

**Municipal Building
Park Ridge, NJ
December 23, 2008 – 8:15 p.m.**

A Regular Meeting of the Mayor and Council was called to order by Mayor Ruschman on at the above mentioned place, date and time. Mayor Ruschman led those attending in the Pledge of Allegiance.

ROLL CALL:

Present: Council members Ciannella, Wells, Maughan, Levinson,
Mayor Ruschman

Absent: Councilmember Brouwer, Council President Henning

Also Present: John D'Anton, Borough Attorney
Gene Vinci, Borough Administrator
Kelley O'Donnell, Acting Borough Clerk

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

AGENDA CHANGES:

Acting Borough Clerk advised Resolution #5 was to be removed, Appointment of Principal Account Clerk and Resolution #11, Transfer of Appropriations and we are adding #14, Reduction of Performance Bond for Windward, LLC and Funding of COAH Unit at 37 Park Avenue.

PUBLIC PRIVILEGE OF THE FLOOR:

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

Dennis Francis, Esq. 37 Liberty Street, Little Ferry, N.J. came forward on behalf of two property owners, Mr. and Mrs. Richard Bosi of East Avenue.

Mr. Francis said he had spoken with the borough attorney on the issue he was about to raise and he appreciated the help he had received from him to date; however, he wanted to see if he could obtain an immediate solution tonight.

There is an issue between Mr. and Mrs. Bosi, 108 East Avenue and the neighbor to the north on Pascack Avenue. His client's property sits at the end of East Avenue; the property to the north is 21 Pascack Avenue where the owner has stored an abandoned vehicle in the rear of the property in direct site line with his client. The neighbor also uses the East Avenue dead end as a second ingress and egress to their property where she parks her motor vehicles in the rear yard. A letter was sent by the Zoning Officer in April 2008 to the neighbor clarifying the outdoor parking ordinance and that the rear yard was not to be used as a pass-through. Neighbor continued and in June 2008 pled guilty in Municipal Court for violation of Zoning Ordinance 101-24. Neighbor continued and Zoning Officer advised his clients to file a complaint with Municipal Court but his clients felt it was up to the town to enforce its own ordinances not individual property owners. He said it was not a neighbor to neighbor dispute and the violation of the borough ordinances had been going on for some time and they should be enforced. His clients do not want to waste time going to the Board of Adjustment or Superior Court but are seeking action from this body immediately.

Mayor Ruschman indicated most of the Council were aware of the situation and would talk among themselves as to how the situation could be alleviated or enforced.

Mr. D'Anton, Borough Attorney said Mrs. Cleary, the neighbor, had been represented by another attorney and that he (D'Anton) had spoken to both counsels individually and collectively and a tentative date had been set up so everyone could sit and go through it. He could not attend the meeting because he was on trial but he said, it was a neighbor to neighbor dispute. He said Mr. Francis had submitted a proposal on how to solve the situation, which Mr. D'Anton suggested be sent to the attorney representing Mrs. Cleary, who no longer is.

Mr. D'Anton indicated that two of Mrs. Cleary's neighbors spoke about the lack of screening of the vehicle as had he and that he had also spoken to Mrs. Cleary about the use of the rear yard by more than her and her vehicle and the use of East End Avenue, which is a public street.

Mr. D'Anton said the Bosis may or may not want to file complaints but the message that should have been given by the Zoning Officer is that his client could have called the police upon seeing violations and they can file complaints. He said he did not know if it was possible to solve this at

this point in time but he would counsel the Mayor and Council as to what they can or cannot do here. He said everybody has to come to the table and be prepared to look at the reality of the situation and see if there is a way they can all live together and that he was still available to do that. If any of the other neighbors who have called want to join that is fine.

Mr. Francis said he would discuss with his clients but his clients reject that it is a neighbor to neighbor dispute although on its face it may appear so.

Mayor Ruschman said the council is at a critical time of the year where council members are being changed and it is doubtful that the sitting council could deliberate between now and the end of the year and make a decision.

Councilman Wells said the presentation as put forth tonight was somewhat different than what he has heard in the past and the presentation being heard this evening is that the Bosis feel the neighborhood would be satisfied by just an enforcement of the ordinance as written by the Zoning Officer and there are no other issues on the table as far as abandoning streets or anything else. Now it is just whether the Zoning Officer properly will enforce the ordinances that are in place.

Mr. Francis agreed that that was the issue.

Mike Contrato, 25 Pascack Road came forward and said he was the northerly neighbor of Mrs. Cleary. He also wants the issue resolved through upholding the ordinance that is currently on the books and that it has been allowed to fester.

John Gretta, 17 Pascack Road felt Councilman Wells had summed it up perfectly and that the group were just looking for the ordinance to be enforced by the Zoning Officer. He said there were incidents not just affecting the rear yard but also violations in the front yard where cars have been parked over the past year and a half with nothing being done by the Zoning Officer.

Mayor Ruschman promised that even with the new council coming in, he was sure they would want to do what was right and that the administrator would probably have it on the agenda as a discussion item after the first of the year.

ORDINANCES PUBLIC HEARING:

ORDINANCE 2008-16 AMENDING CHAPTER 101 OUTDOOR CAFES.

WHEREAS the Mayor and Council want to encourage outdoor café usage where permitted in the Borough; and

WHEREAS, the existing outdoor café ordinance needs to be further refined to stimulate the development of this type of activity.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Park Ridge as follows:

SECTION I.

Chapter 101-20J(4)(b) is repealed and replaced with the following:

The operation of an outdoor café shall be located such that there is 24 inches of clear and unobstructed passage way between the tables, chairs, barriers, street trees, bike racks, lamp post, sign post and the other fixtures or obstructions.

SECTION II.

Chapter 101-20J(4)(c) is repealed in its entirety and replaced with the following:

Outdoor dining must be located six feet away from any driveway of parking area except on street parking.

