2, BOROUGH ADMINISTRATOR, OF THE CODE OF THE BOROUGH OF PARK RIDGE, NEW JERSEY

WHEREAS, the position of the Borough Administrator of the Borough of Park Ridge has been established pursuant to Chapter 2-35.2 of the Code of the Borough of Park Ridge; and

WHEREAS, the Mayor and Council has recommended certain changes to the ordinance requirements for the Borough Administrator which it believes will be in the best interest of the Borough and its citizens;

NOW, BE IT ORDAINED by the Borough Council of the Borough of Park Ridge, in the County of Bergen and State of New Jersey that Chapter 2-35.2 of the Code of the Borough of Park Ridge be and is hereby amended as follows:

SECTION ONE:

Chapter 2-35.2 shall be deleted in its entirety and replaced with the following:

§ 2-35.2. Borough Administrator.

A. The position of Part-time Borough Administrator of the Borough of Park Ridge is hereby created, and employment of a qualified person for that position is hereby authorized.

B. Method of appointment; term and qualifications.
   1. The Borough Administrator shall be appointed by the Mayor with the advice and consent of the Council. The Borough Administrator's employment shall be evidenced by a contract approved by the Mayor and Council.
   2. The term of office of the Borough Administrator shall be at the pleasure of the Mayor and Council.
   3. The Borough Administrator may be removed by a two-thirds vote of the Mayor and Council, the resolution of removal to become effective three months after its adoption. The Mayor and Council may provide, however, that the resolution shall have immediate effect, provided that there shall be paid to the Administrator forthwith any unpaid balance of his/her salary and his/her salary for the next three months following adoption of the resolution.
   4. The Borough Administrator shall be appointed on the basis of administrative qualifications, with special regard to education and training in government affairs and experience therein. Members of the Mayor and Council may not receive such appointment neither during their term nor within two years after the expiration of said term.
   5. The Borough Administrator shall be reviewed annually by the Personnel Committee in November and its performance evaluation report shall be presented to the Mayor and Council and privately to the Borough Administrator by the Council President.

C. Disability or absence. During any approved absence or disability of the Borough Administrator, an officer or employee of the Borough may be appointed by the Mayor and Council to temporarily perform the duties and responsibilities of the position.

D. Compensation. The compensation of the Borough Administrator shall be fixed by the Borough Council by appropriate ordinance.

E. Duties and responsibilities.
   1. The Borough Administrator shall work with the administrative team, which shall include the Borough Clerk, the CFO and the Director of Operations.
      a. The Borough Administrator shall have the responsibility and authority to perform the following duties as may be assigned to him or her by the Mayor with the consent of the Borough Council.
      b. Serve as the chief administrative officer of the Borough.
      c. Attend all meetings of the Mayor and Council and other boards, as required, with the right to participate in all discussions, but without the right to vote.
      d. Advise the Mayor and Council on policy decisions.
      e. Execute all laws of the State of New Jersey and execute ordinances and resolutions of the Borough.
      f. Recommend the appointment and/or removal of all employees for whose selection and removal no other method is provided by law.
      g. As instructed by the Council negotiates contracts which are subject to the approval of the Mayor and Council.
      h. Represent, or so direct the administrative team to represent, the Borough, with the approval of the Mayor and Council, in its relations with the federal government, state, county and other municipalities and assess the Borough's interest in contracts, franchises and other business transactions.
      i. Investigate the affairs of any officer, employee or department at the request of the Mayor and Council or the Board of Public Works as appropriate and report thereon. [Amended 6-12-1984 by Ord. No. 84-5; 12-13-2005 by Ord. No. 2005-30]

