

Municipal Building
Park Ridge, NJ
August 26, 2008 – 8:10 p.m.

A Regular Meeting of the Mayor and Council was called to order by Acting Mayor Levinson the above time, date and place. The Mayor led those attending in the Pledge of Allegiance.

ROLL CALL:

Present: Acting Mayor Levinson, Council members Ciannella, Wells, and Brouwer
Absent: Mayor Ruschman, Council members Henning and Maughan
Also Present: Kelley O'Donnell, Acting Borough Clerk
Gene Vinci, Borough Administrator
John D'Anton, Borough Attorney
Colleen Ennis, CFO

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

PUBLIC PRIVILEGE OF THE FLOOR:

Acting Mayor Levinson asked if anyone present wished to be heard on any matter.

Gene Oliva – 253 Vitmar Place

Mr. Oliva stated that recently he had to file a complaint against one of his neighbors for violation of the Property Maintenance Code. Mr. Oliva stated that he was not there to discuss that matter, but what he discovered in the course of filing this complaint. Mr. Oliva stated that he felt the town was not taking action, specifically the Zoning Officer, unless a complaint was filed. The Borough Code does not reference that action is only upon complaint. The Code does state that it is the obligation of property owners to report problems; however it does not state that action will only be taken if a complaint is filed. Mr. Oliva further stated that even when complaints are filed it does not appear that they are followed up on it a timely manner. Mr. Oliva stated that he would like to make some suggestions:

1. If indeed there is something in the code that precludes the Zoning Officer from taking action without a complaint, he felt it should be removed. Mr. Oliva stated that he felt the Zoning Officer was the residents' defense against property owners not maintaining their property.
2. We have recently appointed an enforcement officer to work with the Zoning Officer; now we have two people to do this job. There are a little over 3,000 houses in Park Ridge, between the two of them if they drove by 4 blocks, they would have looked at approximately 120 properties a week. In the period of 6 months they would see every property in town. They should have formal follow-up process.
3. When the Zoning Officer goes out and sees a situation not addressed in the code, they should make suggestions to the Mayor and Council to address it.
4. The Zoning Officer is appointed for the period of one year and can be removed if they fail to do their duties. Mr. Oliva stated that he felt the Zoning Officer was not doing their job to the fullest extent that they should be.

There are boats in driveways; taking up more than half of the driveway. Neighbors don't want to complain about neighbors. Mr. Oliva said that he has a number of other suggestions that he would be willing to share with someone at another time, rather than tie up tonight's meeting.

Acting Mayor Levinson thanked Mr. Oliva and stated that they would take his list of suggestions and Borough Administrator Gene Vinci could meet with the Zoning Officer and inspector.

George Mayer – 159A South Maple Avenue

Mr. Mayer asked for clarification as to what will be done with Mill Pond; there are rumors circulating around town. Gene Vinci, Borough Administrator, responded that the Borough is utilizing the services of Louis Berger Group and they will be meeting with the DEP to determine if it is possible defer repairing the dam while we review other options, if there are any. Mr. Vinci stated that the first step in the process is to meet with the DEP; the meeting is scheduled for September 17th, after meeting with the DEP the Mayor and Council will decide

if they want to review the other possible options, if any. The public would be invited to the Public Hearing which would be an opportunity for them to give their input. Mr. Mayer asked Mr. Vinci what has been going on for five years. Mr. Vinci explained that the permitting process is a very lengthy one with the DEP. Mr. Vinci further stated that after the permits were obtained and the site clearing work was done the Borough had problems with the contractor. Mr. Vinci stated that the Borough is back to square one; if they choose to repair the dam. Mr. Mayer asked how much money had been made available for the dam repair. Mr. Vinci stated that he could provide Mr. Mayer with the exact amounts if he wished.

Carl Linstrand – 56 Linden Avenue

Mr. Linstrand stated that he has been a resident of Park Ridge for 50 years, and questioned why the town is looking at other options for Mill Pond. Mr. Linstrand asked why the Lake could not be left as it is. If the lake is filled in; it will cause many flooding problems here and in Montvale. Mr. Linstrand stated that Mr. Henning is not here tonight and should not be voting on anything to do with Mill Pond. Mr. Linstrand asked the Council to leave the lake alone; leave it in its natural state. Mr. Linstrand acknowledged Mr. Oliva's comments on property maintenance. Mr. Linstrand offered to take the Council members for a ride through his neighborhood and he could point out seven violations. Mr. Linstrand complained that the Zoning Officer does not like to leave the office. Mr. Linstrand stated that he had spoken to Mr. Vinci regarding the shrubs on Hawthorne Avenue and the inability for people to get out of their cars. Mr. Vinci stated that he had spoken to the police and he will check into it. Acting Mayor Levinson thanked Mr. Linstrand.