SECTION III.

Chapter 101-20J(4)(d) is repealed and replaced with the following:

Outdoor dining must be set back from the curb line of a street intersection five feet and must maintain motorist site distance identified in section 87-43c(4) of the Borough of Park Ridge Code.

SECTION IV. Tables, Chairs, Umbrellas, etc.

Tables and chairs must be either wood or metal. No plastic is allowed. Umbrellas must be plain in color with no advertisements. The style of the outdoor furniture should be consistent with the architecture of the building and the furniture and lighting fixtures in the downtown area.

SECTION V. Indemnification of Borough

No license required by this chapter shall be granted to any person to operate an outdoor café until such person shall have filed with the Construction Code Official a statement agreeing to indemnify and hold harmless the Borough of Park Ridge, its agents servants, representatives or employees from any or all claims, damages, judgment costs or expenses, including attorney's fees, which they or any of them may incur or be required to pay because of any

personal injury, including death, or property damage suffered by any person or persons as a result of or related in any way to the operation and maintenance of the outdoor café for which the license is issued.

SECTION VI. Insurance requirements

A. No license required by this chapter shall be granted to any person to operate an outdoor cafe until such person shall have first filed with the Construction Code Official a comprehensive general liability policy issued to such person by a public liability insurance company authorized to do business in the State of New Jersey affording the coverage set forth below in the amounts specified. Such insurance policy shall name the Borough of Park Ridge, 55 Park Avenue, Park Ridge, New Jersey 07656, its agents, officers, servants, representatives and employees as additional insured with respect to the operation and maintenance of the outdoor cafe in the following amounts:

Bodily injury		
Each person		\$ 300,000.00
Each accident		\$1,000,000.00
Property damage		
Each person		\$ 300,000.00
Each accident		\$1,000,000.00

- B. The insurance coverage required by this section shall at all times be maintained for the full amount. The policy of insurance required by this section shall be filed with the Construction Code Official and contain a clause obligating the company issuing the policy to give not less than thirty (30) days' written notice to the Borough Clerk before cancellation for amendments of any of the terms thereof. Notice of cancellation shall not relieve the company issuing such policy of liability or claim arising before the cancellation became effective. The cancellation of any such policy shall have the immediate effect of suspending the license of such person to operate the outdoor cafe covered thereby until a new policy complying with the provisions of this section is filed with the Construction Code Official and a letter, in writing, confirming the new effective date of the license is issued by the Construction Code Official.
- C. Every insurance policy required hereunder shall contain a provision for continuing liability thereunder to the full amount thereof, notwithstanding any recovery therein, that the liability of the insured shall not be affected by the insolvency or the bankruptcy of the insured, and that until the policy is canceled the insurance company will not be relieved from liability on account of nonpayment of such premium or of any act of omission by the named insured. Such policy of insurance shall be further conditioned for the payment of any and all judgments up to the limits of such policy.

SECTION VII. Severability

All Ordinances or any provisions of any Ordinance inconsistent with the Provisions of this Ordinance are hereby repealed. If any section, part of any section, or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance. The governing body of the Borough of Park Ridge declares that it would have passed the Ordinance and each section and subsection, sentences, clauses, or phrases may be declared unconstitutional or invalid.

SECTION VIII. Invalidity

If any section, subsection, paragraph, sentence or other of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confirmed in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

SECTION IX. Effective Date

This ordinance shall take effect on the earliest date allowed by law following final passage, adoption and publication in the manner prescribed by law.

Mayor Ruschman asks for motion to open the public hearing.

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

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

Ordinance No. 2008-16 An Ordinance Amending Chapter 101 Outdoor Cafes.

Mayor Ruschman asks John D'Anton to give a brief description of the ordinance.

Mr. D'Anton explained the ordinance changes some of the requirements for outdoor cafes to allow a little more flexibility for businesses to have this type of activity.

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

Mayor Ruschman asks for a motion to close the public hearing and that this ordinance be adopted and be published by title in The Record with notice of final passage.

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

ORDINANCE No. 2008-17 AMENDING CHAPTER 101 CREATING ZONING FEES IN THE BOROUGH.

**AMENDING CHAPTER 101
CREATING ZONING FEES IN THE
BOROUGH OF PARK RIDGE**

WHEREAS the Mayor and Council have been advised by the Construction Code Official that there is a significant amount of work performed by the Zoning Official as part of the review of Development Applications for improvements to real property in the Borough of Park Ridge; and

WHEREAS, the Borough of Park Ridge currently charges no fees to recoup the costs of the Zoning Officer's efforts for purposes of doing these reviews; and

WHEREAS, the Construction Code Official has recommended that there should be two different types of fees for the Zoning Officer's work for construction application; and

WHEREAS, the Mayor and Council believe this is in the best interest in public health and welfare of the citizens of the borough of Park Ridge.

NOW, THEREFORE, BE IT ORDAINED that a new Chapter entitled Zoning Fees shall be created within the Borough of Park Ridge Ordinances.

SECTION I. Zoning Fees

A Zoning fee in the amount of \$50.00 (Fifty Dollars) shall be charged for all additions to any property, decks, patios, fences, sheds, cabanas, above and in ground pools, retaining walls, driveways, walks and entrance platforms and any other item which may require Zoning approval prior to the issuance of a construction permit.

SECTION II. New Construction

A Zoning fee in the amount of \$100.00 (One Hundred Dollars) shall be charged for all new construction of any type in the Borough of Park Ridge which may require Zoning approval prior to the issuance of a construction permit.

SECTION III. Payment of Zoning Fees

The Zoning fees shall be paid at the time the application is submitted for approval and review by the Zoning Officer.

SECTION IV. Severability

All Ordinances or any provisions of any Ordinance inconsistent with the Provisions of this Ordinance are hereby repealed. If any section, part of any section, or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance. The governing body of the Borough of Park Ridge declares that it would have passed the Ordinance and each section and subsection, sentences, clauses, or phrases may be declared unconstitutional or invalid.

