

COMMISSIONERS REGULAR MEETING AGENDA
RIDGEFIELD PARK
January 14, 2025
7:30 PM

Mayor MacNeill 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 31, 2024 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 2025 by a combination of electronic and/or in-person means. Meetings are open to the public.

ROLL CALL

FLAG SALUTE

APPROVAL OF MINUTES

Commissioners Regular Meeting of December 30, 2024

Commissioners Closed Session Meeting of December 30, 2024

PAYMENT OF BILLS

SPECIAL REPORTS

Installation of Elected Officers – Ridgefield Park Heavy Rescue Squad

COMMISSIONER REPORTS

HEARING OF CITIZENS

NEW BUSINESS

Mayor MacNeill 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:

- | | |
|---------|--|
| 2025-02 | Award Contract to D.L.S. Contracting for 2024 Road Resurfacing Program |
| 2025-03 | Authorize Tax Appeal Settlement – 115 Laurel Street |
| 2025-04 | Authorize Tax Appeal Settlement – 283 Main Street |
| 2025-05 | Approve Inter-local Services Agreement for Mutual Aid Plan and Rapid Deployment Force |
| 2025-06 | Authorize Mayor MacNeill to sign Mid-Bergen Regional Health Commission Agreement for Health Services |
| 2025-07 | Appoint Environmental Commission Members |
| 2025-08 | Appoint Rent Stabilization Board Members |
| 2025-09 | Appoint Sustainable Ridgefield Park Members |
| 2025-10 | Authorize Mayor MacNeill to sign the Health Awareness Regional Program |
| 2025-11 | Appoint Pool Committee |
| 2025-12 | Authorize Commitment to Round 4 Present and Prospective Need Affordable Housing Obligations |

ORDINANCE INTRODUCTION

2025-01 ORDINANCE FIXING COMPENSATION OF OFFICERS & EMPLOYEES
OF THE VILLAGE OF RIDGEFIELD PARK FOR THE YEAR 2025

CLOSED SESSION (if necessary)

2025-13 Authorize Closed Session Meeting

ADJOURNMENT

Resolution 2025-02

A RESOLUTION OF THE VILLAGE OF RIDGEFIELD PARK AWARDING A CONTRACT TO D.L.S. CONTRACTING TO PERFORM THE WORK FOR PROJECT NO. 24-12933 OF THE 2024 ROAD RESURFACING PROGRAM, CONSISTING OF FIVE (5) ROADWAYS

WHEREAS, the Village of Ridgefield Park has been selected to receive a Special Legislative Grant, as set forth in Ordinance No. 2023-18 for road resurfacing projects; and

WHEREAS, the Village Engineer, Boswell Engineering, has prepared plans and cost estimates for Project No. 24-12933, dated September 30, 2024, and which includes resurfacing of the following areas:

1. Austin Street - Main Street to Paulison Avenue (820 linear feet)
2. Preston Street - Main Street to Paulison Avenue (870 linear feet)
3. Grove Street - Main Street to Paulison Avenue (870 linear feet)
4. Park Street - Railroad Avenue - Main Street (1,150 linear feet)
5. Mt. Vernon Street - Overpeck Avenue to end (200 linear feet);

in the amount of \$523,000.00, a copy of this estimate is on file with the Village Clerk; and

WHEREAS, the work to be completed under these plans will exceed the current bid threshold and is therefore required to be bid under a formal competitive bid process, pursuant to the Local Public Contract Law, N.J.S.A. 40A:11-3, et seq.; and

WHEREAS, on October 8, 2024 the Board of Commissioners passed Resolution No 2024-167, authorizing advertising for the receipt of bids for the paving of five (5) roadways, designated as Project No. 24-12933 of the 2024 Road Resurfacing Program; and

WHEREAS, six (6) bids were received for Project No. 24-12933, which have been reviewed and tabulated by the Village Engineer, dated October 30, 2024 as follows:

Contractor:	Base Amount:
<u>D.L.S. Contracting</u>	<u>\$405,758.90</u>
<u>4 Clean-Up, Inc.</u>	<u>\$409,668.75</u>
<u>Reggio Construction, Inc.</u>	<u>\$422,641.85</u>
<u>D&L Paving Contractors</u>	<u>\$423,355.15</u>
<u>J.A. Alexander, Inc.</u>	<u>\$439,612.61</u>
<u>AJM Contractors</u>	<u>\$463,076.25</u>

