

**COMMISSIONERS CAUCUS MEETING**  
**RIDGEFIELD PARK**  
**April 4, 2013**  
**7:00 PM**

Mayor Fosdick announced that this meeting is being held in accordance with the "Open Public Meeting Act, N.J.S.A. 10 4-6 et seq." notice of which was sent to the Record, and the Star Ledger on December 28, 2012 and was posted on the Municipal Bulletin Board.

**ROLL CALL**

Those present were Commissioners Anlian, Boyd, MacNeill, Poli and Mayor Fosdick in the Chair.

Also present: Philip Boggia, Esq.; Alan O'Grady, DPW Superintendent; Fred Rosen, Planning Board Chairman, and Tara O'Grady, Village Clerk

**APPROVAL OF MINUTES**

Motion by Commissioner Boyd, seconded by Commissioner MacNeill, to approve the minutes of the Caucus Meeting and the Closed Session Meeting of March 21, 2013.

On roll call, Commissioners Anlian, Boyd, MacNeill and Mayor Fosdick voted "YEA".  
Abstain: Commissioner Poli

**DISCUSSION I**

Doug Bern, attorney for Chase Partners, stated his client has been working on the redevelopment project for a year. They have had meetings with Commissioner MacNeill and Attorney Phil Boggia regarding the terms of the Pilot and Redevelopment Agreements. Mr. Bern stated as of the last meeting, he was under the impression all were close to an agreement and on the cusp of moving forward.

Gail Gordon, member of Chase Partners, asked for a full and thorough meeting with the members of Chase Partners and the Board of Commissioners prior to a formal vote on the termination of Chase Partners as redevelopers. They have invested nearly one quarter of a million dollars into the redevelopment project, hired professionals and are ready to proceed.

Mayor Fosdick stated the Board of Commissioners has lost confidence in Chase Partners.

Commissioner Boyd expressed her concern regarding conflicting stories.

Attorney Boggia stated the meeting on March 21<sup>st</sup> ended cordially. Chase Partners was moving away from their original RFP. No agreements were made. There were no satisfactory explanations why they were pulling away from the terms of their RFP or why they represented projects they did not build. The decision to terminate is based on the totality of Chase's decision to shy away from the original RFP.

Commissioner MacNeill added that although every meeting ended on a positive note, discussions in the last few meetings were eroding.

Commissioner Anlian stated his disappointment. He loved the original presentation but re-confirmed the lack of confidence.

Doug Bern stated the letter from Phil Boggia listing 36 issues was disconcerting since they agreed on 15 of the issues.

**April 4, 2013**

Phil Boggia stated he does not have the authority to agree to anything, he only issues recommendations. The governing body has the authority.

Gail Gordon stated that although it appears minds have been made up, perhaps the Board of Commissioners would give Chase Partners 30-60 days to clear any issues.

**CLOSED SESSION:**

On a motion by Commissioner Anlian, seconded by Commissioner Boyd, the public portion of the meeting recessed in order to convene a Closed Session Executive Meeting permitted pursuant to N.J.S.A. 10:4-12b (7) Redevelopment of Meadowlands

On roll call, Commissioners Anlian, Boyd, MacNeill, Poli and Mayor Fosdick voted "YEA".

The Board of Commissioners convened closed session at 7:50 p.m.

On a motion by Commissioner Anlian, seconded by Commissioner Boyd, the Board of Commissioners returned to open session at 8:12 p.m.

Phil Boggia stated the Village can continue to have communication with Chase Partners if the resolution is adopted to terminate Chase as redevelopers, however, the Village will not work exclusively with Chase.

Commissioner Anlian stated the concept of Chase's original RFP was better than the others submitted however taking credit for projects they did not complete is hard to accept.

**NEW BUSINESS**

**Resolution**

2013-043      Approve Termination of Chase Partners as Redeveloper

Motion by Commissioner Poli, seconded by Commissioner Anlian to approve Resolution 2013-043.

On roll call, Commissioners Anlian, MacNeill, Poli and Mayor Fosdick voted "YEA". Commissioner Boyd voted "NAY".

At this time, Doug Bern and Gail Gordon left the meeting.

**DISCUSSION II**

Kevin Kelly, attorney for Papa's Sand and Gravel and Mr. D'Elia, owner of Papa's Sand and Gravel were present to discuss soil sifting business at the Skymark property.

Mr. Kelly stated Skymark gave a lease to Mr. D'Elia. He was not aware of the zoning regulations and inquired about a temporary license to continue working.

Commissioner MacNeill advised Mr. Kelly, the Board of Commissioners wanted to know if his client had permission from Skymark and wanted to see the written agreement.

Commissioner Boyd inquired about the operating hours and fencing.

**April 4, 2013**

Mr. D'Elia stated he can put up temporary fencing. Operating hours would be approx. 3 days per week from 7am-3pm and an occasional Saturday morning.