SECTION V. Invalidity

If any section, subsection, paragraph, sentence or other of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confirmed in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

SECTION VI. Effective Date

This ordinance shall take effect on the earliest date allowed by law following final passage, adoption and publication in the manner prescribed by law.

Mayor Ruschman asks for motion to open the public hearing.

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

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

Ordinance No. 2008-17 an Ordinance Amending Chapter 101 Creating Zoning Fees in the Borough of Park Ridge.

Mayor Ruschman asks John D'Anton to give a brief description of the ordinance.

Mr. D'Anton explained Development Applications and new housing applications require review by the Zoning Officer and this creates a fee for the applicant to reimburse the municipality for the time and effort of the Zoning Officer in making those reviews.

Mayor Ruschman asks if there is anyone present wishing to be heard concerning the adoption of this ordinance. There was no one.

Mayor Ruschman asks for a motion to lose the Public hearing and that this ordinance be adopted and that it be published by title in The Record with notice of final passage.

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

ORDINANCE No. 2008-18 – AN ORDINANCE TO AMEND CHAPTER 76 PARKING LOTS.

AN ORDINANCE AMENDING CHAPTER 76: PARKING LOTS

WHEREAS, the Mayor and Council have created additional space for commuter parking on Perryland Street; and

WHEREAS, some of those spaces will be dedicated to an adjacent condominium association but the remaining spaces shall become part of the commuter parking system of the Borough; and

WHEREAS, an ordinance is needed to regulate the parking in this area.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Park Ridge as follows:

SECTION I: A new section to Chapter 76-C1 shall be amended to provide as follows:

C. The parking of vehicles in the municipal parking lot located on Perryland Street is hereby regulated and limited as follows:

1. Between the hours of 6:00 AM and 4:00 PM on all days except Saturday, Sunday and legal holiday(s) no person shall cause a vehicle to occupy any of the parking spaces, unless the vehicle bears a current identification sticker as defined herein and affixed in accordance with such regulations as promulgated by the Park Ridge Chief of Police.
2. Each person using the municipal parking lot shall cause the vehicle to be parked entirely within the designated parking area.
3. The spaces that are available in this parking lot for commuter parking are identified.
4. Six spaces in this parking lot shall be marked “Reserved for Station Plaza”. These spaces are reserved for residents of Station Plaza. No person other than residents of Station Plaza shall park or occupy these spaces.
5. All other provisions of Chapter 76 shall continue.

SECTION II: Invalidity

If any section, subsection, paragraph, sentence or other of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this ordinance, but shall be confirmed in its effect to the section, subsection, paragraph, sentence or other part of this ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this ordinance shall remain in full force and effect.

SECTION III: Severability

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance. The governing body of the Borough of Park Ridge declares that it would have passed the Ordinance and each section and subsection thereof, irrespective of the facts that one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

SECTION IV: Effective Date

This ordinance shall take effect on the earliest date allowed by law following final passage, adoption and publication in the manner prescribed by law.

Mayor Ruschman asks for a motion to open the Public Hearing on Ordinance 2008-18, an ordinance to Amend Chapter 76, Parking Lots.

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

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

Ordinance No. 2008-18 – An Ordinance to Amend Chapter 76 Parking Lots

Mayor Ruschman asks John D’Anton to give a brief description of the ordinance.

Mr. D’Anton explained this was to change the times on the Perryland parking lot so it was more available to the general public.

Mayor Ruschman asks if anyone present wishes to be heard on this ordinance. There was no one.

Mayor Ruschman asks for a motion to close the Public Hearing and that this ordinance be adopted and that it be published by title in The Record with notice of final passage.

A motion was made by Councilmember Wells and seconded by Councilmember Levinson to confirm. The motion carried unanimously.

ORDINANCE NO. 2008-19 – CLASSIFICATION AND COMPENSATION FOR CERTAIN EMPLOYEES OF THE BOROUGH OF PARK RIDGE FOR THE YEAR 2009.

AN ORDINANCE ESTABLISHING THE CLASSIFICATION AND COMPENSATION FOR CERTAIN EMPLOYEES OF THE BOROUGH OF PARK RIDGE, BERGEN COUNTY, NEW JERSEY FOR THE YEAR 2009.

BE IT ORDAINED by the Mayor and Council of the Borough of Park Ridge in the County of Bergen, State of New Jersey that the compensation paid certain employees of the Borough of Park Ridge shall be as follows:

SECTION 1. Each of the positions of employment hereinafter named that is not established or created by virtue of any statute or of any ordinance, resolution or other lawful authority heretofore exercised by the Borough of Park Ridge, is hereby established, created, ratified and confirmed.

SECTION 2: As provided in a collective bargaining agreement between the Borough of Park Ridge and the Park Ridge Utility Employees Association, the Park Ridge Borough Employees Association, and the Park Ridge Police Department Employees Association, the salary to be paid employees covered under this agreement for the year 2009 is hereby fixed as follows:

I. PARK RIDGE UTILITY EMPLOYEE’S ASSOCIATION

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>BASIS</u>
Supervising Line Worker	\$65,596	\$87,461	Per Annum
Senior Line Worker	65,544	83,392	“ “
Line Worker	59,400	79,319	“ “
Lineworker, Trainee	48,157	64,210	“ “
Supervisor, Roads	56,964	75,952	“ “
Supervisor, Water	57,293	76,391	“ “
Electric Meter Repairer	55,390	73,853	“ “
Mechanic	54,551	72,735	“ “
Meter Reader – A	52,086	69,448	“ “
Meter Reader - B	45,695	60,927	“ “
Senior Road Repairer	52,307	69,742	“ “
Senior Water Repairer	52,638	70,183	“ “
Road Repairer/Maint. Repairer	47,827	63,769	“ “
Water Repairer	48,157	64,210	“ “
Sewer Maint. Wkr/Water Repairer	48,157	64,210	“ “
Laborer Part Time	6.50	20.00	Per Hour

