

**MINUTES FOR THE BUSINESS MEETING
OF THE COUNCIL OF THE BOROUGH OF RINGWOOD,
HELD ON TUESDAY, DECEMBER 6, 2011
AT 8:00 P.M. AT THE VIOLET E. BOGERT MUNICIPAL ANNEX,
60 MARGARET KING AVENUE, RINGWOOD, NEW JERSEY**

Mayor Taukus called the meeting to order at 8:00 pm and the Clerk to read the Statement of Compliance into the record.

Mayor Taukus asked for a roll call. Present on roll call Mayor Taukus, Deputy Mayor Schaefer, Council Members Anderson and Conley. Councilman Davison arrived at 8:06 pm, Councilman Marsala arrived at 8:11 pm and Councilman Speer was absent.

Also present: Borough Manager/Director of Public Works Scott Heck, Deputy Borough Manager/Clerk Kelley A. Rohde, and Borough Attorney Richard J. Clemack. Mayor Taukus asked everyone to rise for the Pledge of Allegiance.

I. PROCLAMATIONS & PRESENTATIONS

Mayor Taukus read the Proclamation for 30 years of service to the Borough for Jacqueline Paulison.

Mayor Taukus read the Proclamation Supporting the Drive Sober or Get Pulled Over 2011 Year End Statewide Crackdown

Chief Lombardo presented the following awards:

- Sgt. Peter McGinty – Life Savings Award
- Officer Matthew Ferraro – Life Savings Award
- Officer Joseph Longo – Meritorious Service Award
- Officer Joseph Sullivan – Meritorious Service Award
- Firefighter Michael Venezia – Meritorious Service Award
- Ryan Venezia – Meritorious Service Certificate
- Boy Scout Troop 76 – Certificate for Assistance during Hurricane Irene
- Rothlauf Family – Certificate for Assistance at Shelter during Hurricane Irene
- Department of Public Works – Certificate for Assistance during and after Hurricane Irene

Clerk Rohde read the announcements.

II. APPROVAL OF MINUTES

November 17, 2011 – Business Meeting & Executive Session Meeting – all present.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Taukus			X			
Schaefer			X			
Anderson	X		X			
Conley			X			
Davison			X			
Marsala		X	X			
Speer						X

III. GENERAL PUBLIC PORTION – 30 minutes maximum, 3 minutes per person

No one came forward.

MOTION by Council Member Anderson, seconded by Council Member Marsala and on roll call vote the General Public Portion of the meeting was closed.

IV. OLD BUSINESS: Public hearings & final passage of ordinances

Ordinance No. 2011-#11 - AN ORDINANCE AMENDING ORDINANCE NO. 2011-#06 FIXING THE SALARIES AND COMPENSATION OF THE OFFICERS AND THE EMPLOYEES OF THE BOROUGH OF RINGWOOD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, INCLUDING POLICE CHIEF

Attorney Clemack asked for a motion to read by title Ordinance No. 2011-#11 and then to open public hearing of said Ordinance.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Taukus			X			
Schaefer			X			
Anderson	X		X			
Conley			X			
Davison			X			
Marsala		X	X			
Speer						X

Public comment. None

Mayor Taukus asked for a motion to close the public hearing on Ordinance No. 2011-#11.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Taukus			X			
Schaefer			X			
Anderson	X		X			
Conley			X			
Davison			X			
Marsala		X	X			
Speer						X

Attorney Clemack read the following resolution to adopt Ordinance No. 2011-#11

BE IT RESOLVED that Ordinance No. 2011-#11 - AN ORDINANCE AMENDING ORDINANCE NO. 2011-#06 FIXING THE SALARIES AND COMPENSTION OF THE OFFICERS AND THE EMPLOYEES OF THE BOROUGH OF RINGWOOD, COUNTY OF PASSAIC, STATE OF NEW JERSEY INCLUDING POLICE CHIEF was read by title, is hereby adopted and that the same be published in the official newspaper of the Municipality, as provided by law.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Taukus			X			
Schaefer			X			
Anderson	X		X			
Conley			X			

