

**MINUTES FOR THE BUSINESS MEETING
OF THE COUNCIL OF THE BOROUGH OF RINGWOOD,
HELD ON THURSDAY, SEPTEMBER 6, 2012
AT 8:00 P.M. AT THE VIOLET E. BOGERT MUNICIPAL ANNEX,
60 MARGARET KING AVENUE, RINGWOOD, NEW JERSEY**

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

Mayor Schaefer asked for a roll call. Present on roll call Mayor Schaefer, Deputy Mayor Speer, Council Members Anderson, Davison, Martocci and Noonan. Councilman Marsala 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 Schaefer asked everyone to rise for the Pledge of Allegiance.

I. PROCLAMATIONS & PRESENTATIONS

Clerk Rohde read the announcements.

II. APPROVAL OF MINUTES

August 14, 2012 – all present.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Schaefer			X			
Speer			X			
Anderson	X		X			
Davison			X			
Marsala						X
Martocci			X			
Noonan		X	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 Noonan 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. 2012-11- AN ORDINANCE AMENDING CHAPTER XI – PARKS AND RECREATION AREAS OF THE REVISED ORDINANCES OF THE BOROUGH OF RINGWOOD TO ADD SECTION 11 – RINGWOOD DOG PARK

Attorney Clemack asked for a motion to read by title Ordinance No. 2012-#11 and then to open public hearing of said Ordinance.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Schaefer			X			
Speer			X			
Anderson	X		X			
Davison			X			
Marsala						X
Martocci			X			
Noonan		X	X			

Public comment. None.

Mayor Schaefer asked for a motion to close the public hearing on Ordinance No. 2012-#11.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Schaefer			X			
Speer			X			
Anderson	X		X			
Davison			X			
Marsala						X
Martocci		X	X			
Noonan			X			

Attorney Clemack read the following resolution to adopt Ordinance No. 2012-#11:

BE IT RESOLVED that Ordinance No. 2012-#11 –AN ORDINANCE AMENDING CHAPTER XI – PARKS AND RECREATION AREAS OF THE REVISED ORDINANCES OF THE BOROUGH OF RINGWOOD TO ADD SECTION 11 – RINGWOOD DOG PARK 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
Schaefer			X			
Speer			X			
Anderson	X		X			
Davison			X			
Marsala						X
Martocci		X	X			
Noonan			X			

Ordinance No. 2012-# -12 AN ORDINANCE AMENDING ORDINANCE NO. 2011-#07 FIXING THE SALARIES OF THE EMPLOYEES OF THE BOROUGH OF RINGWOOD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AS NEGOTIATED WITH THE UPSEU TO INCLUDE THE TITLE AND SALARY RANGE FOR PRINCIPAL PAYROLL CLERK

Attorney Clemack asked for a motion to read by title Ordinance No. 2012-#12 and then to open public hearing of said Ordinance.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Schaefer			X			
Speer			X			
Anderson		X	X			
Davison			X			
Marsala						X
Martocci			X			
Noonan	X		X			

Public comment. None.

Mayor Schaefer asked for a motion to close the public hearing on Ordinance No. 2012-#12.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Schaefer			X			
Speer			X			
Anderson	X		X			
Davison			X			
Marsala						X
Martocci			X			
Noonan		X	X			

Manager Heck reported that at the last meeting I went through extensive discussion about the appointment of a salary and a new title of payroll clerk. This person has tremendous responsibilities. She takes care of much more than payroll clerk; she has responsibility for funds, for pension contributions for insurance. She participates in the budget process as well.