Barbara Coleman – 62 Linden Avenue

Ms. Coleman stated that Mr. Linstrand is her neighbor. Ms. Coleman stated that there are a lot of things they have to deal with in the Linden Avenue neighborhood; property maintenance being the biggest thing. Ms. Coleman went on to say they have overcrowding on rental properties; where the owner claims to live in the house in addition to the many others who are clearly not related. Ms. Coleman further stated that the residents of Linden Avenue have to deal with the inability to pull out on to Park Avenue and Kinderkamack Road. Ms. Coleman continued with noting that when the town has something going on such as a parade the residents of Linden Avenue are locked in, they deal with the traffic coming out of the nursing home; speeding down Hawthorne Avenue. Ms. Coleman stated that the only redeeming quality that is left in her neighborhood is the lake. Ms. Coleman stated that she and Mr. Linstrand both independently have complained about a property that has very high shrubs on the corner that blocks the view of anyone trying to make a turn, it also blocks the view of little kids playing in the street. Ms. Coleman said she has lived in her house for eleven years and the whole time she has asked for the shrubs to be lowered or removed because they block visibility and nothing has been done.

Acting Mayor Levinson asked for the address. Ms. Coleman stated that it is between Mr. Linstrand and her house.

Ms. Coleman felt it is unsafe for drivers, pedestrians and children in the street.

Ms. Coleman requested that nothing be done to the lake; it is the last redeeming quality to the neighborhood. Ms. Coleman asked how much money was paid to the firm that we are no longer under contract with. Mr. Vinci stated that approximately \$50,000 was paid to the sub-contractor to clear the site. Mr. D'Anton stated that there was an ordinance adopted for \$1million to perform the work on the dam.

Carl Linstrand – 56 Linden Avenue

Mr. Linstrand just wanted to address the property mentioned earlier by Ms. Coleman; the police have been there at least five times in the last eleven years. Mr. Linstrand stated that the property owner was told to cut the shrubs to 24" so the cars traveling on the street would have visibility; no enforcement has been happening. If the shrubs are in the Right of Way action can be taken without permission. Acting Mayor Levinson stated that they will look into it.

George Mayer – 159A South Maple Avenue

Mr. Mayer stated that the volume of the trains passing through town has increased at least 20 fold in the past year. Mr. Mayer asked if there is a way that the trains could pull through the intersection so the gates can be raised. Mr. Vinci stated that it has been discussed with NJ Transit on a number of occasions and they cannot change the way it is set up now for safety reasons. Acting Mayor Levinson stated that they will look into why it was done in Montvale

but cannot be done in Park Ridge. Mr. Mayer questioned the need for some of the trains to blow the whistle six and seven times and asked if anything could be done about that. Mr. Vinci stated that it is regulated by NJ Transit’s Safety Commission. Mr. Vinci further stated that there have been numerous meetings with NJ Transit at the site in which the town made recommendations and were told that they could not be done. Mr. Vinci stated that if the Borough installed quad gates the crossing would become a quiet zone; the cost is approximately \$300,000 to the Borough. Acting Mayor Levinson stated that the full council will discuss it.

Phyllis Schleifer - 18 Storms Avenue

Ms. Schleifer stated that she has lived in Park Ridge since 1973 and would like her name added to the list of people who want to keep the pond. Ms. Schleifer stated that she thought she was the only resident with neighbors not adhering to the Property Maintenance Code. Ms. Schleifer stated that there is a crib opposite #17 Storms Avenue; the property address is actually Park Avenue. Acting Mayor Levinson asked the Clerk to add it to the next curb side pickup list of September 8th.

Mr. Mayer – 159A South Maple Avenue

Mr. Mayer wanted to compliment Councilmember Ciannella on the wonderful job done on the bridge to her and her crew. Councilmember Ciannella stated that there will be teak trash receptacles and flower containers within the next couple of days as well.

AGENDA CHANGES

Acting Mayor Levinson read the Agenda Changes. Acting Mayor Levinson states that the following resolutions are to be added under the Consent Agenda:

- 7. Authorizing Interlocal Agreement for the Use of High Pressure Sewer Cleaner Truck
- 8. Resolution Awarding Bid for Improvements on Musso Lane
- 9. Cancellation of Unused Capital Ordinance Balances

CONSENT AGENDA:

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

Acting Mayor Levinson asks if any Council member would like to abstain from voting on any resolution on the consent agenda. There was none.