j. Working with the residents of the Borough, the Administrator will ensure all resident inquiries or complaints are properly followed up by the appropriate Borough Department.
k. Working with the Borough Clerk, CFO and Director of Operations to establish and maintain effective personnel practices and maintain appropriate records of all employees, including the development of a systematic review of employee performance.
l. Carry out, or so direct the administrative team to carry out, all policies established by the Mayor and Council.
m. Oversee and disseminate information to the Mayor and Council.
n. Working with the CFO, prepare the annual and capital budgets, in consultation with department heads, and submit them to the Mayor and Council at a date in accordance with procedures established by the Council.
o. Working with the Mayor and Council, CFO, Borough Clerk and Director of Operations, annually establish the priority of capital projects needed in the Borough, research the projects and budget the necessary funding to adequately and realistically complete the projects in a prudent and expedient time frame.
p. Working with the Borough Clerk, receive copies of all reports and documents required by the Mayor and Council of all Borough department heads, officers, employee(s), committee(s), commission(s), authorities and/or contractors/vendors. [Added 12-13-2005 by Ord. No. 2005-30]
q. Working with the Director of Operations, the CFO and the Borough Clerk, develop procedures for the purchase and distribution of materials, supplies and equipment.
r. Serve as one of the Borough's Purchasing Agents. In such capacity the Borough Administrator shall purchase, in accordance with the provisions of the governing statutes and generally accepted purchasing practices, all supplies and equipment for the various agencies, boards, departments and other offices of the Borough.
s. Delegate to such individuals, officers or departments as may be appropriate, as he or she may deem necessary for the efficient administration of the Borough. [Amended 6-12-1984 by Ord. No. 84-5]
t. Keep the Mayor and Council informed as to federal aid projects and state aid projects and any other aid programs or grants that the Borough may qualify for.
u. Perform such other duties as may be required by ordinance, resolution or direction of the Borough Council.

F. Consistence with law. Nothing herein shall derogate from or authorize the Borough Administrator to exercise the powers and duties of elected officials of the Borough and of the boards and agencies thereof established pursuant to law.

G. Working with the Director of Operations and Board of Public Works with respect to the financial, personnel, administrative and office operations of the Electric Utility Department and Water Utility Department. The Borough Administrator shall report to the Mayor and Council on all other matters. [Added 6-12-1984 by Ord. No. 84-5].

SECTION TWO: All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies 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 asks the Borough Attorney to give a brief description of the ordinance.

Mr. Mancinelli said this was the second and final reading of the revision to the existing ordinance and replaces the prior ordinance in its entirety. It establishes the position as a part/time administrator. It defines in detail the role of the administrator in going forward upon its adoption.

Mayor asks if anyone present wishes to be heard.

Mr. Heller, 80 Second Street stated that he noted a number of improvements since the ordinance was first introduced.

Mayor asks for a motion to close the public hearing and that the ordinance be adopted and Notice of final passage be published in the Ridgewood News.

A motion was made by Council President Wells and seconded by Councilmember Levinson to confirm.

AYES: Councilmembers Kane, Ciannella, Levinson, Viola, Council President Wells

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Ordinance No. 2009-22 – Amending Chapter 51, Development Fees, of the Code of the Borough of Park Ridge, New Jersey

Mayor Ruschman asks for a motion to open the public hearing on Ordinance No. 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 Kane to confirm.

AYES: Councilmembers Kane, Ciannella, Levinson, Viola, Council President Wells.

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. 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.

Mr. Mancinelli said this was the second and final reading of the ordinance and is being driven by recent statutory changes made by the State regarding the N.J. economic stimulus act of 2009, which the governor signed on July 22, 2009. This ordinance reflects the directives of that Act.

A motion was made by Council President Wells and seconded by Councilmember Levinson to confirm to close the Public Hearing and that the ordinance be adopted and notice of final passage by published in the Ridgewood News.

AYES: Councilmembers Kane, Ciannella, Levinson, Viola, Council President Wells.

Ordinance No. 2009-23 – Ordinance Amending Chapter 101, Zoning, of the Code of the Borough of Park Ridge, New Jersey

Mayor Ruschman asks for a motion to open the public hearing on Ordinance No. 2009-23, An Ordinance Amending Chapter101, Zoning, of the Code of the Borough of Park Ridge, New Jersey

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

AYES: Councilmembers Kane, Ciannella, Levinson, Viola, Council President Wells.

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:

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

SECTION THREE:

ARTICLE XIIIB 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:

Regulation	RP-1 Single-Family	RP-1 Professional Office
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:

Regulation	Permitted Uses	Conditional Use Professional Office	Multifamily Residential
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 asked the Borough Attorney to give a brief description of this ordinance.

Mr. Mancinelli said this was the second and final reading of this ordinance and was driven by recommendations of the Planning Board specifically with respect to the Zoning Code that had certain provisions for floor area ratios and based upon evaluation by the board, these recommended changes are set forth in this amendment.

Mayor Ruschman asks if anyone present wishes to be heard.

Peter Disanza, 6 Willow Court said his question was directed toward the borough attorney. He asked how the borough attorney would view this where it says *floor area ratio* and what it includes and does not include.