II. PARK RIDGE BOROUGH EMPLOYEE’S ASSOCIATION

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>BASIS</u>
Municipal Court Administrator	\$45,201	\$60,268	Per Annum
Principal Accounts Clerk	45,201	60,268	“ “
Sr. Acct. Clk/Reg. Sec. Bd. Of Health	45,201	60,268	“ “
Principal Clerk Typist	44,532	59,375	“ “
Senior Accounts Clerk	43,529	58,039	“ “
Senior Cashier	43,529	58,039	“ “
Police Records Clerk	43,529	58,039	“ “
Accounts Clerk	33,503	41,879	“ “
Deputy Mun. Court Clerk (P.T.)	22,429	29,906	“ “
Technical Assistant (P.T. 25 hrs.)	32,384	41,397	“ “
Secretary, Planning Bd. (P.T.)	18,666	24,888	“ “
Secretary, Zoning Bd. Adj. (P.T.)	12,454	16,606	“ “
Clerk Typist	29,062	35,941	“ “
Clerical Assistant	8.00	28.62	Per hour
School Crossing Guard		19.70	Per hour

SECTION 3. Except as stated in Section 2 above, all other manner of compensation, fringe benefits, vacation, holidays and administration of departmental affairs shall be continued in written agreements between the Borough of Park Ridge and the Park Ridge Borough Employees Association, and the Park Ridge Utility Employees Association, which agreements will expire on December 31, 2009 and December 31, 2010, respectively. All manner of remuneration shall be effective on January 1, 2009.

SECTION 4. All ordinances or parts thereof inconsistent herewith are expressly repealed.

SECTION 5. This ordinance shall become effective after final passage and publication as required by law.

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

Mayor Ruschman asks the clerk to read the Ordinance by title.

Ordinance No. 2008-19, An Ordinance establishing the Classification for Certain Employees of the Borough of Park Ridge, Bergen County, New Jersey for 2009.

Mayor Ruschman asks Colleen Ennis to give a brief description of the ordinance.

Ms. Ennis replied the borough has two bargaining units and built into the contract that runs out this year are the salaries to be paid for the positions.

Mayor Ruschman asks if there is anyone present wishing to be heard concerning the adoption of this Ordinance. There was no one.

Mayor Ruschman asks for a motion to close the Public Hearing and that this ordinance be adopted and that it be published by title in The Record with notice of final passage.

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

AYES: Council members Ciannella, Wells, Maughan

ABSTAIN: Councilmember Levinson

CONSENT AGENDA:

Mayor Ruschman asks if any Councilmember would like to have any resolution removed from the consent agenda and placed under New Business.

Mayor Ruschman asks if any Council member would like to abstain from voting on any resolution on the consent agenda.

Councilmember Levinson to abstain from Resolution #4.

Mayor Ruschman asks for a motion to accept the Consent Agenda with the abstention so noted.

A motion was made by Councilmember Levinson and seconded by Councilmember Ciannella to confirm. Carried with one abstention.

RESOLUTIONS:

**BOROUGH OF PARK RIDGE
RESOLUTION**

Petition with Adopted Housing Element & Fair Share Plan

WHEREAS. The Planning Board of the Borough of Park Ridge, in the County of Bergen, State of New Jersey, adopted the Housing Element of the Master Plan on December 3, 2008; and

WHEREAS, a true copy of the resolution of the Planning Board, adopting the Housing Element is attached pursuant to N.J.A.C. 5:96-2.2(a)2; and

WHEREAS, the Planning Board adopted the Fair Share Plan on December 3, 2008; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Fair Share Plan is attached pursuant to N.J.A.C. 5:96-2.2(a)2.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Park Ridge, County of Bergen, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Park Ridge Planning Board; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Park Ridge pursuant to the provisions of N.J.S.A. 52:27D-301 et seq, and N.J.A.C. 5:96-3.2(a), submits this petition for substantive certification of the Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan has been included with the petition; and

BE IT FURTHER RESOLVED that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing’s Executive Director indicating that the submission is complete and that a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Borough of Park Ridge municipal clerk’s office located at 53 Park Avenue, during the hours of 8:30am-4:30pm on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5

**BOROUGH OF PARK RIDGE
RESOLUTION**

**AUTHORIZING PARTICIPATION
IN A COOPERATIVE PRICING SYSTEM**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Cranford Police Cooperative Pricing System (ID # 47-CPCPS), hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on December 23, 2008 the Mayor and Council of the Borough of Park Ridge, County of Bergen, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Park Ridge; and

AUTHORITY

Pursuant to the provisions of *N. J.S.A. 40A:11-11(5)*, the Borough Administrator is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

**BOROUGH OF PARK RIDGE
RESOLUTION**

AUTHORIZE TAX OVERPAYMENT REFUND

WHEREAS, as a result of a duplicate payment in accordance to R.S. 54:4-21, there has resulted the overpayment of taxes.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the Borough Treasurer be and she is hereby authorized and directed to return the following 2008 tax overpayments:

BLOCK	LOT	QUAL	NAME	AMOUNT
103	3	C0020	Jerome & Roberta Zuckerman 20 Sherwood Downs	\$ 225.31
103	3	C0288	Jeffrey & Amy Zimmerman 288 Forester Way	\$5,844.60
601	6		George & Patricia Christensen 119 Warren Road	\$1,952.28
608	37		Henry Bonnabel 101 West Street Rm. 16 Hillsdale, NJ 07642	\$ 403.39
902	14		Jerry & Phyllis Glercher 14 Mapleleaf Drive	\$ 100.00
906	6		John & Carolyn Cannan 10 Lenape Road	\$1,814.85
1017	5		Barbara Brown & Charles Degruchy 8 Etheridge Place	\$2,535.75
1102	12		William & Janine Wittenberg 40 North Fifth Street	\$1,841.61
1402	2	C4161	Benjamin Martin 161 North Maple Avenue	\$1,207.74
1601	11		PRAH Associates 40 Park Avenue	\$2,276.70
2003	9		Frank & Doris Fauci 25 Kinderkamack Road	\$1,602.45

