

COMMISSIONERS REGULAR MEETING AGENDA
RIDGEFIELD PARK
February 14, 2023
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 29, 2022 and was posted on the Municipal Bulletin Board and the Village Website.

ROLL CALL

FLAG SALUTE

APPROVAL OF MINUTES

Commissioners Regular Meeting of January 24, 2023

PAYMENT OF BILLS

CORRESPONDENCE

Ridgefield Park Fire Department Truck 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:

- | | |
|---------|--|
| 2023-22 | Approve 2022 Corrective Action Plan |
| 2023-23 | Authorize One-Year Extension of the Solid Waste Service Agreement with the Bergen County Utilities Authority |
| 2023-24 | Authorize Agreement for Public Health Services with the Borough of Ridgefield |
| 2023-25 | Approve Tax Appeal Settlement – 54 Mt. Vernon Street |
| 2023-26 | Approve Tax Appeal Settlement – 71 Park Street |
| 2023-27 | Approve Tax Appeal Settlement – 125 Hudson Avenue |
| 2023-28 | Approve Tax Appeal Settlement – 128-130 Paulison Avenue |
| 2023-29 | Approve Tax Appeal Settlement – 65 Bergen Avenue |
| 2023-30 | Approve Tax Appeal Settlement – 161 Park Street |
| 2023-31 | Authorize Contracts with Approved State Contract Vendors |
| 2023-32 | Appoint Environmental Commission Members |
| 2023-33 | Authorize Mayor Anlian to sign Mid-Bergen Regional Health Commission Agreement for Health Services |
| 2023-34 | Authorize Disposal of Three (3) DPW Vehicles |

ORDINANCE PUBLIC HEARING AND ADOPTION

2023-01 AN ORDINANCE APPROVING THE APPLICATION AND FINANCIAL AGREEMENT AUTHORIZING A TAX EXEMPTION AND PAYMENT IN LIEU OF TAXES PROGRAM FOR 30 CROSS RP URBAN RENEWAL, LLC FOR THE CONSTRUCTION OF A REDEVELOPMENT PROJECT LOCATED IN THE VILLAGE OF RIDGEFIELD PARK

PROCLAMATION

2023 Artist Laureate

CLOSED SESSION (if necessary)

2023-35 Authorize Closed Session Meeting

ADJOURNMENT

Resolution 2023-22

Corrective Action Plan -2022

WHEREAS, the Village of Ridgefield Park has received the Independent Financial Audit for the Year Ending December 31, 2021; and

WHEREAS, the Audit noted nine recommendations that require action by the Village that corrects the findings in the next Fiscal Period; and

WHEREAS, the Corrective Action Plan is attached to this Resolution and will be forwarded to the Division of Local Government Services in accordance with the Guidelines of their Office;

NOW, THEREFORE BE IT RESOLVED, the Corrective Action Plan has been accepted by the Board of Commissioners of the Village of Ridgefield Park and will be remitted to the Division of Local Government Services.

Resolution 2023-23

BE IT RESOLVED that the Board of Commissioners hereby authorizes the Mayor, Village Clerk, and all other appropriate officials to execute the one-year extension of the Solid Waste Service Agreement, commencing June 1, 2023 through May 31, 2024, with the Bergen County Utilities Authority, subject to approval as to form by the Village Attorney.

Resolution 2023-24

BE IT RESOLVED that the Ridgefield Park Board of Commissioners hereby authorizes the agreement with the Borough of Ridgefield for health services of a technical and professional nature as specified in the contract as Immunizations and Child Health Conferences.

BE IT FURTHER RESOLVED that the agreement is set forth as follows:

January 1, 2023 through December 31, 2023 with a \$500 administrative fee and a \$40 fee per vaccination/visit.