Mr. Mancinelli replied that he would read verbatim what the ordinance says…

Mr. Disanza asked if it included a basement or not…does it include a garage or not?

Mr. Mancinelli explained that the ordinance states it will include the gross floor area of all principal buildings or structures on a lot divided by the total lot area, excludes any floor area or finished levels greater than 3' below the average grade, making reference to the basements and crawl spaces, which seemed to be of some concern….

Mr. Disanza interrupted saying, then they are not going to be included.

Mr. Mancinelli concurred. He said they are trying to get away from the prior ordinance specifically how certain applications were presented before the Planning and/or Zoning Boards.

Mr. Disanza said it seemed simpler than it was before.

Mr. Mancinelli agreed that it was supposed to be.

Mr. Disanza said the way he would read it is that whatever you are building that is above ground, first floor, second floor, including the garage, deck or porch is all included except detached garages but your basement is no longer included and these are the adjusted percentages.

Mr. Mancinelli agreed.

A motion was made by Councilmember Levinson and seconded by Councilmember Viola to confirm that the Public Hearing be closed and the ordinance be adopted and notice of final passage be published in the Ridgewood News.\

AYES: Councilmembers Kane, Ciannella, Levinson, Viola, Council President Wells.

APPOINTMENT OF BOROUGH ADMINISTRATOR

Helene V. Fall

A motion was made by Councilmember Levinson and seconded by Councilmember Viola to appoint ***HeleneV. Fall*** to the position of **Part Time Borough Administrator** effective November 15, 2009.

AYES: Councilmembers Kane, Ciannella, Levinson, Viola, Council President Wells.

Mayor Ruschman introduced Ms. Fall to the audience.

Mrs. Fall thanked the Mayor and members of the governing body for this opportunity. She said 24 years ago one of her first projects in municipal government was working with Mr.

Gasior. Mrs. Fall said she was really excited about the opportunity to return to the Pascack Valley and to work with the Borough's professional staff and become part of the administrative team. She said she also looked forward to the residents coming to her office and meeting them as she always felt this was the "icing on the cake". She said she particularly thanked Councilman Viola, with whom she had had a few conversations over the past few weeks and for his indulgences as they worked through some of the questions she had. She also thanked the Borough Clerk and the CFO for meeting with her and discussing some of the operations. Mrs. Fall said she would be moving into her office on Thursday and would officially be starting on Monday morning.

Mayor Ruschman said everyone certainly welcomed her and were looking forward to working with her in the coming months and years.

CONSENT AGENDA:

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

Mayor Ruschman stated that under the resolution for Payment of Monthly Bills the following Councilmember wanted to abstain.

Councilmember Ciannella said she would abstain from Jacobsen Landscaping.

A motion was made by Councilmember Ciannella and seconded by Council President Wells to confirm the abstention so noted.

AYES: Councilmembers Kane, Ciannella, Levinson, Viola, Council President Wells.

RESOLUTIONS:

BOROUGH OF PARK RIDGE

RESOLUTION NO. 09-271

BERGEN MUNICIPAL EMPLOYEE BENEFITS FUND

RESOLUTION TO RENEW

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the Bergen Municipal Employee Benefits Fund, hereafter referred to as "FUND", as permitted by NJ.SA 11.: 15-3, 17:1-8.1, and 40A: 10-36 et seq., and;

WHEREAS, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

WHEREAS, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

WHEREAS, the Mayor and Council of the Borough of Park Ridge hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the LOCAL UNIT hereby agrees as follows:

i. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.

ii. Will participate in the following type (s) of coverage (s):

a.) Health Insurance as defined pursuant to NJ.S.A. 17B: 17-4, the FUND's Bylaws, and Plan of Risk Management.

iii. Adopts and approves the FUND's Bylaws.

iv. Execute an application for membership and any accompanying certifications.

BE IT FURTHER RESOLVED that the Mayor and Council of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

i. Approval of the LOCAL UNIT by the FUND.

ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.

iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

BOROUGH OF PARK RIDGE

RESOLUTION NO. 09-272

AUTHORIZE RECEIPT OF SEALED BIDS FOR THE INSTALLATION OF CRYSTALLINE PHOTOVOLTAIC SOLAR SYSTEM ON THE UTILITY GARAGE

WHEREAS, the Borough of Park Ridge Electric and Water Department wishes to install a crystalline photovoltaic solar power system on the Utility Garage; and

WHEREAS, the plans and specifications for said installation have been developed by BGA Engineering LLC, the qualified engineering firm who was recently authorized for the engineering design services; and

WHEREAS, the anticipated total expenditure for said crystalline photovoltaic installation is over $21,000.00; and

WHEREAS, the provisions of New Jersey Statute 40A:11-4 requires the public advertising for bids when anticipated expenditures for a project are over $21,000;

WHEREAS, the Board of Public Works has recommended that the Mayor and Council authorize the receipt of sealed bids for installation of a crystalline photovoltaic solar power system on the Utility Garage.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge hereby authorize the receipt of sealed bids for installation of a crystalline photovoltaic solar power system on the Utility Garage.

BOROUGH OF PARK RIDGE

RESOLUTION NO. 09-273

AWARD OF CONTRACT FOR LOCAL GOVERNMENT ENERGY AUDIT PROGRAM

WHEREAS, the New Jersey Board of Public Utilities, Office of Clean Energy administers the Local Government Energy Audit Program (Program), an incentive program to assist local government agencies to conduct energy audits in municipally owned buildings to encourage implementation of energy conservation measures; and

WHEREAS, the Borough of Park Ridge has applied to participate in the Local Government Energy Audit Program; and

WHEREAS, as per the requirements of the program, the Borough issued request for proposals (RFPs) to all of the NJBPU approved energy efficiency contractors; and

WHEREAS, after receiving and reviewing the proposals, it was determine that the lowest responsible proposal came from Steven Winter Associates, Inc. of Norwalk, Connecticut at a total cost of $28,002.00; and

WHEREAS, said proposal was sent to the NJBPU for review and has been approved, a copy of the approval is attached to this resolution; and

WHEREAS, said approval includes the confirmation that the Borough will receive a $21,001.50 reimbursement (75%) after the energy audit is completed; and

WHEREAS, the Borough is eligible for additional reimbursements up to the total cost of the audit if some of the recommended improvements are initiated; and

WHEREAS, the Director of Operations and Project Engineer has review said proposal and has recommend that the Borough proceed with the energy audit.

WHEREAS, the Board of Public Works has recommended that the Mayor and Council authorize the contract with Steven Winter Associates, Inc for energy auditing services.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge hereby authorize the award of a contract; approved as to form and substance by the Borough Attorney, to Steven Winter Associates, Inc of Norwalk, Connecticut for Energy Auditing Services.

BOROUGH OF PARK RIDGE

RESOLUTION NO. 09-274

APPOINTMENT OF ASSISTANT TO LAND USE ADMINISTRATOR

WHEREAS, the Mayor and Council have been advised by the Personnel Committee of the need to create the position of Assistant to Land Use Administrator to offer the residents of Park Ridge continuity in the Land Use Office; and

WHEREAS, Elena Rega of 92 Standish Road, Hillsdale, New Jersey was appointed to the position of Permit Clerk on September 13, 2005; and

WHEREAS, Ms. Rega has successfully completed the certification program for Technical Assistant to the Construction Code Official; and

WHEREAS, on September 22, 2009 Ms. Rega was appointed to the position of Technical Assistant; and

WHEREAS, Ms. Rega has assisted the Land Use Administrator with the responsibilities of that office and has expressed an interest in continuing her education in Municipal Land Use Law.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that effective January 1, 2010 Ms. Rega shall be appointed to the position of Assistant to Land Use Administrator in addition to her position of Technical Assistant to the Construction Code Official with a salary increase of $6,000 per year; and

BE IT FURTHER RESOLVED that effective January 1, 2010 Ms. Rega will be a full time employee, entitled to the benefits afforded all full time employees.

BE IT FURTHER RESOLVED that a true copy of this resolution shall be forwarded to Elena Rega of 92 Standish Road, Hillsdale, NJ within ten (10) days of adoption.

BOROUGH OF PARK RIDGE

RESOLUTION NO. 09-275

PAYMENT OF BILLS

BE IT RESOLVED, by the Mayor and Council of the Borough of Park Ridge that the following approved bills in the sum of $3,010,022.12 be paid; and that the Mayor, Clerk and Chief Financial Officer are hereby au thorized and directed to issue warrants in payment of same.