2004	4	Stephen & Rosemary Happ 87 Chestnut Avenue	\$2,163.30
2209	11	Nancy Sascente Esq. Trust Acct 44 Fairview Avenue	\$3,044.69
715	5	Gosta & Alfa Groop 59 Mountain Avenue	\$ 119.24
606	13	LPS Property Tax Solutions 3100 New York Drive Suite #100 Pasadena, CA 91107 ATTN: Refunds Department	\$1,148.53
903	24	Frank & Lorrie Recine 4 Willow Court	\$4,139.98
501	7	Christopher Garvin Esq. Trust Acct 268 Valley Boulevard Woodridge, NJ 07075	\$2,968.61

**BOROUGH OF PARK RIDGE
 RESOLUTION**

FIRE DEPARTMENT LOSAP ELIGIBLES

WHEREAS, the Borough of Park Ridge has adopted a LOSAP program for the members of the volunteer Fire Department; and

WHEREAS, to be eligible for the annual \$1,354.93 stipend, members must meet certain criteria as including in the approving ordinance; and

WHEREAS, Chief Thomas Derienzo has certified that certain eligible members meet the established criteria, a copy of said list of eligibles being attached hereto; and

WHEREAS, 29 members have been authorized at \$1,354.93 each for a total of \$39,292.97; and

WHEREAS, the eligible members are also entitled to a cost of living increase, which has not been declared by the State and will be added when the amount is forthcoming;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Park Ridge hereby authorizes the Borough Treasurer to initiate the LOSAP payments in the names of those deemed eligible to receive them.

**BOROUGH OF PARK RIDGE
 RESOLUTION**

EMPLOYEE SALARIES 2009

WHEREAS, the Borough of Park Ridge has entered into a collective bargaining agreement with the Park Ridge Borough Employees Association, Park Ridge Utility Employees Association, and the Park Ridge Police Department Employees Association; and

WHEREAS, the Mayor and Council have adopted Ordinance 2008-19 which specifies a minimum and maximum range for the positions contained in the agreement; and

WHEREAS, the purpose of this resolution is to specify the exact salaries each employee shall be paid within the aforementioned ranges.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the following employees shall receive the salaries designated below, said salaries being within the ranges set by Ordinance 2008-19; and

BE IT FURTHER RESOLVED that the Borough Treasurer be and she is hereby authorized and directed to pay salaries and wages to the aforementioned employees in accordance with the schedule below, said salaries to be effective as of January 1, 2009.

PARK RIDGE BOROUGH EMPLOYEES ASSOCIATION

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>	<u>STEP</u>
Katica Bukvic	Principal Account Clerk	\$60,268.00	5
Eileen Helgerson	Municipal Court Admin.	60,268.00	5

Joan Higgins	Sr. Accounts Clerk/Registrar/ Secretary Board of Health	60,268.00	5
Joseph Barnes	Senior Cashier	58,039.00	5
Lucille Bosco	Police Records Clerk	58,039.00	5
Helyn Beer	Secretary, Zoning Board	16,606.00	5
Helyn Beer	Secretary, Planning Board	24,888.00	5
Liz Maggio	Principal Accounts Clerk	47,712.00	2 1/1/09
		50,224.00	3 12/1/09
Lillian Denmark	Deputy Court Clerk	26,168.00	4 1/1/09
		27,414.00	5 5/1/09
Elena Rega	Technical Assistant	36,890.00	4 1/1/09
		38,393.00	5 9/1/09
Jessica Mazzarella	Account Clerk/Cashier	37,500.00	2 1/1/09
Karen Prezant	Receptionist/Typing	32,443.00	2 1/1/09
School Crossing Guards		19.70/hour	

PARK RIDGE UTILITY EMPLOYEES ASSOCIATION

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>	<u>STEP</u>
Paul Longo	Supervising Line Worker	87,461.00	7
James Leichtman	Senior Line Worker	83,392.00	7
Robert Minugh, Jr.	Line Worker	79,319.00	5
Russell Kent, Jr.	Line Worker	79,319.00	5
Paul Neumann	Line Worker	79,319.00	5
Robert Murken, Jr.	Electric Meter Repairer	73,853.00	5
Kenneth Reynolds	Water Supervisor	76,391.00	5
Timothy Malloy	Senior Water Repairer	70,183.00	5
Jay Ottens	Water Repairer	64,210.00	5
James Babcock	Water Repairer	64,210.00	5
Mark Gronbeck	Water Repairer	64,210.00	5
Kevin Altomare	Sewer/Water Repairer	64,210.00	5
Daniel Boyle	Water Repairer	64,210.00	5
John Reynolds	Meter Reader	64,210.00	5
Peter Wayne	Road Supervisor	71,205.00	4 1/1/09
		75,952.00	5 5/1/09
William Diedtrich	Senior Road Repairer	63,769.00	5
John Woods	Road Repairer	55,798.00	4 1/1/09
		58,455.00	5 10/1/09
Richard Solimando	Road Repairer	47,827.00	1 1/1/09
		50,483.00	2 5/1/09
Joseph Zuccaro	Road Repairer	47,827.00	1 1/4/09
		50,483.00	2 8/1/09
Charles Deitrich	Buildings/Grounds	63,769.00	5
Kenneth Nibbling	Mechanic	66,674.00	5 1/1/09
		69,705.00	6 5/1/09