Attorney Clemack read the following resolution to adopt Ordinance No. 2012-#12:

BE IT RESOLVED that Ordinance No. 2012-#12 –TITLE 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
Schaefer			X			
Speer			X			
Anderson	X		X			
Davison			X			
Marsala						X
Martocci			X			
Noonan		X	X			

V. RESOLUTIONS

Resolution Number
2012-231

WHEREAS, the Chief Financial Officer has certified that funds are available for payment of the Selected Payment List in the amount of \$270,221.13 to be credited to the following accounts:

SELECTED PAYMENT LIST:

GENERAL CURRENT, O.E.	\$ 112,639.36
WATER OPERATING, O.E.	\$ 50,341.34
SPECIAL DOG	\$ 7,893.75
UNEMPLOYMENT TRUST	\$ 150.00
GENERAL CAPITAL	\$ 2,470.49
WATER CAPITAL	\$ 65,000.00
SPECIAL TRUST	\$ 12,945.25
RECREATION TRUST	<u>\$ 18,780.94</u>
 TOTAL	 \$ 270,221.13

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Schaefer			X			
Speer			X			
Anderson	X		X			
Davison			X			
Marsala						X
Martocci		X	X			
Noonan			X			

Manager Heck reported that DPW went in and repaired some of the drainage problems on Lakeview Avenue. We put a series of catch basins in along that street. This contract is for the paving of that area. We paved from Mohawk to Little Beach.

Resolution Number
2012-232

WHEREAS, a contract was awarded to Robert H. Rapp Company, Inc., for Lakeview Avenue Paving – Mohawk Trial to Erskine Road, Contract No. 2012-12; and

WHEREAS, the Borough requested the reconstruction of four (4) "A" inlets. The inlets were repaired at \$300.00 each for a total change order of \$1,200.00 (3.45% of original contract price); and

WHEREAS, the Borough Engineer recommends payment in the amount of \$35,950.00 for work inspected and completed.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Borough of Ringwood hereby approves a payment in the amount of \$35,950,000 to Robert H. Rapp Company, Inc., 400 Union Avenue, Haskell, NJ 07420 subject to receipt of the required Monthly Mannings Report (Form AA-202) and certified payroll records.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Schaefer			X			
Speer			X			
Anderson	X		X			
Davison			X			
Marsala						X
Martocci		X	X			
Noonan			X			

Resolution Number
2012-237

BE IT RESOLVED that the Municipal Council of the Borough of Ringwood hereby approves the payment of \$5,000 to ELPOA toward desilting Erskine Lakes at the outfall structures.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Schaefer					X	
Speer			X			
Anderson	X		X			
Davison					X	
Marsala						X
Martocci			X			
Noonan		X	X			

Manager Heck reported that along Cupsaw Drive we had a significant water break this summer. We now know with the installation of the water main on Hickory Road, the way they tied it in. We don't have a hydrant that we can bleed out any siltation that gets in the pipes from any kind of water break. We are going to resolve that issue. This is a credit that we actually used to flush the water out through this residents faucet.

Resolution Number
2012-238

BE IT RESOLVED that the Municipal Council of the Borough of Ringwood hereby approves the following water credit for water used by the Water Department during a water main break:

<u>Block/Lot</u>	<u>Name/Address</u>	<u>Amount</u>
912/3	James Ross 84 Carletondale Rd	\$278.63

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Schaefer			X			
Speer			X			
Anderson	X		X			
Davison			X			
Marsala						X
Martocci		X	X			
Noonan			X			

VI. CONSENT AGENDA RESOLUTIONS

Consent Agenda
Resolution
#2012-233

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:

- 2012-233 Approval of Consent Agenda
- 2012-234 Approval of Payroll & Payroll Transfers – August
- 2012-235 Professional Services Invoice, Hurricane Irene Repairs to Kraft Place Culvert Collapse, Contract No. 2011-20, \$2,310.00

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Schaefer			X			
Speer			X			
Anderson	X		X			
Davison			X			
Marsala						X
Martocci		X	X			
Noonan			X			

Consent Agenda

Resolution #2012-234

WHEREAS, the Director of Finance has certified that funds are available for the payment of Payroll and Payroll Transfers;

NOW, THEREFORE, BE IT RESOLVED that the resolution of the Council of the Borough of Ringwood hereby approves the following Payroll and Payroll Transfers for the month of August as follows:

GENERAL -----	\$413,055.84
WATER -----	\$ 28,056.51
GENERAL LEDGER 177 -----	\$ 348.08
SPECIAL DOG ACCOUNT -----	\$ <u>0.00</u>
TOTAL – P/R 16 & 17	\$441,460.43

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Schaefer			X			
Speer			X			
Anderson	X		X			
Davison			X			
Marsala						X
Martocci		X	X			
Noonan			X			

Consent Agenda Resolution #2012-235

WHEREAS, a professional services contract was awarded to Schwanewede/Hals Engineering on September 13, 2011 for Hurricane Irene Repairs to Kraft Place Culvert Collapse, Contract No. 2011-20; and

WHEREAS, the Borough Engineer has submitted a Progress payment in the amount of \$2,310.00 (Invoice #28268).