PAYMENT OF BILLS November 10, 2009		
CAPITAL	SEE ATTACHED DETAIL	$473,435.91
CURRENT FUND	SEE ATTACHED DETAIL	$2,485,087.82
RESERVE	SEE ATTACHED DETAIL	$26,215.00
DOG ACCOUNT	SEE ATTACHED DETAIL	$18.60
POOL	SEE ATTACHED DETAIL	$5,707.57
MUNICIPAL OPEN SPACE	SEE ATTACHED DETAIL	$0.00
TRUST	SEE ATTACHED DETAIL	$18,924.74
UNEMPLOYMENT	SEE ATTACHED DETAIL	$632.48
COAH	SEE ATTACHED DETAIL	$0.00
TOTAL		$3,010,022.12

11/10/09 BOROUGH OF PARK RIDGE Page No: 1
17:54:13 Check Register By Check Date

Range of Checking Accts: 04CAPITAL to 04CAPITAL Range of Check Dates: 10/14/09 to 11/10/09
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor		Amount Paid	Reconciled/Void Ref Number
04CAPITAL		CAPITAL			
1271	10/20/09	LIFES010	LIFESAVERS, INC.	1,736.00	397
1272	10/21/09	ADAMS020	ADAMSVILLE MAINTENANCE, INC.	104,289.64	400
1273	11/10/09	ADAMS020	ADAMSVILLE MAINTENANCE, INC.	304,563.18	426
1274	11/10/09	DITSC010	DITSCHMAN/FLEMINGTON FORD	30,338.00	426
1275	11/10/09	ESIEQ010	ESI EQUIPMENT, INC	24,984.00	426
1276	11/10/09	PERRY010	PERRY M. PETRILLO ARCHITECTS	340.00	426
1277	11/10/09	QUADT010	QUAD THREE GROUP	373.84	426
1278	11/10/09	STATE020	STATE LINE FIRE & SAFETY, INC.	2,319.00	426
1279	11/10/09	TMASS010	T&M ASSOCIATES	4,492.25	426

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	9	0	0.00	473,435.91
Direct Deposit:	0	0	0.00	0.00
Total:	9	0	0.00	473,435.91

Report Totals	Paid	Void	Amount Void	Amount Paid
Checks:	9	0	0.00	473,435.91
Direct Deposit:	0	0	0.00	0.00
Total:	9	0	0.00	473,435.91