PARK RIDGE POLICE DEPARTMENT EMPLOYEES ASSOCIATION

Joseph Rampola	Lieutenant	109,559.00	
Peter Mauro, Jr.	Sergeant	101,052.00	
Nicholas Errico	Sergeant	101,052.00	
Anthony DiBlasi	Sergeant	101,052.00	
Edward Visich	Police Officer	92,545.00	
Charles Barthel	Police Officer	92,545.00	
Paul Marchese	Police Officer	92,545.00	
Scott Laughton	Police Officer	92,545.00	
Scott Malloy	Police Officer	92,545.00	
Gregory Stalb	Police Officer	92,545.00	
James Babcock	Police Officer	92,545.00	
Matthew Eitner	Police Officer	72,620.00	3 1/1/09
		82,583.00	2 8/1/09
Michael Babcock	Police Officer	39,941.00	7 1/1/09
		47,372.00	6 7/1/09
Christopher Puglis	Police Officer	39,941.00	7 1/1/09
		47,372.00	6 8/1/09
Daniel Hoffman	Police Officer	32,510.00	P 1/1/09
		39,941.00	7 2/1/09
Todd Stowe	Police Officer	32,510.00	P 1/1/09
		39,941.00	7 8/1/09

BOROUGH OF PARK RIDGE
RESOLUTION

RESOLUTION ENDORSING SUBMISSION OF REQUEST FOR WAIVER TO COAH TO PERMIT THE BOROUGH OF PARK RIDGE TO EARN CREDIT FOR AN EMERGENT AFFORDABLE HOUSING OPPORTUNITY INCONSISTENT WITH COAH'S BEDROOM DISTRIBUTION STANDARDS

WHEREAS, on December 24, 2008, Park Ridge Borough, Bergen County, ("Park Ridge" or "Borough") submitted to COAH a motion in the form of a letter requesting a waiver from the requirements of N.J.A.C. 5:97-8.1(d) and N.J.A.C. 5:97-8.7(a), in order to permit the municipality to utilize affordable housing trust funds for affordability assistance towards a recently approved mixed-use development which has one (1) affordable rental already built and to be administered by Emerald Management, 100 Madison Avenue Suite 1, Westwood, New Jersey 07675; and

WHEREAS, Park Ridge received substantive certification for its second round Housing Element and Fair Share Plan on June 5, 1996, which addressed the Borough's 116-unit obligation, including a rehabilitation obligation of four (4) units and a new construction obligation of 112 units; and

WHEREAS, Park Ridge's certified plan included a vacant land adjustment of 43 units, 36 prior cycle credits, 14 inclusionary zone units, four (4) rental bonuses, a 12-unit regional contribution agreement (RCA) with the Borough of Ogdensburg, Sussex County, and a 3-unit regional contribution agreement (RCA) with the City of Garfield, Bergen County; and

WHEREAS, on April 3, 1996, Park Ridge received COAH approval of its development fee ordinance; and

WHEREAS, Park Ridge received COAH approval of its development fee spending plan on April 3, 1996, that called for the Borough to use development fees on COAH approved housing activities; and

WHEREAS, based on COAH monitoring records, the Borough's Affordable Housing Trust Fund contained a balance of \$547,760.78 as of December 31, 2007, however \$98,000.00 of this amount will be pledged towards affordability assistance for the one (1) rental units noted above; and

WHEREAS, on December 23, 2008, the Borough of Park Ridge, submitted a request for a waiver from the requirements of COAH's regulations at N.J.A.C. 5:97-8.1(d) and N.J.A.C. 5:97-8.7(a); and

WHEREAS, N.J.A.C. 5:97-8.1(d) mandates that a municipality may not spend development fees until such time as the municipality obtains approval of its spending plan from COAH and N.J.A.C. 5:97-8.7(a) provides that funds generated by the collection of development fees may only be applied toward housing activity identified in a COAH approved spending plan; and

WHEREAS, Park Ridge proposes to spend development fees on an emergent affordable housing opportunity that is not included in the Borough's previously submitted third round Housing Element and Fair Share Plan, nor in its COAH approved spending plan; and

WHEREAS, Park Ridge seeks approval from COAH to spend previously collected development fees toward affordability assistance for One (1) rental unit at Block 1505, Lot 4 at 37 Park Avenue in the Borough in the form of a \$98,000.00 grant to the developer; and

WHEREAS, the pending grant is to be conditioned on the Borough's receipt of COAH's approval of the developer's expenditure of \$98,000 in collected development fees; and

WHEREAS, pursuant to N.J.A.C. 5:96-15.2, COAH shall grant a waiver from specific provisions of its rules if it determines that: 1) strict application of the rules would impose an unnecessary hardship; 2) the waiver would foster the production of affordable housing; 3) the waiver would foster the intent of COAH's rules; and 4) the Housing Element and Fair Share Plan provides a mix of housing options; and

WHEREAS, strict application of COAH's rules would impose an undue hardship on the Borough by preventing it from taking steps toward meeting its affordable housing obligations and denial of the waiver request would prevent the municipality from realizing this opportunity; and

WHEREAS, granting the requested waiver would foster the production of affordable housing, would serve the intent of the COAH rules to ensure that municipalities address their fair share obligation through the creation of family rental units and would further diversify an affordable housing stock that includes rentals, sales, family and age-restricted units; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Park Ridge that it endorses and approves the submission of a waiver to COAH for approval for Park Ridge to earn credit for an emergent affordable housing unit opportunity inconsistent with COAH's bedroom distribution standards; and

BE IT FURTHER RESOLVED, that a true certified copy of this resolution be forwarded to COAH within ten (10) days of adoption.