Resolution 2023-25

WHEREAS, the Ridgefield Park Board of Commissioners have been advised of the proposed settlement of a property Tax Appeal filed by Ashraf Shaker, (hereinafter the “Tax Appeal”), under Docket Numbers 013028-2020, 012422-2021 and 010304-2022, and;

WHEREAS, the aforesaid Tax Appeal involves a mixed-use property located at 54 Mt. Vernon Street, and is otherwise designated as Block 65 Lot 18 on the tax assessment map of the Village (hereinafter the “Subject Property”), and;

WHEREAS, the said Governing Body has been advised as to the merits of the subject Tax Appeal by the Village’s Appraiser and Tax Assessor, and;

WHEREAS, the proposed Tax Appeal settlement components are set forth in the Schedule “A” attached hereto and made a part hereof, and;

WHEREAS, it is in the best interest of the Village to settle the subject Tax Appeal in accordance with the terms set forth hereinabove.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Village of Ridgefield Park, that the settlement of the aforesaid Tax Appeal be finalized in accordance with the enclosed Schedule “A”, and;

BE IT FURTHER RESOLVED, that with respect to same, the Mayor, Village Clerk, Village Tax Attorney and/or any other appropriate Village official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

SCHEDULE “A”

The terms of the aforesaid tax appeal settlement shall consist as follows:

2020 Appeal: Withdraw
2021 Appeal: Withdraw
2022 Appeal: \$450,000

Resolution 2023-26

WHEREAS, the Ridgefield Park Board of Commissioners have been advised of the proposed settlement of a property Tax Appeal filed by Ashraf Shaker, (hereinafter the “Tax Appeal”), under Docket Numbers 013029-2020, 012421-2021 and 010303-2022, and;

WHEREAS, the aforesaid Tax Appeal involves a mixed-use property located at 71 Park Street, and is otherwise designated as Block 61 Lot 6 on the tax assessment map of the Village (hereinafter the “Subject Property”), and;

WHEREAS, the said Governing Body has been advised as to the merits of the subject Tax Appeal by the Village’s Appraiser and Tax Assessor, and;

WHEREAS, the proposed Tax Appeal settlement components are set forth in the Schedule “A” attached hereto and made a part hereof, and;

WHEREAS, it is in the best interest of the Village to settle the subject Tax Appeal in accordance with the terms set forth hereinabove.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Village of Ridgefield Park, that the settlement of the aforesaid Tax Appeal be finalized in accordance with the enclosed Schedule “A”, and;

BE IT FURTHER RESOLVED, that with respect to same, the Mayor, Village Clerk, Village Tax Attorney and/or any other appropriate Village official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

SCHEDULE “A”

The terms of the aforesaid tax appeal settlement shall consist as follows:

2020 Appeal: Withdraw
2021 Appeal: Withdraw
2022 Appeal: \$375,000

Resolution 2023-27

WHEREAS, the Ridgefield Park Board of Commissioners have been advised of the proposed settlement of a property Tax Appeal filed by Ashraf Shaker, (hereinafter the “Tax Appeal”), under Docket Numbers 013030-2020, 012419-2021 and 010301-2022, and;

WHEREAS, the aforesaid Tax Appeal involves a residential property located at 125 Hudson Avenue, and is otherwise designated as Block 78 Lot 6 on the tax assessment map of the Village (hereinafter the “Subject Property”), and;

WHEREAS, the said Governing Body has been advised as to the merits of the subject Tax Appeal by the Village’s Appraiser and Tax Assessor, and;

WHEREAS, the proposed Tax Appeal settlement components are set forth in the Schedule “A” attached hereto and made a part hereof, and;

WHEREAS, it is in the best interest of the Village to settle the subject Tax Appeal in accordance with the terms set forth hereinabove.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Village of Ridgefield Park, that the settlement of the aforesaid Tax Appeal be finalized in accordance with the enclosed Schedule “A”, and;

BE IT FURTHER RESOLVED, that with respect to same, the Mayor, Village Clerk, Village Tax Attorney and/or any other appropriate Village official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

SCHEDULE “A”

The terms of the aforesaid tax appeal settlement shall consist as follows:

2020 Appeal: Withdraw
2021 Appeal: Withdraw
2022 Appeal: \$500,000

Resolution 2023-28

WHEREAS, the Ridgefield Park Board of Commissioners have been advised of the proposed settlement of a property Tax Appeal filed by Ashraf Shaker, (hereinafter the “Tax Appeal”), under Docket Numbers 013031-2020, 012420-2021 and 010302-2022, and;