Davison			X			
Marsala		X	X			
Speer						X

Ordinance No. 2011-#12 - AN ORDINANCE AMENDING CHAPTER 11 – PARKS AND RECREATION AREAS- OF THE REVISED ORDINANCES OF THE BOROUGH OF RINGWOOD TO ESTABLISH FEES FOR VARIOUS SPORTS PROGRAMS

Attorney Clemack asked for a motion to read by title Ordinance No. 2011-#12 and then to open public hearing of said Ordinance.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Taukus			X			
Schaefer			X			
Anderson	X		X			
Conley			X			
Davison			X			
Marsala		X	X			
Speer						X

Public comment. None

Mayor Taukus asked for a motion to close the public hearing on Ordinance No. 2011-#12.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Taukus			X			
Schaefer			X			
Anderson	X		X			
Conley		X	X			
Davison			X			
Marsala			X			
Speer						X

Attorney Clemack read the following resolution to adopt Ordinance No. 2011-#12:

BE IT RESOLVED that Ordinance No. 2011-#12 – AN ORDINANCE AMENDING CHAPTER 11 – PARKS AND RECREATION AREAS – OF THE REVISED ORDINANCES OF THE BOROUGH OF RINGWOOD TO ESTABLISH FEES FOR VARIOUS SPORTS PROGRAMS was read by title, is hereby adopted and that the same be published in the official newspaper of the Municipality, as provided by law.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Taukus			X			
Schaefer			X			
Anderson	X		X			
Conley			X			
Davison			X			
Marsala		X	X			
Speer						X

V. RESOLUTIONS

Resolution Number
2011-306

WHEREAS, the Chief Financial Officer has certified that funds are available for payment of the Selected Payment List in the amount of \$528,297.90 and the Handwritten Check List in the amount of \$1,340,456.57 to be credited to the following accounts:

SELECTED PAYMENT LIST:

GENERAL CURRENT, O.E.	\$ 399,618.68
GENERAL CAPITAL	\$ 105,280.68
WATER OPERATING, O.E.	\$ 20,184.54
SPECIAL TRUST	\$ 480.00
RECREATION TRUST	<u>\$ 2,734.00</u>
	\$ 528,297.90

HANDWRITTEN CHECKS:

GENERAL CURRENT, O.E.	\$1,339,722.44
WATER OPERATING, O.E.	<u>\$ 734.13</u>
	\$1,340,456.57

S.L.P.O.A.

<u>DAM ASSESSMENT FUND</u>	\$ 43,178.61
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GRAND TOTAL \$1,911,933.08

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Taukus			X			
Schaefer			X			
Anderson	X		X			
Conley			X			
Davison			X			
Marsala		X	X			
Speer						X

Resolution Number
2011-307

WHEREAS, the Chief Financial Officer has certified that funds are available for the Handwritten Checks paid in the month of NOVEMBER, 2011 in the amount of \$2,745,028.22 to be credited to the following accounts:

HANDWRITTEN CHECKS:

GENERAL CURRENT, O.E.	\$2,728,526.51
WATER OPERATING, O.E.	\$ 100.00
SPECIAL TRUST	\$ 4,600.00
GENERAL CAPITAL	\$ 9,540.25

WATER CAPITAL
TOTAL

\$ 2,261.46
\$2,745,028.22

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Taukus			X			
Schaefer			X			
Anderson	X		X			
Conley			X			
Davison			X			
Marsala		X	X			
Speer						X

Resolution Number
2011-308

BE IT RESOLVED that the following Appropriation Transfers be made for the General Current Account on the financial records of the Borough of Ringwood:

DECEMBER TRANSFERS		TO		
	FROM			
1-01-20-702-248	Elections, O.E.	1-01-20-703-242	Mayor & Council, O.E.	\$600.00
1-01-22-725-111	Building Dept., S&W	1-01-25-752-111	Fire Inspection, S&W	\$400.00
1-01-26-765-273	Streets & Roads, O.E.	1-01-23-733-24C	Health Benefits	\$3,000.00
1-01-33-830-111	Municipal Court, S&W	1-01-25-744-111	Radio & Comm, S&W	\$5,000.00
1-01-26-770-224	Recycling, O.E.	1-01-25-744-111	Radio & Comm, S&W	\$16,900.00
				\$25,900.00

