

COMMISSIONERS CAUCUS MEETING AGENDA
RIDGEFIELD PARK
September 7, 2023
7:00 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

APPROVAL OF MINUTES

Commissioners Caucus Meeting of August 17, 2023

CORRESPONDENCE

08-09 Board of County Commissioners – Resolutions/Ordinances

08-10 NJLM Weekly Round-Up

08-11 NJDEP Weekly Update

08-12 NJLM Weekly Roundup

08-13 Thomas Duch, County of Bergen – Temporary Shared Service Agreement – Tree Removal Along County Roads

08-14 Jack Terhune, 200 Club – Meritorious Service Award

08-15 Derek Sands, County of Bergen – Upcoming County Events

09-01 NJLM Weekly Roundup

DISCUSSION

Overpeck Avenue Island Reduction

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:

2023-120 Authorize Contract with Jersey Fire Equipment Company
2023-121 Approve Consent Order with the County of Bergen to Resolve All Remaining Claims in Litigation Entitled Village of Ridgefield Park v. County of Bergen, et al., Docket No. BER-C-326-00

ORDINANCE INTRODUCTION

2023-14 AN ORDINANCE REPEALING CHAPTER 172, SECTION 5(F), OF THE CODE OF THE VILLAGE OF RIDGEFIELD PARK

ORDINANCE PUBLIC HEARING & ADOPTION

2023-13 AN ORDINANCE AMENDING CHAPTER 362 OF THE CODE OF THE VILLAGE OF RIDGEFIELD PARK, ENTITLED "TOWING AND STORAGE"

HEARING OF CITIZENS

REPORTS

Mayor & Commissioners
Village Attorney
Superintendent DPW

Chief of Police
Village Clerk

PROCLAMATION

General Federation of Women's Club "Day of Service"

CLOSED SESSION

2023-122 Authorize Closed Session Meeting

ADJOURNMENT

Resolution 2023-120

RESOLUTION AUTHORIZING CONTRACT FOR THE PURCHASE OF FIREFIGHTING PROTECTIVE CLOTHING AND EQUIPMENT WITH NEW JERSEY FIRE EQUIPMENT COMPANY, AN APPROVED STATE CONTRACT VENDOR 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:11-12a 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 Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Village of Ridgefield Park has the need to purchase firefighting protective clothing and equipment utilizing State contracts, as set forth in the attached sales order; and

WHEREAS, the Village of Ridgefield Park intends to enter into contract in the amount of \$67,937.10 with New Jersey Fire Equipment Company, 119-131 Route 22 East, Green Brook, NJ 08812, which company is a State Contract Vendor, ID No. V0000570, subject to properly executed contracts, which shall be subject to all the conditions applicable to the current State contract; and

WHEREAS, the Fire Chief has recommended that a contract be awarded as set forth herein, based upon the proposal submitted, a copy of which is attached hereto;

NOW, THEREFORE, BE IT RESOLVED by the Village of Ridgefield Park that a contract be awarded to New Jersey Fire Equipment Company; 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 contract between the Village of Ridgefield Park and New Jersey Fire Equipment Company will be completed upon the delivery of the firefighting protective clothing and equipment.

VILLAGE OF RIDGEFIELD PARK

Resolution No. 2023-121

A Resolution Approving a Consent Order With the County of Bergen to Resolve All Remaining Claims in the Litigation Entitled *Village of Ridgefield Park v. County of Bergen, et al.*, Docket No. BER-C-326-00

WHEREAS, in 1951 the Village of Ridgefield Park (“Village”) donated 206 acres of publicly-owned property to the County of Bergen (“County”) for the creation of a County park. Approximately 97 acres of this land remains undeveloped. The balance of the acreage was either taken for highway purposes or returned to the Village in 1964; and

WHEREAS, the Village’s donation, along with a substantial donation from the Township of Teaneck, were made in accordance with a Map entitled “Study For The Overpack Marine Park in Bergen County, New Jersey” by A. Carl Stelling and Associates, dated May 19, 1949. The plan was approved by the Bergen County Parks Commission and the existing Board of Chosen Freeholders (now known as the Board of County Commissioners); and

WHEREAS, after a series of disputes between the parties, an Amended Final Judgment was entered by Hon. Marguerite T. Simon, P.J.S.C. on October 1, 2002 (the “2002 Amended Final Judgment”) (which amended an earlier Final Judgment dated August 15, 2002), which was consented to by the parties; and

WHEREAS, the Amended Final Judgment provided for, *inter alia*, the construction of a “pedestrian footbridge over Route 95 in the vicinity of Veterans Park and Ridgefield Park High School” (the “Pedestrian Bridge”) connecting the Village and what is now known as Overpeck County Park, the maintenance of which would ultimately rest with the Village of Ridgefield Park; and

WHEREAS, the construction of the Pedestrian Bridge was delayed by a variety of factors, including but not limited to certain rules and regulations of the New Jersey Turnpike Authority relating to pedestrian crossings spanning roads under its jurisdiction; and

WHEREAS, the Village now has a need for new and improved athletic fields and other related park amenities at Veterans Park to serve its residents; and