WHEREAS, the aforesaid Tax Appeal involves a multi-unit residential property located at 128-130 Paulison Avenue, and is otherwise designated as Block 46 Lot 17 on the tax assessment map of the Village (hereinafter the “Subject Property”), and;

WHEREAS, the said Governing Body has been advised as to the merits of the subject Tax Appeal by the Village’s Appraiser and Tax Assessor, and;

WHEREAS, the proposed Tax Appeal settlement components are set forth in the Schedule “A” attached hereto and made a part hereof, and;

WHEREAS, it is in the best interest of the Village to settle the subject Tax Appeal in accordance with the terms set forth hereinabove.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Village of Ridgefield Park, that the settlement of the aforesaid Tax Appeal be finalized in accordance with the enclosed Schedule “A”, and;

BE IT FURTHER RESOLVED, that with respect to same, the Mayor, Village Clerk, Village Tax Attorney and/or any other appropriate Village official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

SCHEDULE “A”

The terms of the aforesaid tax appeal settlement shall consist as follows:

2020 Appeal: Withdraw
2021 Appeal: Withdraw
2022 Appeal: \$800,000

Resolution 2023-29

WHEREAS, the Ridgefield Park Board of Commissioners have been advised of the proposed settlement of a property Tax Appeal filed by Batoma Realty Company, (hereinafter the “Tax Appeal”), under Docket Numbers 004305-2021 and 006751-2022, and;

WHEREAS, the aforesaid Tax Appeal involves a mixed-use property located at 65 Bergen Avenue, and is otherwise designated as Block 90 Lot 6 on the tax assessment map of the Village (hereinafter the “Subject Property”), and;

WHEREAS, the said Governing Body has been advised as to the merits of the subject Tax Appeal by the Village’s Appraiser and Tax Assessor, and;

WHEREAS, the proposed Tax Appeal settlement components are set forth in the Schedule “A” attached hereto and made a part hereof, and;

WHEREAS, it is in the best interest of the Village to settle the subject Tax Appeal in accordance with the terms set forth hereinabove.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Village of Ridgefield Park, that the settlement of the aforesaid Tax Appeal be finalized in accordance with the enclosed Schedule “A”, and;

BE IT FURTHER RESOLVED, that with respect to same, the Mayor, Village Clerk, Village Tax Attorney and/or any other appropriate Village official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

SCHEDULE “A”

The terms of the aforesaid tax appeal settlement shall consist as follows:

2021 Appeal: Withdraw
2022 Appeal: \$7,000,000

Resolution 2023-30

WHEREAS, the Ridgefield Park Board of Commissioners have been advised of the proposed settlement of a property Tax Appeal filed by Park Court, Inc., (hereinafter the “Tax Appeal”), under Docket Numbers 004437-2021 and 006753-2022, and;

WHEREAS, the aforesaid Tax Appeal involves a mixed-use property located at 161 Park Street, and is otherwise designated as Block 82 Lot 5 on the tax assessment map of the Village (hereinafter the “Subject Property”), and;

WHEREAS, the said Governing Body has been advised as to the merits of the subject Tax Appeal by the Village’s Appraiser and Tax Assessor, and;

WHEREAS, the proposed Tax Appeal settlement components are set forth in the Schedule “A” attached hereto and made a part hereof, and;

WHEREAS, it is in the best interest of the Village to settle the subject Tax Appeal in accordance with the terms set forth hereinabove.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Village of Ridgefield Park, that the settlement of the aforesaid Tax Appeal be finalized in accordance with the enclosed Schedule “A”, and;

BE IT FURTHER RESOLVED, that with respect to same, the Mayor, Village Clerk, Village Tax Attorney and/or any other appropriate Village official is hereby authorized to perform any act necessary to effectuate the purposes set forth in this Resolution.

SCHEDULE “A”

The terms of the aforesaid tax appeal settlement shall consist as follows:

2021 Appeal: Withdraw
2022 Appeal: \$1,900,000

Resolution 2023-31

A Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12a

WHEREAS, the Village of Ridgefield Park, pursuant to N.J.S.A. 40A:11-12 a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Village of Ridgefield Park has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Village of Ridgefield Park intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts.

