

COMMISSIONERS REGULAR MEETING AGENDA
RIDGEFIELD PARK
December 26, 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.

This agenda is listed as a courtesy and attempt to inform the public of actions being considered by the Village Board of Commissioners. There may be additions and deletions prior to the Board taking final action. Any action may be taken at any meeting, which includes all Caucus and Regular sessions. The Commissioners reserve the right to conduct and/or attend any meetings presently scheduled for the rest of 2023 by a combination of electronic and/or in-person means. Meetings are open to the public.

ROLL CALL

FLAG SALUTE

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:

- 2023-173 Appoint Construction Board of Appeals Member
- 2023-174 Appoint Municipal Court Personnel
- 2023-175 Appoint Fire Inspectors
- 2023-176 Authorize Establishment of Petty Cash Funds
- 2023-177 Authorize Rate of Interest on Delinquent Taxes
- 2023-178 Authorize Cancellation of Small Balances
- 2023-179 Designate Official Depositories of the Village
- 2023-180 Designate Official Newspapers of the Village
- 2023-181 Designate Signatories for Banking Purposes
- 2023-182 Appoint Insurance Consultants
- 2023-183 Appoint Various Professional Services
- 2023-184 Appoint Village Attorney
- 2023-185 Award Contracts for Website and Social Media Consulting Services

ORDINANCE PUBLIC HEARING AND ADOPTION

2023-25 ORDINANCE ESTABLISHING CHAPTER 328 OF THE VILLAGE CODE,
ENTITLED "PRIVATELY-OWNED SALT STORAGE"

CLOSED SESSION (if necessary)

2023-186 Authorize Closed Session Meeting

ADJOURNMENT

Resolution 2023-173

BE IT RESOLVED that the Board of Commissioners hereby makes the following appointment to the Construction Board of Appeals:

Tom Vercelli, 1st Alternate, one year, term expiring December 31, 2024

Resolution 2023-174

BE IT RESOLVED that the Board of Commissioners hereby appoints the following personnel to the Municipal Court for a term commencing on January 1, 2024 and terminating December 31, 2024.

| | |
|------------------|----------------------------|
| Elsbeth Crusius | Prosecutor |
| David Molk | Public Defender |
| Bonnie Manaut | Deputy Court Administrator |
| Irene Blumenthal | Violations Clerk |

Resolution 2023-175

BE IT RESOLVED that the Board of Commissioners hereby appoints the following personnel as Fire Inspectors for a term commencing on January 1, 2024 and terminating December 31, 2024:

Carl Dettloff Fire Inspector

Kurt Nemecek Fire Inspector

Resolution 2023-176

BE IT RESOLVED that the Board of Commissioners hereby authorizes the following petty cash funds to be established for the following departments for the year 2024:

| | |
|----------------------------|----------|
| Ridgefield Park Library | \$200.00 |
| Police Department | \$200.00 |
| Village Clerk's Office | \$100.00 |
| Department of Public Works | \$100.00 |
| Municipal Pool | \$100.00 |
| Recreation Department | \$ 25.00 |

Resolution 2023-177

WHEREAS, RS 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law; and

WHEREAS, R.S. 54:4-67 permits fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on the amount in excess of \$1,500.00.

NOW, THEREFORE, BE IT RESOLVED that:

- 1.) The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes becoming delinquent after due date and 18% per annum on any amount of taxes in excess of \$1,500.00 becoming delinquent after due date, subject to abatement of discount for the late payment of taxes as provided by law.
- 2.) There shall be a grace period of ten (10) days for each quarterly tax payment.

Resolution 2023-178

WHEREAS, the State of New Jersey permits the cancellation of either overpayments or past due balances under \$10.00.

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of the Village of Ridgefield Park authorizes the Tax Collector to cancel small balances on properties with balances under \$10.00 for year 2024.

Resolution 2023-179

BE IT RESOLVED that the Board of Commissioners hereby designates the following as official depositories of all monies belonging to or in control of the Village of Ridgefield Park for the year 2024:

State of New Jersey Cash Management Fund
Valley Bank

Resolution 2023-180

BE IT RESOLVED that the Board of Commissioners hereby designates the following as official newspapers of the Village of Ridgefield Park to be used for legal notices and any other official business required for the year 2024:

The Record
The Star Ledger

Resolution 2023-181

BE IT RESOLVED that the Board of Commissioners hereby designates the following as official signatories on Village of Ridgefield Park Bank Accounts for the year 2024:

John H. Anlian, Mayor
Adam A. MacNeill, Commissioner
Vincent Buono, Chief Financial Officer
Tara O'Grady, Village Clerk