11/10/09 BOROUGH OF PARK RIDGE Page No: 1
17:53:59 Check Register By Check Date

Range of Checking Accts: 01CURRENT FUND to 01CURRENT FUND Range of Check Dates: 10/14/09 to 11/10/09
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor		Amount Paid	Reconciled/Void Ref Number
01CURRENT FUND					
21221	10/19/09	ZZMUL005	ROBERT & LISA MULLER	2,537.25	394
21222	10/19/09	COLLE020	COLLEEN ENNIS	747.43	396
21223	10/20/09	MOTOR010	MOTOROLA	56.00	398
21224	10/20/09	STAPL010	STAPLES	15.29	398
21225	10/20/09	NORTH160	NORTHWEST BERGEN CENTRAL DISPA	45,700.00	399
21226	10/21/09	BOROU061	BORO OF PARK RIDGE-PAY/AGENCY	155,723.73	401
21227	10/26/09	BORGA010	BORGATA HOTEL CASINO AND SPA	1,304.00	409
21228	10/26/09	TROPI010	TROPICANA	160.00	409
21229	10/26/09	NJLGC005	NJLGCCC	20.00	410
21230	10/28/09	BOROU040	BOROUGH OF PARK RIDGE(UTILITY)	54.43	411
21231	10/29/09	TREAS100	TREASURER, STATE OF NEW JERSEY	200.00	415
21232	10/30/09	PALIS005	PALISADES CENTER ICE RINK	322.00	416
21233	11/04/09	BOROU061	BORO OF PARK RIDGE-PAY/AGENCY	158,508.15	417
21234	11/10/09	ANALY010	ANALYTICAL CONSULTING ASSOCIAT	375.00	425
21235	11/10/09	APPRO010	APPROVED FIRE PROTECTION CO.,	81.20	425
21236	11/10/09	AZZOL010	AZZOLINA & FEURY ENGINEERING	1,310.00	425
21237	11/10/09	BERGE280	BERGEN CTY DEPT OF HEALTH SERV	1,015.00	425
21238	11/10/09	BERGE360	BERGEN MUNICIPAL EMP BENEFIT F	101,397.00	425
21239	11/10/09	BOGER010	BOGERT WELDING	350.00	425
21240	11/10/09	BURGI010	BURGIS ASSOCIATES, INC.	12,570.00	425
21241	11/10/09	COMMI005	COMMISSIONER OF TAX & FINANCE	42.64	425
21242	11/10/09	ESIEQ010	ESI EQUIPMENT, INC	3,074.00	425
21243	11/10/09	FLORE010	FLORENTINE GARDENS	2,080.00	425
21244	11/10/09	GOLDE020	GOLDEN RULE CREATIONS, INC.	223.15	425
21245	11/10/09	GOODY010	GOODYEAR GEMINI AUTO SERVICE C	1,451.82	425
21246	11/10/09	HHMAC010	H & H MACK SALES, INC.	18.48	425
21247	11/10/09	HIGHW010	HIGHWAY TRAFFIC SUPPLY	319.11	425
21248	11/10/09	IDEAL020	IDEAL PETRL PRODUCTS	51.00	425
21249	11/10/09	IDMME010	I.D.M. MEDICAL SUPPLY COMPANY	171.75	425
21250	11/10/09	INTER120	INTERSTATE WASTE SERVICES OF	42,083.33	425
21251	11/10/09	JESCO010	JESCO, INC.	172.85	425
21252	11/10/09	JOANV010	JOAN VALAS	313.35	425
21253	11/10/09	JOHNC010	JOHN CRUM PRINTING, INC.	95.00	425
21254	11/10/09	JOHNM010	JOHN M. HARTEL CO., INC.	64.14	425
21255	11/10/09	JUDIT020	JUDITH YOUNGMAN	284.25	425
21256	11/10/09	LAWCO010	LAW COFFEE	44.25	425
21257	11/10/09	LOGAT010	LOGATTO BOOKBINDING INC	190.00	425
21258	11/10/09	LOUIS010	LOUIS C. MAI, CPA & ASSOCIATES	25,200.00	425
21259	11/10/09	LUSTR010	LUSTRE CLEANERS	38.50	425
21260	11/10/09	MACOO010	MACO OFFICE SUPPLIES	315.79	425
21261	11/10/09	MARCS010	MARC'S DELI	241.00	425
21262	11/10/09	MONTV020	MONTVALE HARDWARE & SUPPLY	145.20	425
21263	11/10/09	MORRI010	MORRIS COUNTY PUBLIC SAFETY	100.00	425
21264	11/10/09	MUNIC110	MUNICIPAL RECORD SERVICE	96.00	425
21265	11/10/09	NATIO050	NATIONAL CRIME PREVENTION COUN	290.75	425
21266	11/10/09	NEWHO010	NEW HORIZON COMMUNICATIONS COR	2,054.51	425
21267	11/10/09	NJPLA010	NJ PLANNING OFFICIALS	60.00	425
21268	11/10/09	NORTH070	NORTH JERSEY MEDIA GROUP	323.67	425
21269	11/10/09	NORTH160	NORTHWEST BERGEN CENTRAL DISPA	23,800.00	425