Acting Mayor Levinson asks for a motion to accept the Consent Agenda.

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

RESOLUTIONS:

APPROVAL OF BANNER REQUEST

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

Banner:

Park Ridge Democratic Club
Park Avenue – Broadway
October 1 – November 4

**AUTHORIZATION TO ENTER INTO GRANT AGREEMENT
WITH THE COUNTY OF BERGEN**

BE IT RESOLVED, that the Mayor and Council of the Borough of Park Ridge wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$42,252 in 2008-2009 Community Development Grant funds for ADA Improvements to the Municipal Pool in the Borough of Park Ridge; and

BE IT FURTHER RESOLVED, that the Mayor and hereby authorizes Mayor Donald Ruschman to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Colleen Ennis to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council that the Borough of Park Ridge is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

**A RESOLUTION ENDORSING S-1976/A-2982, AN INCREASE IN STATE POLICE SURCHARGES TO
DEFRAY COSTS OF
LOCAL POLICE SERVICES**

WHEREAS, Governor Corzine’s Fiscal Year 2009 budget reduced State Police funding for municipalities, and

WHEREAS, Municipal budgets will be negatively impacted by the requirement to pay for State Police services and thus be forced to raise local property taxes, and

WHEREAS, many Mayors and other elected and appointed municipal officials met with the Attorney General and State police offering a solution to the State Police budget shortfall, namely, increasing surcharges on fines levied by the State Police, and

WHEREAS, charging those who violate State laws would fund the shortfall in lieu of relying on New Jersey property tax payers is a sensible solution to address the problem, and

WHEREAS, Senate Bill No. 1976, sponsored by Senator Van Drew, and Assembly companion A-2982 (Milam) impose a \$40 surcharge on all motor vehicle violations to defray some costs of providing local police services, and

WHEREAS, S-1976/A2982 establish two funds into which revenues from the surcharge will be divided equally between the “Rural Police Services Property Tax Relief Patrol Services Fund” and the “Police Services Property Tax Relief Fund”.

WHEREAS, S-1976/A-2982 provide that the monies in these Funds are to be used exclusively to reduce the amount a municipality is required to raise through local property taxation to cover the costs of providing police services.

THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge, County of Bergen, do hereby endorse the sensible solution and appropriate surcharge rates as proposed in S-1976/A-2982 and support its adoption thereof.

AND BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Governor, and members of the State legislature and the New Jersey League of Municipalities.

REFUND STATE COURT JUDGMENTS

WHEREAS, the New Jersey State Court entered 2007 Judgments; and

WHEREAS, taxes are to be refunded 2007 on the following property;

103-3 C0284	Antimo A. DelVecchio, Esq. Mary Rossel 284 Hampshire Ridge	\$2,050.20
103-3 C0245	Antimo A. DelVecchio, Esq. Marvin & Renee Paget 245 Bearwoods Road	\$2,039.40
103-3 C0152	Antimo A. DelVecchio, Esq. Dona Singer 152 Ashley Place	\$1,981.80
103-3	Antimo A. DelVecchio, Esq.	\$2,448.00

Ruth L. Newman
255A Bearwoods Road

**A RESOLUTION URGING THE NEW JERSEY STATE LEGISLATURE TO ENACT LEGISLATION
ALLOWING MUNICIPALITIES TO OPT OUT OF THE CIVIL SERVICE SYSTEM**

WHEREAS, for many years, the New Jersey Civil Service System has determined how local government employees are hired and managed; and

WHEREAS, many municipalities find that the Civil Service System does not provide the ability to select the most qualified candidates or provide for accountability of employees who fail to perform adequately, which is needed to manage the municipal work force and deliver government services effectively; and

WHEREAS, numerous local governments that participate in New Jersey’s Civil Service System have asked to opt out of such System; and

WHEREAS, local governments that participate in New Jersey’s Civil Service System have lost out on Shared Service opportunities with other municipalities not in the System; and

WHEREAS, a municipality may not opt out of such Civil Service System without special enabling legislation as there is currently no statutory provision allowing municipalities to opt out of such Civil Service System; and

WHEREAS, the Mayor and Council of the Borough of Park Ridge believe that it would be in the best interest of efficiency and employee management if municipalities were able to choose to remain in or opt out of the Civil Service System; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Park Ridge, County of Bergen, State of New Jersey, that its Mayor and Council hereby urges the New Jersey State Legislature to enact legislation which would allow New Jersey’s municipalities to opt out of the Civil Service System; and

BE IT FURTHER RESOLVED, that in the event the New Jersey Legislature is unwilling to enact legislation to allow all municipalities to opt out of the Civil Service System, the Mayor and Council of the Borough of Park Ridge urge the New Jersey Legislature to enact special legislation which will allow the Borough of Park Ridge, New Jersey to opt out of the Civil Service System; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be certified and forwarded to Senator Gerald Cardinale, Assemblymen John E. Rooney, Assemblywoman Charlotte Vanderwalk and all municipalities who currently participate in the Civil Service System.