NOW, THEREFORE BE IT RESOLVED that the Village of Ridgefield Park authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the Board of Commissioners of the Village of Ridgefield Park pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Village of Ridgefield Park and the Referenced State Contract Vendors shall be from January 1, 2023 to December 31, 2023.

Resolution 2023-32

BE IT RESOLVED that the Board of Commissioners hereby appoints the following as Regular Members of the Environmental Commission with terms expiring as indicated:

Harry Menta	December 31, 2025
Guillermo Lopez-Acosta	December 31, 2023

BE IT RESOLVED that the Board of Commissioners hereby appoints the following as Associate Members of the Environmental Commission with terms expiring December 31, 2023:

Cynthia Rasmussen	Nicole Terrarosa
Gloria Rivera	Gianna Terrarosa

Resolution 2023-33

BE IT RESOLVED that the Board of Commissioners hereby authorizes Mayor Anlian to sign the agreement with Mid-Bergen Regional Health Commission for health services of a technical and professional nature as specified in the contract.

BE IT FURTHER RESOLVED that the agreement is set forth as follows:

January 1, 2023 through December 31, 2023 in the amount of \$17,700.00 per annum

Resolution 2023-34

RESOLUTION AUTHORIZING THE DPW TO DISPOSE OF THREE (3) DPW VEHICLES DEEMED TO BE OF NO VALUE DUE TO THEIR POOR CONDITION

WHEREAS, The DPW is currently in possession of three (3) vehicles described as follows:

1. 1997 GMC Pickup 1GTHK34R4VZ524116
2. 200 GMC Truck 1GDJK34R7YF482057
3. 200 GMC Truck 1GDJK348YF484559; and

WHEREAS, the DPW has made inquiry as to whether any of these vehicles have trade-in or other value and solicited the opinion of an experienced GMC Truck distributor, Beyer Bros. Corp., 109 Broad Ave., Fairview, NJ; and

WHEREAS, Beyer Bros., Corp. issued a letter dated February 1, 2023 stating that the above three (3) vehicles have no trade-in value and should be scrapped; a copy of said letter is attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners authorize Edward Monroe, Superintendent of the Department of Public Works to scrap the above vehicles due to their poor condition, which will be taken to a licensed landfill for proper disposal of junk vehicles.

VILLAGE OF RIDGEFIELD PARK

ORDINANCE NO. 2023-01

AN ORDINANCE APPROVING THE APPLICATION AND FINANCIAL AGREEMENT AUTHORIZING A TAX EXEMPTION AND PAYMENT IN LIEU OF TAXES PROGRAM FOR 30 CROSS RP URBAN RENEWAL, LLC FOR THE CONSTRUCTION OF A REDEVELOPMENT PROJECT LOCATED IN THE VILLAGE OF RIDGEFIELD PARK

WHEREAS, the Village is authorized under the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “Redevelopment Law”), to determine whether certain parcels of land within the Village constitute an area in need of redevelopment and to adopt redevelopment plans therefor; and

WHEREAS, the Village previously designated certain properties within the Village, including the parcels identified as Block 152.01, Lots 1, 1.01, and 2 on the Village’s tax maps (the “Land” or “Project Area”) as an “area in need of redevelopment” pursuant to the Redevelopment Law and the laws which preceded it; and

WHEREAS, on August 19, 2021 pursuant to Ordinance No. 2021-11, the Village Board of Commissioners (the “Board of Commissioners”) finally adopted a redevelopment plan for the Project Area, entitled “Industrial Avenue North Non-Condemnation Redevelopment Plan, Block 152.01, Lots 1, 1.01 and 2,” dated June 7, 2021 and prepared by Kenneth Ochab, P.P., AICP (the “Redevelopment Plan”), which Redevelopment Plan (as same may be amended or supplemented) governs the Project Area: and

WHEREAS, 30 CROSS RP URBAN RENEWAL, LLC (the “Entity”) is the contract purchaser of the Project Area; and