11/10/09 BOROUGH OF PARK RIDGE Page No: 2
17:53:59 Check Register By Check Date

Check #	Check Date	Vendor		Amount Paid	Reconciled/Void	Ref Number
21270	11/10/09	OFFIC030	OFFICE CONCEPTS GROUP, INC	16.68		425
21271	11/10/09	ORGAN010	ORGANIC RECYCLING, INC.	5,060.00		425
21272	11/10/09	PAAUT010	P&A AUTO PARTS, INC.	0.00	11/10/09 VOID	0
21273	11/10/09	PAAUT010	P&A AUTO PARTS, INC.	3,605.40		425
21274	11/10/09	PALIS020	PALISADES SALES CORPORATION, I	1,073.00		425
21275	11/10/09	PARKR050	PARK RIDGE FLORIST	158.90		425
21276	11/10/09	PARKR090	PARK RIDGE HIGH SCHOOL	1,801,391.00		425
21277	11/10/09	PARKR160	PARK RIDGE PUBLIC LIBRARY	41,700.92		425
21278	11/10/09	PARKR180	PARK RIDGE VOL. FIREMEN'S ASSN	318.81		425
21279	11/10/09	PETER010	PETER MAURO	89.56		425
21280	11/10/09	POWER050	POWERTECH MOTION CONTROL	43.76		425
21281	11/10/09	PREMI010	PREMIER SUPPLIES	1,087.41		425
21282	11/10/09	PSEG0010	P S E & G	419.72		425
21283	11/10/09	PUBLI030	PUBLIC EMPLOYEES' RETIREMENT S	16.63		425
21284	11/10/09	QSEND010	QSCEND TECHNOLOGIES INC	1,500.00		425
21285	11/10/09	QUACK010	QUACKENBUSH LUMBER	12.62		425
21286	11/10/09	REEDS010	REED SYSTEMS, LTD	176.75		425
21287	11/10/09	RICOH010	RICOH BUSINESS SYSTEMS, INC.	285.72		425
21288	11/10/09	ROBER050	ROBERT LUDWIG	303.68		425
21289	11/10/09	RRRAD010	R&R RADAR, INC.	196.45		425
21290	11/10/09	RRTRU010	R & R TRUCK MAINTENANCE, INC.	363.75		425
21291	11/10/09	RUBEN	RUBENSTEIN, MEYERSON, FOX,	23,246.61		425
21292	11/10/09	RUGGE010	RUGGED OUTFITTERS, INC.	459.97		425
21293	11/10/09	SAVAT010	SAVATREE	158.00		425
21294	11/10/09	SCHUL010	SCHULTZ FORD LINCOLN MERCURY,	406.44		425
21295	11/10/09	SEASO010	SEASONS CATERING	2,000.00		425
21296	11/10/09	SICOM010	SICOMAC DAIRY FOODS	76.70		425
21297	11/10/09	SIGNS020	SIGNS OF THE TIMES BY BEUTEL &	150.00		425
21298	11/10/09	SIRCH010	SIRCHIE FINGER PRINT LABORATOR	259.50		425
21299	11/10/09	STAPL010	STAPLES	145.22		425
21300	11/10/09	STATE020	STATE LINE FIRE & SAFETY, INC.	60.95		425
21301	11/10/09	STATE085	STATE OF NEW JERSEY TREASURER	122.92		425
21302	11/10/09	SWIFT020	SWIFTREACH NETWORKS INC	725.32		425
21303	11/10/09	TCTAO010	TCTA OF BERGEN COUNTY, NJ	26.00		425
21304	11/10/09	TEAMI010	TEAM IMPACT	1,500.00		425
21305	11/10/09	TELVU005	TELVUE	300.00		425
21306	11/10/09	TILCO020	TILCON NEW YORK, INC.	820.00		425
21307	11/10/09	TIMBE010	TIMBER TREE	7,370.00		425
21308	11/10/09	TREAS050	TREASURER, STATE OF NEW JERSEY	20.00		425
21309	11/10/09	UNUML010	UNUM LIFE INSURANCE COMPANY	1,633.44		425
21310	11/10/09	USABL010	USA BLUEBOOK	709.25		425
21311	11/10/09	USPOS010	US POSTAL SERVICE(POSTAGE-BY-P	512.49		425
21312	11/10/09	VANME010	VAN METER & ASSOCIATES, INC.	385.00		425
21313	11/10/09	VANWE010	VANWELL ELECTRONICS INC.	195.00		425
21314	11/10/09	VERAL010	V. E. RALPH & SON, INC.	143.00		425
21315	11/10/09	VERIZ020	VERIZON	4,401.90		425
21316	11/10/09	VERIZ030	VERIZON WIRELESS	918.07		425
21317	11/10/09	VOSSS010	VOSS SIGNS, LLC	322.50		425
21318	11/10/09	WAKEF010	WAKEFIELD GRAPHICS COMPANY	230.00		425
21319	11/10/09	WASTE010	WASTE MANAGEMENT OF NEW JERSEY	16,823.79		425
21320	11/10/09	WEST0010	WEST	388.00		425
21321	11/10/09	WILFR010	WILFRED MAC DONALD, INC.	14.46		425
21322	11/10/09	WINKS010	WINKS/TBC	901.00		425
21323	11/10/09	WWGRA010	W. W. GRAINGER, INC.	0.00	11/10/09 VOID	0

11/10/09 BOROUGH OF PARK RIDGE Page No: 3
17:53:59 Check Register By Check Date

Check #	Check Date	Vendor		Amount Paid	Reconciled/Void	Ref Number
21324	11/10/09	WWGRA010	W. W. GRAINGER, INC.	2,038.28		425
21325	11/10/09	ZZBAB010	DONNA J. BABOULIS	227.23		425

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	103	2	0.00	2,511,302.82
Direct Deposit:	0	0	0.00	0.00
Total:	103	2	0.00	2,511,302.82

