

COMMISSIONERS REGULAR MEETING AGENDA
RIDGEFIELD PARK
December 28, 2021
7:30 PM

Mayor Anlian announces 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, 2020 and was posted on the Municipal Website and Bulletin Board.

ROLL CALL

FLAG SALUTE

PAYMENT OF BILLS

CORRESPONDENCE

Ridgefield Park Fire Department Engine Co. No. 2 – New Member

COMMISSIONER REPORTS

HEARING OF CITIZENS

NEW BUSINESS

Mayor Anlian announces that the following business is considered to be routine in nature and will be enacted in one motion. Any item may be removed for separate consideration.

RESOLUTIONS:

- 2021-148 Authorize Police Department to Participate in the Defense Logistics Agency,
Law Enforcement Support Office, 1033 Program
2021-149 Establish Rules of Decorum for all Public Meeting

CLOSED SESSION (if necessary)

- 2020-150 Authorize Closed Session Meeting

ADJOURNMENT

Resolution 2021-148

RESOLUTION AUTHORIZING THE VILLAGE OF RIDGEFIELD PARK POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE RIDGEFIELD PARK POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED by the **Board of Commissioners of the Village of Ridgefield Park** that the **Ridgefield Park Police Department** is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the calendar year from January 1, 2022 to December 31, 2022.

NOW THEREFORE BE IT FURTHER RESOLVED that the **Ridgefield Park Police Department** is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies,

construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the **Ridgefield Park Police Department** without restriction; and

BE IT FURTHER RESOLVED that the **Ridgefield Park Police Department** is hereby authorized to acquire the following “DEMIL B through Q” property, if it shall become available in the period of time for which this resolution authorizes.

BE IT FURTHER RESOLVED that the “DEMIL B through Q” controlled 3-page property list in its entirety is hereby approved and hereto attached to this resolution.

BE IT FURTHER RESOLVED that the **Ridgefield Park Police Department** shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the **Ridgefield Park Police Department** shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the calendar year from January 1, 2022 to December 31, 2022.

Resolution 2021-149

A Resolution Establishing Rules of Decorum for all Public Meetings in the Village of Ridgefield Park

Whereas, members of the public are encouraged to speak at all open meetings of the Village of Ridgefield Park in accordance with the provisions of this resolution; and

Whereas: In New Jersey, a citizen's right to speak is established by the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

Whereas, N.J.S.A. 10:4-12a provides: "...a municipal governing body and a board of education shall be required to set aside a portion of every meeting of the municipal governing body or board of education, the length of the portion to be determined by the municipal governing body or board of education, for public comment on any governmental or school district issue that a member of the public feels may be of concern to the residents of the municipality or school district"; and

Whereas, in the 2010 decision in Besler v West Windsor-Plainsboro Regional BOE, the New Jersey Supreme Court ruled that governing bodies should adopt their decorum rules sufficiently in advance so that the public has reasonable notice, and governing bodies must apply these rules in a content neutral fashion without regard to the viewpoint being expressed; and

Whereas, the Besler court wrote: "A public body may control its proceedings in a content-neutral manor by stopping a speaker who is disruptive or who fails to keep to the subject matter on the agenda. The government or a school board, however, has the burden of showing that its restriction of speech in a public forum was done in a constitutionally permissible purpose."

Now, Therefore, Be It Resolved by the Board of Commissioners of the Village of Ridgefield Park, that the Rules of Decorum for all public meetings in the Village of Ridgefield Park shall be held in accordance with the following procedures:

Public Meeting Rules of Decorum

- A. Decorum. Meetings of the Village of Ridgefield Park shall be conducted in an orderly manner to ensure that the public has a full opportunity to be heard and that the deliberative process is retained at all times. This also includes meetings of all boards and other bodies of the Village. The presiding officer shall be responsible for maintaining the order and decorum of meetings.
- B. Rules of Decorum. While any meeting is in session, the following rules of order and decorum shall be observed:

1. Rules of Order: Unless otherwise provided by law, Robert's Rules of Order shall govern the conduct of all meetings when necessary. The attorney for the body or the attorney's designee shall act as Parliamentarian.
2. Members: The members of the governing body and members of all boards and other bodies shall preserve order and decorum, and a member shall make best efforts not to interrupt or disrupt the proceedings or disturb any other member while speaking.
3. Matters Discussed in Closed Session: No person shall disclose in open session the matters discussed in closed session without the express authorization of the Village attorney or in accordance with the law.
4. Persons Addressing the Meeting: Each person who addresses the meeting shall do so in an orderly manner. Any person who utters physically threatening, patently offensive or abusive language, or engages in any other conduct which disrupts, disturbs or otherwise impedes the orderly conduct of any meeting shall, at the discretion of the presiding officer or a majority of the members, be asked to refrain from such conduct.
5. Audience: No person at a meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, physically threatening or abusive language, or other acts which disturb, disrupt or otherwise impede the orderly conduct of any meeting and the ability of the public to hear or participate. Any person who conducts himself in the aforementioned manner shall, at the discretion of the presiding officer or a majority of the body, be requested to refrain from such conduct.
6. Personal Comments: All statements are part of the public record and cannot be redacted.

C. Public Participation. The public is encouraged to address the members or ask questions during the following portions of the meeting:

1. Hearings: The meeting shall be opened for public comment at the appropriate point on the agenda for any hearing with respect to an ordinance or other specific matter required by law. The maximum that any individual speaker shall be allotted is 5 minutes, unless extended at the discretion of the presiding officer.
2. Open Public Session: During this period of the agenda, the public is encouraged to comment on any matter of concern. The maximum that any individual speaker shall be allotted is 5 minutes, unless extended at the discretion of the presiding officer.

D. Addressing the Meeting. No person shall address the meeting without first being recognized by the presiding officer. The following procedures shall be observed by persons addressing the members:

1. Each person shall step to the podium provided for the use of the public and shall state his or her name and address; the organization, if any, which he or she represents; and, if during the open public session of the meeting, the subject he or she wishes to discuss. Children under 18 shall not be required to give their last name or address.
2. During any hearing with respect to an ordinance or other specific matter required by law, speakers shall limit comments to the specific ordinance or matter on the agenda. Speakers may be requested not to be irrelevant or repetitious, consistent with White v Norwalk, California.
3. All remarks shall be addressed to the presiding officer, who shall refer matters to individual members for a response, if necessary.

E. Enforcement of Decorum. The rules of decorum set forth above shall be enforced in the following manner:

1. The presiding officer shall request that a person who is breaching the rules of decorum to be orderly.
2. If, after receiving a warning from the presiding officer, a person persists in disturbing the meeting, the presiding officer may order a temporary recess.
3. If the person repeatedly continues to disturb the meeting, the presiding officer may request that person to leave the meeting.
4. If such person does not leave the meeting and continues disruptive conduct, the presiding officer may order any law enforcement officer to remove that person from the chambers, provided the person's behavior constitutes a criminal disruption. State v Charzewski, 356 N.J. Super 151 (App. Div. 2002).
5. If a meeting is disturbed or disrupted in such a manner as to make the restoration of order infeasible or improbable, the meeting may be adjourned or continued by the presiding officer or a majority of the members, and any remaining business may be considered at the next meeting.