WHEREAS, the Village Engineer has determined that the bid from D.L.S. Contracting, in the amount of \$405,758.90 represents the lowest responsible bid and therefore should be awarded this contract; and

WHEREAS, the Village Engineer, in a letter dated October 30, 2024 recommends the award of the contract contingent upon approval by the Board of Commissioners and monies being available; and

WHEREAS, the funding for this project is part of the Special Legislative Grant as set forth in Ordinance No. 2023-18, which appropriated \$1,800,000.00 from funds available in the General Capital Fund and the Village Chief Financial Officer has certified that funds have been appropriated and are available for this purpose in account number 04-2150-55-2318-001; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the Village of Ridgefield Park, County of Bergen, State of New Jersey, that the contract is awarded to D.L.S. Contracting based on the Engineer's recommendation dated September 30, 2024; and

BE IT FURTHER RESOLVED, that a copy of the resolution be forwarded to the CFO, the Village Clerk, the Engineer, and the vendor for their records; and

BE IT FURTHER RESOLVED, that the Mayor, Village Clerk and other appropriate officials are hereby directed, authorized and empowered to execute any documents necessary for entry into this agreement, subject to approval by the Village Attorney.

Resolution 2025-03

WHEREAS, the Board of Commissioners of the Village of Ridgefield Park have been advised of the proposed settlement of a property Tax Appeal filed by 115 Laurel St RP, LLC (hereinafter the “Tax Appeal”), under Docket Numbers 0072378-2022; 003295-2023; 0006469-2024; and,

WHEREAS, the aforesaid Tax Appeal involves an apartment complex located at 115 Laurel Street, and is otherwise designated as Block 123 Lot 14 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 legal counsel, the Village Appraiser and the Village 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 settlement proposal 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 approved, in accordance with the terms in the attached 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:

2022 Appeal: Withdrawn
2023 Appeal: Withdrawn
2024 Appeal: \$1,800,000

Resolution 2025-04

WHEREAS, the Board of Commissioners of the Village of Ridgefield Park have been advised of the proposed settlement of a property Tax Appeal filed by 283 Main Street RP, LLC (hereinafter the “Tax Appeal”), under Docket Numbers 007235-2022; 003294-2023; 0006461-2024; and,

WHEREAS, the aforesaid Tax Appeal involves an apartment complex located at 283-87 Main Street, and is otherwise designated as Block 74 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 legal counsel, the Village Appraiser and the Village 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 settlement proposal 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 approved, in accordance with the terms in the attached 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:

2022 Appeal: Withdrawn
2023 Appeal: Withdrawn
2024 Appeal: \$3,250,000

Resolution 2025-05

WHEREAS, the police departments in Bergen County have a day-to-day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order, and

WHEREAS, Law Enforcement Officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., man made causes, civil unrest, and civil disobedience such as riot, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, riots, terrorist incidents and bombings, state and national emergencies, and

WHEREAS, the Bergen County Police Chief's Association has proposed to a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies, and

WHEREAS, this plan is adopted in accordance with the provisions of N.J.S.A. 40A:14-156, N.J.S.A. 40A:14-156.1, N.J.S.A. 40A:14-156.4 and N.J.S.A. APP. A:9-40.6, and

WHEREAS, this Plan will provide a uniform procedure for the coordination of the requesting, dispatching, utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous, in the event of an emergency, riot or disorder, in order to protect life and property, and

WHEREAS, it is also recognized that the Ridgefield Park Police Department Chief of Police, in accordance with the provisions of N.J.S.A. 40A:14-118 and under the authority of the Bergen County Prosecutor, has the authority to assign officers to a Task Force, Rapid Deployment Team, or Regional SWAT Team operated in conjunction with the Bergen County Prosecutor's Office, and

WHEREAS, it is the desire of the Board of Commissioners of the Village of Ridgefield Park to participate in a Mutual Aid Plan and Rapid Deployment Force in accordance with the Plan as submitted by the Bergen County Police Chief's Association.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Ridgefield Park that the Ridgefield Park Police Department, under the direction of the Chief of Police, under the direction of the Chief of Police, cooperate with the Bergen County Police Chief's Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force, and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the County Executive, the Bergen County Board of Commissioners, the County Prosecutor, and all municipalities in the County of Bergen.