WHEREAS, there exists a need for insurance consultant services including, within the Village of Ridgefield Park for the period from January 1, 2024 to December 31, 2024 in connection with the insurance of the Village of Ridgefield Park known as the South Bergen Municipal Joint Insurance Fund and Municipal Excess Liability Fund; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5 (m) permits the retention of an insurance consultant and requires a resolution authorizing the award of a contract for these services as “Extraordinary Unspecified Services” which may be awarded without competitive bids and the contract must be available for public inspection; and

WHEREAS the Board of Commissioners certifies that these services meet the statutory and other regulations governing the award of said contracts; and

WHEREAS the Board of Commissioners desires to retain Mathew M. McArow and Ezio I. Altamura of GJEM Insurance Agency, Inc., 363 Cedar Lane, Teaneck, NJ 07666 as its Insurance Consultants.

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

1. There is hereby awarded without competitive bidding as an “Extraordinary Unspecified Service” in accordance with NJSA 40A:11-5 1 (a) (i) and (m) of the Local Public Contracts Law an insurance contract with Mathew M. McArow and Ezio I. Altamura because such services are specialized and quantitative in nature, require expertise, extensive training and personal reputation.
2. The Mayor and the Village Clerk are hereby authorized and directed to execute agreement with Mathew M. McArow and Ezio I. Altamura for a period from January 1, 2024 to December 31, 2024 to reflect their services as Insurance Consultants.
3. The amount paid to Mathew M. McArow and Ezio I. Altamura for the services rendered shall be equal to six percent (6%) of the municipality’s annual assessments as promulgated by the South Bergen Municipal Joint Insurance Fund who will pay such fees directly to Mathew M. McArow and Ezio I. Altamura.

BE IT FURTHER RESOLVED that a copy of this resolution shall be published in the Record in accordance with the Local Public Contracts Law.

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Resolution 2023-183

WHEREAS, there exists a need for various professional services including, attorneys, auditor, Village engineer, and consulting engineers, to act in accordance with the Code of the Village of Ridgefield Park and to represent the Village in various matters during the year 2024; and

WHEREAS, the Chief Financial Officer has certified that funds will be made available in the 2021 Current/Capital Fund Budget; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. requires that the resolution authorizing the award of contracts for professional services without competitive bids and the contracts themselves must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Ridgefield Park that professional contracts will be awarded for legal, auditing, and engineering, and services to the following professionals for the period commencing January 1, 2024 to December 31, 2024:

| | |
|---|---|
| Legal Services (Bond Counsel) | Steven Rogut, Esq., Rogut McCarthy, LLC 37 Alden Street, Cranford, NJ 07016 Legal Services and Costs, Line Account 01-2010-20-1552-036 Amount not to exceed \$30,000.00 |
| Legal Services (Labor Counsel) | Cleary Giacobbe Alfieri Jacobs 955 State Route 34, Ste. 200, Matawan, NJ 07747 Labor Negotiations, Line Account 01-2010-20-1570-027 Amount not to exceed \$25,000.00 |
| Auditing Services (Village Auditor) | Wielkotz and Company, LLC 401 Wanaque Avenue, Pompton Lakes, NJ 07442 Audit Services, Line Account 01-2010-20-1352-100 Amount not to exceed \$80,000.00 |
| Engineering Services (Village Engineer) | Boswell McClave Engineering 330 Phillips Avenue, South Hackensack, NJ 07606 Engineering O/E, Line Account 01-2010-20-1652-076 Amount not to exceed \$65,000.00 |
| Engineering Services (Sewer Consultants) | Mott MacDonald Group, Inc. 111 Wood Avenue South, Iselin, NJ 08830 Engineering O/E, Line Account 04-2150-55-1601-001 Amount not to exceed \$200,000.00 |

**Engineering Services
(Sewer Consultants)**

Suburban Consulting Engineers, Inc.
96 US Highway 206, Suite 101, Flanders, NJ 07836
Engineering O/E, Line Account 04-2150-55-1601-001
Amount not to exceed \$200,000.00

**Economic Consultant Services
Financial Advisor
Special Planner**

Benecke Economics
8410 Sanctuary Blvd., Riverdale, NJ 07457
Special Consultant, Line Account 01-2010-21-1803-028
Amount not to exceed \$30,000.00

Landscape Architect

MKW & Associates, LLC
39 Park Avenue, Rutherford, NJ 07070
Engineering O/E, Line Account 01-2010-20-1652-076
Amount not to exceed \$50,000.00

Arterial

507 Bloomfield Avenue, 2nd Floor, Montclair, NJ 07042
Engineering O/E, Line Account 01-2010-20-1652-076
Amount not to exceed \$50,000.00

Appraisal Services

McNerney & Associates, Inc.
266 Harristown Road, Glen Rock, NJ 07452-0067
Defense of Tax Appeals, Line Item 01-2010-20-1590-027
Amount not to exceed \$15,000.00

Planner

Kenneth Ochab Associates, LLC
12-16 Fair Lawn Avenue, Fair Lawn, NJ 07410
Special Consultant, Line Account 01-2010-21-1803-028
Amount not to exceed \$30,000.00

BE IT FURTHER RESOLVED that these contracts for professional services are awarded without competitive bid as professional Services” in accordance with NJSA 40A:11-5(1)(a)(I) of the local public contracts law because the subject matters of the contracts are for professional services by firms or professionals authorized to practice in the State of New Jersey.