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Taukus			X			
Schaefer		X	X			
Anderson	X		X			
Conley			X			
Davison			X			
Marsala			X			
Speer						X

Resolution Number
2011-309

**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES
RESOLUTION AUTHORIZING AMENDMENT TO PROJECT AGREEMENT**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Ringwood has previously obtained a grant of \$2,250,000 from the State to fund the following project (s): Open Space Acquisition; and

WHEREAS, the State and the Borough intends to increase Green Acres funding; and

WHEREAS, the applicant is willing to use the State's funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-names projects.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Borough of Ringwood

1. That the Scott Heck or the successor to the office of the Borough Manager is hereby authorized to execute an Amendment to the Agreement increasing funding to \$2,700,000; and
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$2,700,000; and
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and
4. The applicant agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project.
5. That this resolution shall take effect immediately.

CERTIFICATION

I, Kelley A. Rohde, RMC, Borough Clerk to hereby certify that the foregoing is a true copy of a resolution adopted by the Municipal Council of the Borough of Ringwood at a meeting held on the 6th day of December, 2011.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body on this 7th day of December 2011.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Taukus			X			
Schaefer			X			
Anderson	X		X			
Conley			X			
Davison			X			
Marsala		X	X			
Speer						X

Resolution Number
2011-319

BE IT RESOLVED, that the Municipal Council hereby authorizes the refund of the following escrow monies, upon the advice of the Ringwood Planning Board:

James Super – S.P. 2000-#153
243 Stonetown Road
Block 311, Lot 7 (Margaret King Avenue)
S.T. #14-28-1022
\$810.00 (Inspection Fees)
S.T. #14-34-2012
\$5,000.00 (Restoration Bond)

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Taukus			X			
Schaefer			X			
Anderson	X		X			
Conley			X			
Davison			X			
Marsala		X	X			
Speer						X

Resolution Number
2011-320

BE IT RESOLVED that the Municipal Council of the Borough of Ringwood hereby authorizes the Mayor and Municipal Clerk to execute an Agreement with the Ringwood Board of Education to supply Courtesy Bussing to Lakeland Regional High School at a cost of \$68,549.40 for the school year 2011/2012.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Taukus			X			
Schaefer			X			
Anderson	X		X			
Conley			X			
Davison			X			
Marsala		X	X			
Speer						X

Resolution Number
2011-321

BE IT RESOLVED that the Municipal Council of the Borough of Ringwood hereby establishes Saturday, January 7, 2012 at 10:30 am at the Violet E. Bogert Annex, 60 Margaret King Avenue, Ringwood, NJ 07456, as the date, time and place to meet for the purpose of Council Reorganization; and

BE IT FURTHER RESOLVED that the Municipal Council authorizes the Borough Clerk to advertise such notice according to law.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Taukus			X			
Schaefer		X	X			
Anderson	X		X			
Conley			X			
Davison			X			
Marsala			X			
Speer						X

Resolution Number
2011-322

WHEREAS, Schwanewede/Hals obtained two (2) quotes for an Emergency Contract – Hurricane Irene for the Kraft Place Culvert Replacement – Culvert Collapse, Contract No. 2011-20; and

WHEREAS, the Borough Engineer recommends awarding an Emergency Contract – Hurricane Irene Kraft Place Culvert Replacement – Culvert Collapse, Contract No. 2011-20 to D & S Land Development in the amount of \$179,438.00 subject to the receipt of the following:

1. Certificate of Insurance
2. NJ Business Registration
3. Public Works Contractor Certificate
4. Affirmative Action Documents (AA-201)
5. Emergency NJDEP Permit Approval
6. Pay-to-Play Requirements

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Borough of Ringwood hereby awards the Emergency Contract – Hurricane Irene for the Kraft Place Culvert Replacement – Culvert Collapse, Contract No. 2011-20 to D & S Development Co., Inc., P. O. Box 344, Ramsey, NJ 07446 subject to receipt of the items listed above.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Taukus			X			
Schaefer			X			
Anderson	X		X			
Conley			X			
Davison			X			
Marsala		X	X			
Speer						X

VI. CONSENT AGENDA RESOLUTIONS

Consent Agenda
Resolution
#2011-310

WHEREAS, the Mayor and Council of the Borough of Ringwood has reviewed the Consent Agenda consisting of various proposed Resolutions; and

WHEREAS, the Mayor and Council of the Borough of Ringwood is not desirous of removing any Resolutions for individual action from that Agenda.