Resolution 2025-06

BE IT RESOLVED that the Board of Commissioners hereby authorizes Mayor MacNeill 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, 2025 through December 31, 2025 in the amount of \$19,320 per annum

Resolution 2025-07

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

Linda Quinn	December 31, 2027
Stephen Quinn	December 31, 2027
Lisa Rehm	December 31, 2027

BE IT RESOLVED that the Board of Commissioners hereby appoints the following as an Alternate Member of the Environmental Commission with term expiring as indicated:

Michelle DeLuca	December 31, 2027
Matthew Graves	December 31, 2027

BE IT FURTHER RESOLVED that the Board of Commissioners hereby appoints the following as Associate Members of the Environmental Commission:

Guillermo Lopez-Acosta	December 31, 2025
Gloria Rivera	December 31, 2025

Resolution 2025-08

BE IT RESOLVED that the Board of Commissioners hereby appoints the following as Landlord Representative to the Rent Stabilization Board for a term commencing on January 1, 2025 and terminating December 31, 2025:

Peter Bedevian

BE IT FURTHER RESOLVED that the Board of Commissioners hereby appoints the following as Homeowner Representative to the Rent Stabilization Board for a term commencing on January 1, 2025 and terminating December 31, 2025:

Natalie Franco

BE IT FURTHER RESOLVED that the Board of Commissioners hereby appoints the following as Tenant Representative to the Rent Stabilization Board for a term commencing on January 1, 2025 and terminating December 31, 2025:

Zamin Mirza

BE IT FURTHER RESOLVED that the Board of Commissioners hereby appoints the following as Alternate Landlord Representative to the Rent Stabilization Board for a term commencing on January 1, 2025 and terminating December 31, 2025:

Sarah Mark

Resolution 2025-09

BE IT RESOLVED that the Board of Commissioners hereby appoints the following as Regular Members of Sustainable Ridgefield Park with the following terms:

Leslie Olson, *term expiring December 31, 2027*
Veronica Leone, *term expiring December 31, 2027*

BE IT FURTHER RESOLVED that the Board of Commissioners hereby appoints the following as Associate Members of Sustainable Ridgefield Park with terms expiring December 31, 2025:

Daniele Fede
Guillermo Lopez-Acosta
Joseph Maggio

Resolution 2025-10

BE IT RESOLVED that the Ridgefield Park Board of Commissioners authorizes Mayor MacNeill to sign the Health Awareness Regional Program Contract for Public Health Services at a cost of \$12,543.31 for professional fees for the year 2025.

Resolution 2025-11

BE IT RESOLVED that the Board of Commissioners hereby appoints the following as members of the Pool Committee for a term commencing on January 1, 2025 and terminating December 31, 2025.

Karen Beltran

Mike Nagurka, President

Paula Petrella

Anthony Portorreal

Cristina Salcedo, Vice-President

Sharon Strowbridge, Treasurer

Resolution 2025-12

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE VILLAGE OF RIDGEFIELD PARK COMMITTING TO ROUND 4 PRESENT AND PROSPECTIVE NEED AFFORDABLE HOUSING OBLIGATIONS

WHEREAS, the Village has a demonstrated history of voluntary compliance as evidenced by its Round 3 record; and

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on July 6, 2015, the Village of Ridgefield Park (hereinafter “Ridgefield Park” or the “Village”) filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan (hereinafter “Fair Share Plan”), to be amended as necessary, satisfies its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine;” and

WHEREAS, that culminated in a Court-approved Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, which precludes builder’s remedy lawsuits until July 1, 2025; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2 (hereinafter “A4” or “Amended FHA”); and

WHEREAS, A4 calculates the size of the regional affordable housing need as follows “projected household change for a 10-year round in a region shall be estimated by establishing the household change experienced in the region between the most recent federal decennial census, and the second-most recent federal decennial census. This household change, if positive, shall be divided by 2.5 to estimate the number of low- and moderate-income homes needed to address low- and moderate-income household change in the region, and to determine the regional prospective need for a 10-year round of low- and moderate-income housing obligations...”; and

WHEREAS, this means that the regional need equates to 40% of regional household growth; and

WHEREAS, the 1985 version of the Fair Housing Act and A4 both prohibit a result that would compel a municipality to spend its own money on compliance; and

WHEREAS, the theory which permits a municipality to meet its obligations without municipal subsidy is zoning for “inclusionary zoning”; and

WHEREAS, inclusionary zoning most typically requires a 15% or 20% set aside; and

WHEREAS, it is not clear how a regional need predicated upon 40% of anticipated growth can be met with 15-20% set asides and without municipal subsidy; and

WHEREAS, this is exacerbated by the fact that certain other municipalities in the region have an allocation of 0% of the prospective need (new construction obligation), irrespective of the growth in that particular municipality; and