Report Totals	Paid	Void	Amount Void	Amount Paid
Checks:	103	2	0.00	2,511,302.82
Direct Deposit:	0	0	0.00	0.00
Total:	103	2	0.00	2,511,302.82

11/10/09 BOROUGH OF PARK RIDGE Page No: 1
17:54:29 Check Register By Check Date

Range of Checking Accts: 09 SWIM UTILITY to 09 SWIM UTILITY Range of Check Dates: 10/14/09 to 11/10/09
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor		Amount Paid	Reconciled/Void Ref Number
09 SWIM UTILITY SWIM UTILITY					
1075	11/10/09	BOBST010	BOB'S TROPHY SHOP/BT SPECIALTI	115.00	427
1076	11/10/09	COVIS010	COVISTA, INC.	5.73	427
1077	11/10/09	LOUIS010	LOUIS C. MAI, CPA & ASSOCIATES	2,900.00	427
1078	11/10/09	MONTV020	MONTVALE HARDWARE & SUPPLY	34.85	427
1079	11/10/09	NAUTI010	NAUTILUS SWIMMING POOL SUPPLIE	2,625.00	427
1080	11/10/09	VERIZ020	VERIZON	26.99	427

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	6	0	0.00	5,707.57
Direct Deposit:	0	0	0.00	0.00
Total:	6	0	0.00	5,707.57

Report Totals	Paid	Void	Amount Void	Amount Paid
Checks:	6	0	0.00	5,707.57
Direct Deposit:	0	0	0.00	0.00
Total:	6	0	0.00	5,707.57

November 10, 2009		
Dog Account		
2368	NJ Dept. of Health	$10.20
2369	NJ Dept. of Health	$8.40
	Total	$18.60
Municipal Open Space Trust		
	Total	$0.00
Trust		
1156	37 Park Avenue LLC	$15,750.00
1157	Azzonlina & Feury	$575.00
1158	Brooker Engineering	$82.50
1159	Dara Burns	$122.86
1160	Dr. Donna Manderino	$275.00
1161	Java's Always Brewin	$175.00
1162	John Mojica	$200.00
1163	Kristi Holz	$217.80
1164	North Jersey Media	$33.92
1165	Wakefield Graphics	$1,276.00
1166	Weather Decisions	$216.66
	Total	$18,924.74
Unemployment Insurance		
1317	SNJ Dept of Labor & Workforce Development	$632.48
	Total	$632.48
COAH		
	Total	$0.00

REPORTS OF GOVERNING BODY:

Councilmember Kane: none

Councilmember Ciannella: solar panels going out to bid; will be doing an energy audit; OEM advises 2 H1N1 clinics in Paramus, information on web site; leaves are being picked up by the DPW; Downtown Beautification Committee will be decorating right after Thanksgiving; Utilities have already begun decorating.

Council President Wells: thanked the Council and professionals for their help in his recent absence; Chamber meets tomorrow at the Train Station @ 6:00pm

Councilmember Levinson: DARE committee held the Bike-a-Thon with a reduced level of participation and due to trying something new this year actually lost $25.00 on the event but the children had a good time and gift certificates were purchased rather than asking them to donate again as they had for the National Night Out; she thanked all the residents and the Mayor for their service in the Armed Forces as tomorrow was Veterans' Day

Councilmember Viola: said he hoped that next year the leaves would be done through shared services and said the biggest problem with leaves is their weight and how you convert it, whether they are wet, dry…hopefully next year we can negotiate a better contract with reasonable conversion price; congratulated the new Administrator and welcomed her; congratulated Ken Brouwer and Terry Maguire on their recent election.

Mayor Ruschman recognized the men and women who had served in the Armed Forces for the great work they do and particularly the future veterans who are overseas now working to ensure our safety.

APPROVAL OF MINUTES:

A motion was made by Councilmember Levinson and seconded by Councilmember Ciannella to approve the following minutes with the abstention so noted.

Closed Session Minutes - October 6, 2009
Closed & Work Session Minutes – October 13, 2009
Council President Wells – abstain
Closed & Work Session Minutes – October 27, 2009
Council President Wells – Abstain

AYES: Councilmembers Kane, Ciannella, Levinson, Viola, Council President Wells.

ADJOURN:

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

Public Session adjourned at 9:20pm.

Respectfully submitted,

Kelley R. O'Donnell

Kelley R. O'Donnell, RMC

Borough Clerk