NOW, THEREFORE, BE IT RESOLVED that the following Resolutions on the Consent Agenda are hereby approved:

- 2011-310 Approval of Consent Agenda
- 2011-311 Approval of Payroll & Payroll Transfers – November
- 2011-312 Approval of Chapter 159 – Body Armor Grant, \$2,204.15
- 2011-313 Professional Services Invoice, Hickory Road/Welch Road Water Main & Drainage Improvements, Contract No. 2009-5 - \$975.00
- 2011-314 Contractor Payment Invoice, Upper DPW Garage Roof-Upper Level Only, Contract No. 2011-22, \$26,800.00
- 2011-315 Professional Services Invoice, Cupsaw Drive Improvement Project, Phase I, Contract No. 2011-2, \$222.55
- 2011-316 Professional Services Invoice, Cupsaw Drive Improvement Project, Phase I & II, Rock Profiling, Contract Nos. 2011-2 & 2012-2, \$4, 818.02
- 2011-317 Professional Services Invoice, Cupsaw Drive Improvement Project, Phase II, Contract No. 2012-2, \$7,172.93

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Taukus			X			
Schaefer			X			
Anderson	X		X			
Conley			X			
Davison			X			
Marsala		X	X			
Speer						X

VII. MANAGER'S REPORT

No Report.

VIII. ATTORNEY'S REPORT

Resolution Number
2011-318

**RESOLUTION TO AUTHORIZE CLOSED SESSION OF
MUNICIPAL COUNCIL OF THE BOROUGH OF RINGWOOD**

WHEREAS, matters have come before the Municipal Council of the Borough of Ringwood as follows:

Upper Ringwood/Ford Clean-up EPA – potential litigation
Personnel matter
Potential Sale of Real Property – cell tower site at Cannici Drive
Contract negotiations – Schenely Construction

WHEREAS, the Open Public Meetings Act permits a Closed Session to discuss said matters;

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Borough of Ringwood meet in Closed Session to discuss said matters. The matters involving pending or anticipated litigation/negotiations shall not be disclosed until the conclusion of said litigation/negotiations by way of settlement or after the conclusion of the time to file an appeal from a final decision of a Court of Competent Jurisdiction. The matters discussed at such Closed Session in connection with personnel matters shall not be disclosed. Matters regarding the purchase or sale of real property will be disclosed after the successful completion of the transaction; and

BE IT FURTHER RESOLVED that the public is hereby advised that formal action may or may not be taken on any matters disclosed in Executive Session when the Council enters into open session; and

BE IT FURTHER RESOLVED that the Council may take formal action on any other matters when it returns to open session.

IX. MAYOR & MEMBERS OF THE COUNCIL

No comments from Council Members.

X. EXECUTIVE SESSION: Any matter permitted to be discussed in Executive Session pursuant to N.J.S.A. 10:4-12

The Council convened into Executive Session at 9:00 pm. At 9:22 pm the Mayor and Council came back on the record of the Business Meeting. Present on roll call: Mayor Taukus, Deputy Mayor Schaefer, Council Members Anderson, Conley, Davison and Marsala. Councilman Speer was absent. Council-Elect Martocci and Council-Elect Noonan were present during Executive Session.

XI. ADJOURNMENT

There being no further business to come before the Municipal Council at its Business Meeting, on MOTION by Council Member Marsala seconded by Council Member Anderson and on roll call carried the meeting adjourned at 9:25 pm.

TED TALKUS, MAYOR

KELLEY A. ROHDE, RMC
BOROUGH CLERK

Adopted: December 21, 2011