WHEREAS, A4 yields a statewide new construction obligation of over 8,400 affordable units per year; and

WHEREAS, this is a substantially higher annual number than was imposed by COAH in the “Prior Round” or any iteration of its Round 3 regulations; and

WHEREAS, A4 determines the size of the regional need, but does not calculate allocation of the need to individual municipalities; and

WHEREAS, instead, A4 required the Department of Community Affairs (“DCA”) to produce non-binding estimates of need on or before October 20, 2024, which it did provide on October 18, 2024 (“DCA Report”); and

WHEREAS, the DCA Report calculates the Village’s Round 4 (2025-2035) obligations as follows: a Present Need or Rehabilitation Obligation of 163 units and a Prospective Need or New Construction Obligation of 126 units; and

WHEREAS, A4 further provides that, irrespective of the DCA’s calculation, municipalities are to determine “present and prospective fair share obligation(s)...by binding resolution no later than January 31, 2025”; and

WHEREAS, this resolution satisfies the requirements of A4 by accepting the DCA estimate of need as described in the DCA Report; and

WHEREAS, Section 3 of A4 provides that: “the municipality’s determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7” of A4; and

WHEREAS, Village’s calculation of need is entitled to a “presumption of validity” because it complies with Sections 6 and 7 of A4; and

WHEREAS, the Village specifically reserves the right to adjust those numbers based on one or any of the foregoing adjustments: 1) a windshield survey or similar survey which accounts for a higher-resolution estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack

of vacant, developable and suitable land; 3) a Durational Adjustment (whether predicated upon lack of sewer or lack of water); and/or 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, including, but not limited to the Highlands Regional Master Plan and its build out, the Pinelands or Meadowlands regulations and planning document; and

WHEREAS, in addition to the foregoing, the Village specifically reserves all rights to revoke or amend this resolution and commitment, as may be necessary, in the event of a successful challenge to A4 in the context of the Montvale case (MER-L-1778-24), any other such action challenging A4, or any legislation adopted and signed into law by the Governor of New Jersey that alters the deadlines and/or requirements of A4; and

WHEREAS, in addition to the foregoing, the Village reserves the right to take a position that its Round 4 Present or Prospective Need Obligations are lower than described herein in the event that a third party challenges the calculations provided for in this Resolution (a reservation of all litigation rights and positions, without prejudice); and

WHEREAS, in light of the above, the Mayor and Board of Commissioners finds that it is in the best interest of Village to declare its obligations in accordance with this binding resolution and in accordance with the Act and

WHEREAS, in addition to the above, the Acting Administrative Director issued Directive #14-24, dated December 13, 2024, and made the directive available later in the week that followed; and

WHEREAS, pursuant to Directive #14-24, a municipality seeking a certification of compliance with the Act shall file an action in the form of a declaratory judgment complaint “. . . within 48 hours after adoption of the municipal resolution of fair share obligations, or by February 3, 2025, whichever is sooner”; and

WHEREAS, nothing in this Resolution shall be interpreted as an acknowledgment of the legal validity of the AOC Directive and the Village reserves any and all rights and remedies in relation to the AOC Directive; and

WHEREAS, the Village seeks a certification of compliance with the Act and, therefore, directs its Affordable Housing Counsel to file a declaratory relief action within 48 hours of the adoption of this resolution; and

NOW, THEREFORE, BE IT RESOLVED on this 14 day of January, 2025, by the Board of Commissioners of the Village of Ridgefield Park, Bergen County, State of New Jersey, as follows:

1. All of the Whereas Clauses are incorporated into the operative clauses of this resolution.
2. The Mayor and Board of Commissioners hereby commit to the DCA Round 4 Present Need Obligation of 163 units and the Round 4 Prospective Need Obligation

of 126 units as described in this resolution subject to all reservations of rights, which specifically include:

- a) The right to adjust the number based on a windshield survey, lack of land, sewer, water, regional planning inputs, or any combination thereof;
 - b) As described in the WHEREAS section, all rights to revoke or amend this resolution in the event of a successful legal challenge, or legislative change, to A4;
 - c) All rights to take any contrary position in the event of a third party challenge to the obligations.
- 3. The Village hereby directs its Affordable Housing Counsel to file a declaratory judgment complaint within 48 hours after adoption this resolution attaching this resolution.
 - 4. The Village hereby directs its Affordable Housing Counsel to file this Resolution with the "Program" pursuant to the requirements on A4.
 - 5. This resolution shall take effect immediately, according to law.