**BOROUGH OF PARK RIDGE
RESOLUTION**

APPOINTMENT OF ACCOUNT CLERK/CASHIER

WHEREAS, Jessica Mazzarella is currently employed in the municipality as an Account Clerk; and
WHEREAS, the Chief Financial Officer has reviewed her duties and believes that her job description with additional duties that have been assigned to her should more properly be an Account Clerk/Cashier a job description; and

WHEREAS, the Chief Financial Officer recommends the placement of Jessica Mazzarella in the position of Account Clerk/Cashier effective November 1, 2008 starting at \$34,242.00 (Thirty-Four Thousand Two Hundred Forty-Two Dollars); and

WHEREAS, the Park Ridge Employees Association has been advised of this job title change and has approved of it.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that Jessica Mazzarella is appointed into position of Account Clerk/Cashier effective January 1, 2009 at a starting salary of \$37,500.00 (Thirty-Seven Thousand Five Hundred Dollars); and

BE IT FURTHER RESOLVED that a true copy of this resolution shall be sent to Jessica Mazzarella within ten (10) days of the date of adoption.

**BOROUGH OF PARK RIDGE
RESOLUTION**

APPOINTMENT OF RECEPTIONIST

WHEREAS, Karen Prezant is working part time as a receptionist secretary but has been classified as a clerk typist; and

WHEREAS, the Borough wants the job to become a full time position and reclassified as a receptionist typing; and

WHEREAS, the Park Ridge Employees Association has approved of this change of title and job description; and

WHEREAS, Karen Prezant is recommended by the Borough Administrator to become the receptionist full time effective January 1, 2009 on an annual salary of \$32,443.00 (Thirty-Two Thousand Four Hundred Forty Three Dollars).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that Karen Prezant is appointed into a full time position known as receptionist typing effective January 1, 2009 and her annual salary shall be \$32,443.00 (Thirty-Two Thousand Four Hundred Forty Three Dollars); and

BE IT FURTHER RESOLVED that a true copy of this resolution shall be sent to Karen Prezant within ten (10) days of the date of adoption.

**BOROUGH OF PARK RIDGE
RESOLUTION**

ADOPTION OF CORRECTIVE ACTION PLAN FOR ANNUAL AUDIT

WHEREAS, the Annual Report of Audit for the year 2007 was filed with the Municipal Clerk pursuant to N.J.S.A. 40A:5 on November 19, 2008; and

WHEREAS, 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," have signed the group affidavit form, and adopted the resolution of certification; and

WHEREAS, the CFO has filed the attached Corrective Action Plan pursuant to N.J.S.A 40A: 5; and

WHEREAS, N.J.S.A. 40A:5 requires the Governing Body to adopt by resolution the Corrective Action Plan within 60 days of receipt of audit;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the Corrective Action Plan is hereby approved.

**BOROUGH OF PARK RIDGE
RESOLUTION**

AUTHORIZING HIRING OF T&M ASSOCIATES

WHEREAS, the Mayor and Council have received a proposal from T&M Associates for supplemental services for the Mill Pond Dam Rehabilitation; and

WHEREAS, T&M Associates will provide Engineering and services in accordance with their proposal date of December 9, 2008 at a cost not to exceed \$2,500.00 (Two Thousand Five Hundred Dollars); and

WHEREAS, the Borough Administrator recommends this appointment.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that T&M Associates is hired to provide supplemental services in accordance with their proposal of December 9, 2008 at a cost not to exceed \$2,500.00 (Two Thousand Five Hundred Dollars); and

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

BE IT FURTHER RESOLVED that a true copy of this resolution shall be sent to T&M Associates 1373 Broad St. Suite 306, Clifton, NJ 07013 within ten (10) days of the date of adoption

**BOROUGH OF PARK RIDGE
RESOLUTION
RESOLUTION ENDORSING SUBMISSION OF REQUEST FOR WAIVER TO COAH TO PERMIT THE
BOROUGH OF PARK RIDGE TO USE DEVELOPMENT FEE FUNDS FOR AN EMERGENT
AFFORDABLE HOUSING UNIT**

WHEREAS, on December 24, 2008, Park Ridge Borough, Bergen County, ("Park Ridge" or "Borough") submitted to COAH a motion in the form of a letter requesting a waiver from the requirements of N.J.A.C.5:97-8.1(d) and N.J.A.C. 5:97-8.7(a), in order to permit the municipality to utilize affordable housing trust funds for affordability assistance towards a recently approved mixed-use development which has one (1) affordable rental unit already built to be administered by Emerald Management; and

WHEREAS, Park Ridge received substantive certification for its second round Housing Element and Fair Share Plan on June 5, 1996, which addressed the Borough's 116-unit obligation, including a rehabilitation obligation of four (4) units and a new construction obligation of 112 units; and

WHEREAS, Park Ridge's certified plan included a vacant land adjustment of 43 units, 36 prior cycle credits, 14 inclusionary zone units, four (4) rental bonuses, a 12-unit regional contribution agreement (RCA) with the Borough of Ogdensburg, Sussex County, and a 3-unit regional contribution agreement (RCA) with the City of Garfield, Bergen County; and

WHEREAS, on April 3, 1996, Park Ridge received COAH approval of its development fee ordinance; and

WHEREAS, Park Ridge received COAH approval of its development fee spending plan on April 3, 1996, that called for the Borough to use development fees on COAH approved housing activities; and

WHEREAS, based on COAH monitoring records, the Borough's Affordable Housing Trust Fund contained a balance of \$547,760.78 as of December 31, 2007, however \$98,000.00 of this amount will be pledged towards affordability assistance for the one (1) rental units noted above; and

WHEREAS, on December 23, 2008 the Borough of Park Ridge, submitted a request for a waiver from the requirements of COAH's regulations at N.J.A.C. 5:97-8.1(d) and N.J.A.C. 5:97-8.7(a); and

WHEREAS, N.J.A.C. 5:97-8.1(d) mandates that a municipality may not spend development fees until such time as the municipality obtains approval of its spending plan from COAH and N.J.A.C. 5:97-8.7(a) provides that funds generated by the collection of development fees may only be applied toward housing activity identified in a COAH approved spending plan; and