WHEREAS, the Village and the County have negotiated a proposed Consent Order whereby the County would provide a total of twenty million dollars (\$20,000,000) in funding to be used for the development and improvement of Veterans Park; and

WHEREAS, pursuant to the terms of the Consent Order, the County has agreed to provide increased access to the Overpeck Park athletic fields during the period of construction of the Veterans Park improvements; and

WHEREAS, the County has also agreed to use its best efforts to facilitate and improve pedestrian access to Overpeck Park by other means, including through improved traffic signalization and other improvements in the vicinity of Route 95, the New Jersey Turnpike, and Emerson Street; and

WHEREAS, the Village has determined that the benefits to its residents of the Consent Order significantly outweigh the benefits that would have been realized by the construction of a Pedestrian Bridge under the terms of the Amended Final Judgment, which would have required the Village to assume all financial and other responsibility for the maintenance, repair and/or reconstruction of the Pedestrian Bridge in the future; and

WHEREAS, the Village has determined that the execution of the proposed Consent Order is in the best interests of the Village of Ridgefield Park and its residents.

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

1. The above recitals are incorporated herein as if set forth at length.
2. The proposed Consent Order negotiated between the Village of Ridgefield Park and the County of Bergen is hereby consented to and approved by the Board of Commissioners of the Village of Ridgefield Park.
3. The Mayor, Village Clerk, and Village Attorney are hereby directed, authorized and empowered to execute the Consent Order and all other documents reasonably necessary to effectuate the provisions and purposes of this Resolution and the Consent Order.
4. This Resolution shall take effect immediately

ORDINANCE NO. 2023-14

**AN ORDINANCE REPEALING CHAPTER 172, SECTION 5(F),
OF THE CODE OF THE VILLAGE OF RIDGEFIELD PARK.**

WHEREAS, on April 26, 2022, the Village of Ridgefield Park passed Ordinance Number 2022-02, which repealed and replaced the section entitled "Fair Share Housing," in furtherance of its compliance with the Third Round Mount Laurel obligation; and,

WHEREAS, the Ordinance was intended to provide assurances that low- and moderate-income units ("affordable units") were created with controls on affordability over time, and that low- and moderate income households shall occupy those units; and,

WHEREAS, pursuant to Ordinance Number 2022-02, Chapter 172, Section 5(F), states that the Village "would adopt a resolution committing to fund any shortfall in the compliance mechanisms set forth in the Village's spending plan"; and,

WHEREAS, in the Village's spending plan and housing element and fair share plan ("HEFSP"), no resolution of an intent to fund is required; and,

WHEREAS, the Village therefore seeks to repeal that provision of the Village Code, due to its non-applicability.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Village of Ridgefield Park, County of Bergen, State of New Jersey, as follows:

Section 1. Ridgefield Park Code Chapter 172, Section 5(F), is hereby repealed and deleted in its entirety.

Section 2. Effective Date.

This ordinance shall become effective 20 days after upon adoption and publication as required by law.

VILLAGE OF RIDGEFIELD PARK

ORDINANCE NO. 2023-13

**AN ORDINANCE AMENDING CHAPTER 362 OF
THE CODE OF THE VILLAGE OF RIDGEFIELD
PARK, ENTITLED "TOWING AND STORAGE"**

WHEREAS, Chapter 362 of the Village Code sets forth the rules and regulations for towing companies and towing facilities that operate within the Village; and,

WHEREAS, Section 12 of Chapter 362 contains the fee schedule for the towing and storage of vehicles in the Village; and,

WHEREAS, the Ridgefield Park Board of Commissioners wish to amend the aforementioned Section to tie the towing and storage rates to the same rates that are approved by the New Jersey State Police on an annual basis.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Village of Ridgefield Park, that Chapter 362 of the Village Code, entitled "Towing and Storage", is hereby amended as follows:

SECTION 1: AMENDMENTS TO SECTION 362-12, ENTITLED "TOWING AND STORAGE FEE SCHEDULE".

Section 362-12, entitled "Towing and storage fee schedule" is hereby deleted in its entirety and replaced with the following:

- A. Fees for towing and storage of private passenger vehicles damaged in an accident, disabled on the roadway or recovered after being stolen shall not exceed those allowable by any and all New Jersey laws governing such fees.
- B. The rates for all towing and towing-related services shall be as set forth in the New Jersey State Police Schedule of Services approved by the Attorney General and implemented by the New Jersey State Police, as published and updated on an annual basis. A current

listing of the rates charged shall be maintained, as amended, by the Chief of Police or his designee, and by the official towing companies operating within the Village of Ridgefield Park. There shall be no additional charges other than those provided herein.

SECTION 2: SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent, and such holding shall not effect the validity of the remaining portions hereof.

SECTION 3: INCONSISTENCY.

Any and all ordinances, or parts thereof, in conflict or inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to such extent as they are so in conflict or inconsistent.

SECTION 4: EFFECTIVE DATE.

This ordinance shall take effect twenty (20) days after the first publication thereof after final passage.