BE IT FURTHER RESOLVED that these appointments comply with the applicable statutes regarding the non-fair and open process for awarding said professional service contracts; and

BE IT FURTHER RESOLVED that these appointments are contingent upon receipt of the certification stating that no political contributions have been received during the previous year and will not be received during the term of the contract.

BE IT FURTHER RESOLVED that the Mayor and the Village Clerk are hereby authorized to execute the above contracts for professional services.

BE IT FURTHER RESOLVED that a notice of the award of the above contracts shall be published in The Record as required by law within 10 days of the adoption of this resolution.

Resolution 2023-184

WHEREAS, the Village of Ridgefield Park requires the services of a Village Attorney pursuant to NJSA 40A:9-134 for a period of one year commencing January 1, 2024 and terminating on December 31, 2024 as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-25; and

WHEREAS, the fees that will be paid to Philip Boggia, of the firm Boggia Boggia and Betesh, LLC, will not exceed \$300,000.00; and

WHEREAS, the anticipated term of this contract is for one year from January 1, 2024 to December 31, 2024 and may be extended until the appointment of another municipal attorney in the year 2024; and

WHEREAS, Philip Boggia, Esq., of the firm Boggia Boggia and Betesh, LLC, has indicated that he will provide the necessary legal services to the Village of Ridgefield Park in accordance with applicable law and that he will furnish to the Village an estimated amount of the budget for legal fees in connection with the preparation of its annual budget; and

WHEREAS, Philip Boggia, Esq. of the firm Boggia Boggia and Betesh, LLC, has completed and submitted a Business Entity Disclosure Certification, which certifies that Philip Boggia, Esq., for the firm of Boggia Boggia and Betesh, LLC, has not made any reportable contributions to a political or candidate committee from the Village of Ridgefield Park in the previous year and which further certifies that Philip Boggia, and the firm of Boggia Boggia and Betesh, LLC, will be prohibited from making any reportable contributions throughout the term of his appointment as Village Attorney; and

WHEREAS, the Chief Financial Officer certifies that funds will be made available in the 2024 Current Fund Budget for Legal Services and Costs, line account #01-2010-20-1552-036.

NOW THEREFORE, BE IT RESOLVED that Philip Boggia, of the firm Boggia Boggia and Betesh, LLC, is hereby appointed as Village Attorney for the period commencing January 1, 2024 and terminating December 31, 2024 or until a successor is appointed; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of value shall be placed on file with this resolution in the Village Clerk's office; and

BE IT FURTHER RESOLVED that the Mayor and the Village Clerk are hereby authorized to execute the Contract for professional services with Philip Boggia, Esq.; and

BE IT FURTHER RESOLVED that the Board of Commissioners or Clerk of the Village of Ridgefield Park shall publish an appropriate notice in accordance with the applicable statutes and rules and regulations indicating that Philip Boggia, of the firm Boggia Boggia and Betesh, LLC, has been appointed Village Attorney for a period of one year as stated above.

Resolution 2023-185

A Resolution Awarding Contracts for Website and Social Media Consulting Services

WHEREAS, the Village of Ridgefield Park has a need for website and media consultant services; and

WHEREAS, it was determined that a contract should be awarded to Mazzway Photos as Social Media Reporter, price and other factors considered; and

WHEREAS, the price of said contract is \$2,000 per month for a period of twelve (12) months, effective January 1, 2024 through December 31, 2024, which shall include all travel, postage and telephone charges; and

WHEREAS, it was determined that a contract should be awarded to Mirth & Joy LLC as Social Media Editor, price and other factors considered; and

WHEREAS, the price of said contract is \$3,650 per month for a period of twelve (12) months, effective January 1, 2024 through December 31, 2024, which shall include all travel, postage and telephone charges; and

WHEREAS, these contracts are being awarded pursuant to the “alternative process” set forth in *N.J.S.A. 19:44A-20.4* et seq.; and

WHEREAS, Stephen Mazella has completed and submitted a Business Entity Disclosure Certification which certifies that neither he nor Mazzway Photos has not made any reportable contributions to a political candidate or candidate committee in the Village of Ridgefield Park in the previous one year, and that the contract will prohibit these persons and entities from making any reportable contributions through the term of the contract; and

WHEREAS, Michelle DeLuca has completed and submitted a Business Entity Disclosure Certification which certifies that neither she nor Mirth & Joy LLC has not made any reportable contributions to a political candidate or candidate committee in the Village of Ridgefield Park in the previous one year, and that the contract will prohibit these persons and entities from making any reportable contributions through the term of the contract; and

WHEREAS, the Village Chief Financial Officer has certified that funds have been appropriated and are available for this purpose in account number 01-2010-20-1452-100.