WHEREAS, Park Ridge proposes to spend development fees on an emergent affordable housing opportunity that is not included in the Borough's previously submitted third round Housing Element and Fair Share Plan, nor in its COAH approved spending plan; and

WHEREAS, Park Ridge seeks approval from COAH to spend previously collected development fees toward affordability assistance for One (1) rental unit at Block 1505, Lot 4 at 37 Park Avenue in the Borough in the form of a \$98,000.00 grant to the developer; and

WHEREAS, the pending grant is to be conditioned on the Borough's receipt of COAH's approval of the developer's expenditure of \$98,000 in collected development fees; and

WHEREAS, pursuant to N.J.A.C. 5:96-15.2, COAH shall grant a waiver from specific provisions of its rules if it determines that: 1) strict application of the rules would impose an unnecessary hardship; 2) the waiver would foster the production of affordable housing; 3) the waiver would foster the intent of COAH's rules; and 4) the Housing Element and Fair Share Plan provides a mix of housing options; and

WHEREAS, strict application of COAH's rules would impose an undue hardship on the Borough by preventing it from taking steps toward meeting its affordable housing obligations and denial of the waiver request would prevent the municipality from realizing this opportunity; and

WHEREAS, granting the requested waiver would foster the production of affordable housing, would serve

the intent of the COAH rules to ensure that municipalities address their fair share obligation through the creation of family rental units and would further diversify an affordable housing stock that includes rentals, sales, family and age-restricted units; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Park Ridge that it endorses and approves the submission of a waiver to COAH for approval to use development fee funds for an emergent affordable house unit; and

BE IT FURTHER RESOLVED, that a true certified copy of this resolution be forwarded to COAH within ten (10) days of adoption.

**BOROUGH OF PARK RIDGE
RESOLUTION**

**REDUCTION OF PERFORMANCE BOND
FOR WINDWARD, LLC**

WHEREAS, Windward, LLC of 9 Park Avenue, Borough of Park Ridge, County of Bergen and State of New Jersey; also known as Block 1504, Lot 15 on the Tax Map of the Borough of Park Ridge has posted a Performance Bond in the amount of \$79,182.00; and

WHEREAS, Windward, LLC has requested the reduction of the Performance Bond; and

WHEREAS, the engineer has reviewed and inspected the site; and has submitted a report dated December 12, 2008, a copy of which is attached; and

WHEREAS, the engineer has recommended that the Performance Bond be further reduced by the sum of \$14, 200.00; and

WHEREAS, the remaining bond amount to be held is \$2, 160.00; and

WHEREAS, cash component is 10% or \$216.00 and the bond component is 90% or \$1,944.00; and

WHEREAS, the Planning Board of the Borough of Park Ridge has recommended that the Performance Bond be further reduced by the sum of \$14,200.00, the remaining bond amount to be held being \$2,160.00; \$216.00 of which shall be in cash and \$1,944.00 shall be a bond; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the Performance Bond posted by Windward, LLC be reduced as per the Planning Board recommendation to \$2,160.00; and further broken into a cash amount of \$216.00 and a bond amount of \$1,844.00, and a copy of this resolution be forwarded to the Chief Financial Officer.

**BOROUGH OF PARK RIDGE
RESOLUTION**

**RESOLUTION FOR FUNDING OF COAH UNIT AT
37 PARK AVENUE**

WHEREAS, 37 Ridge, LLC the owner of the property known as 37 Park Avenue in the Borough of Park Ridge received approval from the Planning Board of the Borough of Park Ridge on February 27, 2008 with development of this site; and

WHEREAS, on the same day the Planning Board of the Borough of Park Ridge recommended to the Mayor and Council that if the applicant received approval from the Park Ridge Zoning Board to construct a 680 square foot affordable housing that \$98,000.00 (Ninety-Eight Thousand Dollars) of funds currently held in the Borough of Park Ridge development fee fund be used to help the applicant in the construction of that unit; and

WHEREAS, the applicant applied to and received the approval of the Park Ridge Zoning Board of Adjustment to create an affordable housing unit on the premises; and

WHEREAS, the applicant has received the approval from the Board of Adjustment April 5, 2008; and

WHEREAS, the Mayor and Council want this unit created so that it can be used toward fulfilling part of the Borough's COAH affordable housing requirement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Park Ridge that the Chief Financial Officer upon receipt of a written request is authorized to transmit to 37 Park Ridge, LLC development fee funds not to exceed \$98,000.00 (Ninety-Eight Thousand Dollars) as payment for the development of the affordable housing unit on the property; and

BE IT FURTHER RESOLVED that the Chief Financial Officer shall make such payments only after the applicant has satisfied the conditions of approval of both the Planning Board Resolution of February 27, 2008 and the Zoning Board of Adjustment April 15, 2008 so that building permits can be issued to the applicant; and

BE IT FURTHER RESOLVED that a true copy of this resolution shall be sent to the applicant's attorney within ten (10) days from the date of adoption.

At this point, Administrator Vinci said as a note on the ordinance just passed regarding employee association salary ranges that there was a position of Principal Account Clerk that needed to be looked at further and suggested the council hold off on passing the Ordinance.

After conferring with the Borough Attorney, Mayor Ruschman noted for the record that that particular position is removed for now from the salary ranges.

Clerk was asked to call the roll again with the note made by Mayor Ruschman. Carried unanimously.

NEW BUSINESS:

Councilmember Maughan introduced a verbal motion requesting the council's permission to engage Mark Ruderman, Esq., a labor attorney to clarify some labor issues relative to contracts the borough has in place with a maximum expenditure of \$1,500.00.

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

A motion was made by Councilmember Maughan and seconded by Councilmember Levinson to adjourn the regular Mayor and Council meeting. Meeting adjourned at 8:45p.m.

Meeting adjourned at 8:45 p.m.