The Board of Commissioners advised Phil Boggia to draft an agreement with Papa's Sand and Gravel.

At this time, Kevin Kelly and Mr. D'Elia left the meeting.

**CORRESPONDENCE**

03-56 NJLM Mayor's Advisory – Various Grant Opportunities for Climate and Energy Initiatives - Informational

03-57 NJLM Mayor's Advisory – Mandatory Direct Deposit – Commissioner Boyd to address

03-58 NJLM Mayor's Advisory – Appellate Division Upholds DEP Waiver Rule - Informational

03-59 Hugo Benitez – Lighting, Cameras – Mayor Fosdick will contact Mr. Savino

03-60 Cesar Jacobo – Littering, Cameras – Mayor Fosdick will contact Mr. Savino

03-61 Chief Rose - Health Benefits for Grandfathered Crossing Guards – Mayor will address

03-62 NJLM Mayor's Advisory – Early Voting Bills - Informational

03-63 Bergen County Utilities Authority- Municipal Incentive Program Rebate - Informational

03-64 NJ DEP – New Elevation Standards – Attorney Boggia working on ordinance

03-65 NJLM Mayor's Advisory – FEMA Hazard Mitigation Grant Program - Processed

03-66 NJLM Mayor's Advisory – NJ Formally Adopts Federal Advisory Flood Elevation Maps - Informational

03-67 NJLM Mayor's Advisory – National Donate Life Month - Informational

03-68 NJLM Mayor's Advisory – Survey on Hurricane Sandy's Impact - Informational

03-69 Washington Watch Fax Advisory – Federal Updates and National Links - Informational

03-70 Boggia & Boggia – Redevelopment Agreement Village of Ridgely Park & VRP, LLC – Attorney Boggia has not received any disputes regarding the contents of his letter.

04-01 NJLM Mayor's Advisory – Integrity Oversight Monitor Legislation - Informational

04-02 Environmental Commission Resolution – Protection of Eagle Nest – Informational

**April 4, 2013**

- 04-03 Shared Service Agreement for Senior Citizen Center – T. O’Grady to invite County to Caucus meeting.
- 04-04 Jeff Saxton- Petition from the Bergen County Coalition to prevent Gun Violence – Will take under advisement
- 04-05 Boggia & Boggia letter to Doug Bern – Chase Partners – Handled earlier in meeting
- 04-06 Stephen Sacco – NJ SEM Membership - Informational
- 04-07 Shade Tree Commission – Arbor Day Proclamation – T. O’Grady to prepare proclamation for April 9, 2013 Commissioner’s meeting
- 04-08 Doug Bern letter to Boggia & Boggia – Chase Partners – Handled earlier in meeting
- 04-09 Hartz Mt. – Subdivision of Parcel 2A – Resolution to be prepared by Village Attorney Boggia
- 04-10 NJLM Mayor’s Advisory – Ethics Resources - Informational
- 04-11 NJLM Mayor’s Advisory – Sharing Burden of Property Assessment Appeal Refunds – Informational
- 04-12 Boggia e-mail – AT&T Monopole – Village Attorney Boggia to respond

## **REPORTS**

**Commissioner Boyd** responded to Correspondence 03-57. The Board of Commissioners should adopt an ordinance to mandate direct deposit for employees. All employees who receive a monthly stipend/paycheck will go to bi-weekly payroll. Payroll fees will have to be budgeted next year in the event our bank will not cover the fees. The Deputy Clerk has resigned. Commissioner Boyd inquired to any changes from the Pool Commission regarding discounted memberships, extended hours, and raises for lifeguards.

**Commissioner Poli** stated the Loss Control Report regarding the DPW Site Observation revealed no discrepancies. The President of the Ambulance Corps. has resigned. The new President is John Tymon.

**Mayor Fosdick** informed all the Little League Parade is Saturday, April 6<sup>th</sup> at 10:30 am. The Commissioners are invited on Saturday, April 6<sup>th</sup> at 1:00 pm to Von Buddhism of America. Advised T. O’Grady FEMA Grant of \$5,000.00 is to go to OEM. Mayor Fosdick stated the Pool Commission must put any change requests in writing for the Board of Commissioners to review.

**DPW Superintendent O’Grady** advised the Mayor and Commissioners paving will commence on Preston Street next Thursday and Friday.

**April 4, 2013**

**ADJOURNMENT**

Mayor Fosdick adjourned the meeting at 9:07 p.m.

s/John H. Anlian  
Commissioner

/s/Margaret R. Boyd  
Commissioner

/s/Adam A. MacNeill  
Commissioner

/s/ Hugo R. Poli  
Commissioner

/s/ George D. Fosdick  
Mayor

/s/ Tara O'Grady  
Village Clerk  
Approved on April 18, 2013