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

1. The Recitals above are incorporated as if set forth herein at length.
2. Contracts are hereby awarded to Mazzway Photos, LLC and Mirth & Joy, LLC as set forth above for Website and Social Media Consulting Services.
3. The Mayor (or Commissioner-in-Charge) and the Village Clerk are hereby directed, authorized and empowered to execute contracts with Mazzway Photos, LLC and Mirth & Joy, LLC in a form satisfactory to the Village Attorney and to take all steps reasonably necessary to effectuate the provisions and purposes of this resolution.

VILLAGE OF RIDGEFIELD PARK

ORDINANCE NO. 2023-25

**AN ORDINANCE ESTABLISHING CHAPTER 328 OF THE VILLAGE
CODE, ENTITLED “PRIVATELY-OWNED SALT STORAGE”**

WHEREAS, the Village of Ridgefield Park is a participant of the Municipal Stormwater Management Program, established by the New Jersey Department of Environmental Protection (“NJDEP”); and

WHEREAS, the NJDEP has required that all participants in the program adopt an ordinance that regulates the storage of privately-owned salt; and

WHEREAS, for the Village to remain compliant with the Municipal Stormwater Management Program, it must adopt the aforementioned ordinance by no later than December 31, 2023; and

WHEREAS, the Board of Commissioners wish to establish Chapter 328 of the Village Code to implement the ordinance required by the NJDEP, so as to remain in compliance with the Municipal Stormwater Management Program.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Village of Ridgefield Park, that a new Chapter 328 of the Village Code be added, entitled “Privately Owned Salt Storage, and shall read as follows:

SECTION 1: ESTABLISHMENT OF A NEW SECTION 328-1, ENTITLED “PURPOSE”.

A new Section 328-1 is hereby established, which shall read as follows:

A. Purpose:

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the Village (privately-owned), including residences, in the Village of Ridgefield Park, to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION 2: ESTABLISHMENT OF A NEW SECTION 328-2, ENTITLED “DEFINITIONS”.

A new Section 328-2 is hereby established, which shall read as follows:

B. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

1. “De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
2. “Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
3. “Storm drain inlet” means the point of entry into the storm sewer system.
4. “Permanent structure” means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- a. Concrete blocks, jersey barriers, or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
 - b. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
 - c. The structure shall be erected on an impermeable slab;
 - d. The structure cannot be open sided; and
 - e. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
5. “Person” means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
 6. “Resident” means a person who resides on a residential property where de-icing material is stored.

SECTION 3: ESTABLISHMENT OF A NEW SECTION 328-3, ENTITLED “DE-ICING MATERIAL STORAGE REQUIREMENTS”.

A new Section 328-3 is hereby established, which shall read as follows:

C. De-icing Material Storage Requirements:

1. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
 - a. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 - b. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches, and/or other stormwater conveyance channels;
 - c. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 - d. Loose materials shall be covered as follows:
 - (1.) The cover shall be waterproof, impermeable, and flexible;
 - (2.) The cover shall extend to the base of the pile(s);
 - (3.) The cover shall be free from holes or tears;
 - (4.) The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - (5.) Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (a.) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
 - (6.) Containers must be sealed when not in use; and
 - (7.) The site shall be free of all de-icing materials between April 16th and October 14th.

2. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15th -April 15th.
3. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the Village upon request.
 - a. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

SECTION 4: ESTABLISHMENT OF A NEW SECTION 328-4, ENTITLED “EXEMPTIONS”.

A new Section 328-4 is hereby established, which shall read as follows:

D. Exemptions:

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section 328-3, above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

SECTION 5: ESTABLISHMENT OF A NEW SECTION 328-5, ENTITLED “ENFORCEMENT”.

A new Section 328-5 is hereby established, which shall read as follows:

E. Enforcement:

This ordinance shall be enforced by the Zoning Officer during the course of ordinary enforcement duties.

SECTION 6: ESTABLISHMENT OF A NEW SECTION 328-6, ENTITLED “VIOLATIONS AND PENALTIES”.

A new Section 328-6 is hereby established, which shall read as follows:

F. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines as outlined in Section 1-15 of the Village Code.

SECTION 7: Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION 8: Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.