WHEREAS, an affiliate of the Entity applied to the Village Planning Board for preliminary and final site major plan approval in connection with an approximately 98,400 gross leasable square foot warehouse building for warehouse and light industrial and/or fulfillment center uses, including typical and ancillary site improvements (collectively, the “Project”), which application was approved by the Village Planning Board on April 4, 2022, and memorialized by resolution of the Village Planning Board dated May 2, 2022; and

WHEREAS, the Village and the Entity entered into that certain redevelopment agreement, dated November 4, 2022 (the “Redevelopment Agreement”), pursuant to which, among other things, the Entity agreed to redevelop the Project Area by constructing the Project thereon; and

WHEREAS, pursuant to, and in accordance with, the provisions of the Redevelopment Law and Long Term Tax Exemption Law, the Village is authorized to provide for a tax exemption within a redevelopment area and for payments in lieu of taxes; and

WHEREAS, in order to enhance the economic viability of, and opportunity for, a successful project, the Village will enter into this Agreement with the Entity governing the payments made to the Village in lieu of taxes on the Project pursuant to the Long Term Tax Exemption Law and the Redevelopment Law; and

WHEREAS, in accordance with the Long Term Tax Exemption Law, the Entity filed an application, which is incorporated herein by reference (the "Application"), with the Village for approval of a long term tax exemption for the Improvements (as defined herein); and

WHEREAS, upon review of the Application, the Village has made the following findings:

A. Relative Benefits of the Project:

The Project will provide the region with a new state-of-the-art light industrial/warehouse building. The Project Area is currently underutilized and will benefit from the undertaking of the Project, which will generate revenue and create jobs. The Project is expected to produce approximately 200 construction jobs and approximately 98 permanent jobs.

B. Assessment of the importance of the tax exemption in obtaining development of the Project and influencing the locational decisions of probable occupants:

The Entity is making a significant equity contribution toward the cost of the Project. In order to improve the economic viability of the development of the Project, the Village has agreed to provide the tax exemption for the Project pursuant to this Agreement. The stability and predictability of the Annual Service Charge (as defined herein) will make the Project more competitive and assist the Entity to undertake the Project in the Village. The Entity has represented that in the absence of the tax exemption, the Project will not be undertaken.

WHEREAS, an affiliate of the Entity intends to develop a warehouse and light industrial facility on the property adjoining the Project Area and located in the Borough of Bogota, currently estimated to be approximately 89,130 gross leasable square feet, and to be located on parcels currently designated as follows on the Borough of Bogota tax map: Block 113, Lots 7, 7.01, 7.02, 7.03, 8, 8.01, and 8.02 (the "**Adjoining Project**"); and

WHEREAS, the Mayor submitted the Application and Financial Agreement to the Board of Commissioners with his recommendation for approval, a copy of which recommendation is on file with the Village Clerk; and

WHEREAS, the Board of Commissioners has reviewed the terms of the Application and the Financial Agreement and hereby finds that the relevant benefits of the Project to the redevelopment of the Redevelopment Area outweigh the loss, if any, of property tax revenue in granting the long-term tax exemption for the Project; and

WHEREAS, the Board of Commissioners has further determined that the assistance provided to the Project pursuant to the Financial Agreement will be a significant inducement for the Entity to

proceed with the Project and that based on information and representations set forth in the Application, the Project would not be feasible without such assistance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Village of Ridgefield Park, as follows:

1. The aforementioned recitals are incorporated as if set forth herein at length.
2. The Application filed by the Entity, a copy of which is on file with the Village Clerk and which has been recommended for approval by the Mayor, is hereby approved.
3. The Mayor, Village Clerk and all other appropriate officials are hereby authorized to execute the Financial Agreement substantially in the form attached to the Application, subject to approval as to form by the Village Attorney. The Mayor is further authorized to undertake all actions necessary and permitted to effectuate the purposes of this Resolution and the Financial Agreement.
4. The executed copy of the Financial Agreement shall be certified by and be filed with the Office of the Village Clerk. Further, the Village Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Village and the Director of the Division of Local Government Services with the Department of Community Affairs, in accordance with the Long Term Tax Exemption Law.
5. All Ordinance or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
6. If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of this Ordinance shall remain valid and effective.
7. This Ordinance shall take effect 20 days after adoption and publication as required by law.