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Borough of Ringwood hereby approves a Progress payment in the amount of \$2,310.00 to Schwanewede/Hals Engineering, 9 Post Road, Suite M11, Oakland, NJ 07436.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Schaefer			X			
Speer			X			
Anderson	X		X			
Davison			X			
Marsala						X
Martocci		X	X			
Noonan			X			

VII. MANAGER’S REPORT

Manager Heck reported on the following items during his Manager's Report:

Cupsaw Drive Improvement Project – Phase 1 and 2

A pre-construction meeting was held on August 15, 2012. The contractor will start construction the week of September 10th. The project will consist of storm drain improvements, milling and resurfacing of the roadway. During the milling process, the roadway will be open to residents who will be permitted controlled access to their homes. During the paving process, the road will be closed to traffic. Delays may be incurred. “No Parking” signs will be posted one or two days in advance of construction. Working hours are Monday to Friday from 7:00 am to 5:00 pm.

DPW Garage Project

A pre-construction meeting has been rescheduled for the week of September 10. The contractor has submitted signed contracts, insurance certificates, affirmative action documents, etc. These documents are currently being reviewed.

Drainage

The Borough continues to do in-house drainage projects throughout the town. The savings is significant and will be reported on at the next meeting.

Hazard Waste Class

As you are aware, Cesar Villon and I attended a Hazardous Waste Site Workers Operations Emergency Responder in Dallas, Texas last week. The class was taken so that the Borough would be able to supervise work being done at the DPW garage in accordance with federal regulations. There are two additional classes we will need to attend.

Committee meetings

The Council Committee will begin again this fall and I will coordinate with the Mayor on these meetings. There is a committee for handicap parking, recreation bylaws and the budget committee will be starting up again as well.

VIII. ATTORNEY'S REPORT

Resolution Number
2012-236

**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
- Ringwood vs. Saddle Mountain – litigation
- Acquisition of Real Property – Coventry Properties

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.

EXECUTIVE SESSION OPENED 8:31 pm

Moved: Councilwoman Anderson Seconded: Councilman Martocci
Mayor Schaefer, Deputy Mayor Speer, Anderson, Davison, Martocci, Noonan.
Councilman Marsala was absent.

EXECUTIVE SESSION ADJOURNED 9:00 pm

Moved: Councilwoman Anderson Seconded: Councilman Noonan
Mayor Schaefer, Deputy Mayor Speer, Anderson, Davison, Marsala, Martocci, Noonan.
Councilman Marsala was absent.

IX. MAYOR & MEMBERS OF THE COUNCIL

Councilman Noonan reminded residents that school is open, drive carefully. CLIA golf outing on Friday – go to CLIA website for details.

Mayor Schaefer announced the Ambulance Auxiliary will hold a Craft Fair and Flea Market on September 22 in the CVS parking lot. Also a Beefsteak on October 6 in Bloomingdale.

September 6 is the POW WOW at Sally's Field at 3 pm.

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 8:31 pm. At 9:00 pm. the Mayor and Council came back on the record of the Business Meeting. Present on roll call: Mayor Schaefer, Deputy Mayor Speer, Council Members Anderson, Davison, Martocci and Noonan.

XI. ADJOURNMENT

There being no further business to come before the Municipal Council at its Business Meeting, on MOTION by Council Member Anderson seconded by Council Member Noonan and on roll call carried the meeting adjourned at 9:02 pm.

LINDA M. SCHAEFER, MAYOR

KELLEY A. ROHDE, RMC
BOROUGH CLERK

Approved: September 18, 2012