AUTHORIZATION TO BID FOR THE PURCHASE OF A NEW FORKLIFT TRUCK

WHEREAS, the Borough of Park Ridge Electric and Water Departments are in need of a new Forklift Truck; and

WHEREAS, the anticipated expenditure for said Forklift is over \$29,000; and

WHEREAS, the provisions of New Jersey Statute 40A:11-4 requires the public advertising for bids when anticipated expenditures are over \$29,000; and

WHEREAS, the Board of Public Works has recommended that the Mayor and Council authorize the receipt of sealed bids for the purchase of a Forklift truck.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge hereby authorize the receipt of sealed bids for the purchase of a Forklift truck.

**Resolution Authorizing Interlocal Service Agreement
for the Use of High Pressure Sewer Cleaner Truck**

WHEREAS, the Pascack Valley Mayor’s Association in the County of Bergen have proposed entering into an Interlocal Service Agreement with the County of Bergen where has purchased a high pressure sewer cleaner truck for the benefit of the towns who are members of the Pascack Valley Mayor’s Association; and

WHEREAS, such an Interlocal Agreement would save participating municipalities such as Park Ridge the capital cost of purchasing such equipment and Park Ridge would be charged for its pro rata use of the vehicle; and

WHEREAS, a high pressure sewer cleaner truck is needed by the municipality for purposes of cleaning and maintaining its sewer system.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge, the Mayor is authorized to execute the Interlocal Services Agreement between Pascack Valley Mayor’s Association and

the County of Bergen and the Director of Operations is authorized to use this agreement for purposes of maintaining the Borough's sanitary sewer system; and

BE IT FURTHER RESOLVED that a true copy of this resolution shall be sent to William Beattie, Director of Operations in ten days from the date of its adoption.

Resolution Awarding Bid for Improvements on Musso Lane

WHEREAS, the Mayor and Council have placed for bid certain public improvements on Musso Lane/ Mader Place; and

WHEREAS, the Borough has received 12 responses to those bid specifications; and

WHEREAS, the Mayor and Council have received the recommendations of the Borough Engineer Eve Mancuso that New Prince Concrete Company of 215 Ellen Terrace Hackensack, NJ 07601 is the lowest responsible bidder with their price being \$91,351.00; and

WHEREAS, the Mayor and Council have received the opinion of the Borough Attorney that New Prince Concrete Company is the lowest qualified bidder.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough Park Ridge that the bid for the capital improvements on Musso Lane/ Mader Place being the same is here by awarded to New Prince Concrete Company, 215 Ellen Terrace Hackensack, NJ 07601 at a price not to exceed \$91,351.00; and

BE IT FURTHER RESOLVED that the Mayor and Acting Borough Clerk are authorized to execute a contract approved as to form and substance by the Borough Attorney with New Prince Concrete Company for this project; and

BE IT FURTHER RESOLVED that a true copy of this Resolution shall be sent to New Prince Concrete Company within 10 days from the date of adoption; and

BE IT FURTHER RESOLVED that public notice of this action shall be published in the newspaper of record within 10 days from the adoption of this resolution.

Cancellation of Unused Capital Ordinance Balances

WHEREAS, there are certain funded appropriation balances remaining in bond and capital ordinances which are no longer needed for the purposes for which they were designated for;

NOW, THEREFORE, BE IT RESOLVED that the following balances be canceled as follows:

<u>Ord. No.</u>	<u>Project Description</u>	<u>Amount of Funded Appropriation to be Canceled</u>	<u>Cancel To:</u>
2003-4G	Resurfacing of Mill Rd.	\$ 40,642.11	Capital Fund Balance
2005-6F	Improvements of Storms Ave & Willets Street	\$ 52,192.50	Capital Fund Balance
2005-6F	Improvements of Storms Ave & Willets Street	\$ 80,000.00	Accounts Receivable
	Total	\$172,834.61	

NEW BUSINESS:

There was none.

COMMUNICATIONS

There were none.

OLD BUSINESS

There was none.

ADJOURN

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

Meeting adjourned at 8:36 p.m.