

**MINUTES FOR THE BUSINESS MEETING  
OF THE COUNCIL OF THE BOROUGH OF RINGWOOD,  
HELD ON TUESDAY, APRIL 20, 2010  
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 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, Conley, Davison and Speer. Councilman Marsala arrived at 8:30 p.m.

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

**I. PROCLAMATIONS & PRESENTATIONS**

Mayor Taukus read a the following Proclamations:

- A. Proclamation for Walter Quirk
- B. Proclamation for Silver Star Day
- C. Proclamation for Sexual Assault Awareness Month

**II. APPROVAL OF MINUTES**

March 16, 2010 – Work Session and Business Meeting – all present.

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

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

Robin Canetti, 310 Lakeview Avenue spoke about the raises that took place in February. This was done without any discussion. There are articles in the newspapers that Municipalities and School Boards are cutting back. She discussed that the number of meetings has been less. This year you have 13 meetings scheduled. She asked why the Council keeps making your meetings shorter, they should take less money. She complained that there were no budget meetings yet this year.

Michael Keen, 10 Wildwood Terrace addressed the following issues:

- Storm Drain at 65 Oakwood sinking into the earth
- Street light out at Conklintown and Skyline

- There is a stop sign at Canterbury Road and Conklintown could be replaced with a yield sign safely.
- The video archives of the Council meetings are not posted

Steve Michelin, 29 Whaleback Terrace spoke about the lack of public discussion on Ordinances that are passed in general by the Council.

MOTION by Council Member Anderson, seconded by Deputy Mayor Schaefer 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. 2010-06 - AN ORDINANCE AMENDING CHAPTER 11 – PARKS AND RECREATION AREAS, SECTION 8 SIGNS – OF THE REVISED ORDINANCES OF THE BOROUGH OF RINGWOOD TO INCLUDE NEW ADVERTISEMENT SIGN SIZE AND FEE

Attorney Clemack asked for a motion to read by title Ordinance No. 2010-#06 and then to open public hearing of said Ordinance.

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

Public comment. None

Mayor Taukus asked for a motion to close the public hearing on Ordinance No. 2010-#06.

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

Attorney Clemack read the following resolution to adopt Ordinance No. 2010-#06:

BE IT RESOLVED that Ordinance No. 2010-#06 – AN ORDINANCE AMENDING CHAPTER 11 – PARKS AND RECREATION AREAS, SECTION 8 SIGNS – OF THE REVISED ORDINANCES OF THE BOROUGH OF RINGWOOD TO INCLUDE NEW ADVERTISEMENT SIGN SIZE AND FEE 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	X			
Anderson	X		X			
Conley			X			
Davison			X			
Marsala						X
Speer			X			

Deputy Manager Heck stated that many of the signs on the ball field are in questionable shape. For the safety of the children, we will go to the individuals and have them replaced. They haven't been replaced in a lot of years.

**V. NEW BUSINESS: Introduction of ordinances**

MOTION by Council Member Anderson, seconded by Deputy Mayor Schaefer and on roll call vote the Ordinance was read by title by the Borough Attorney:

Ordinance No. 2010-#07 - AN ORDINANCE AMENDING CHAPTER 2 ADMINISTRATION, ARTICLE IX ADMINISTRATION FEES, SECTION 2-64.2 OF THE REVISED ORDINANCE OF THE BOROUGH OF RINGWOOD, TO INCREASE FEES COLLECTED FOR CERTIFIED COPIES OF BIRTH, MARRIAGE AND DEATH CERTIFICATES

BE IT RESOLVED that Ordinance No. 2010-#07 is hereby introduced; and FURTHER that the Municipal Clerk be and is hereby authorized and directed to publish said Ordinance and Notice of the Hearing in accordance with law, with the Public Hearing on said Ordinance to be held at 8:00 pm or as soon thereafter as the matter may be heard on Tuesday, May 18, 2010, at the Violet E. Bogert Municipal Annex, 60 Margaret King Avenue, Ringwood, NJ 07456.

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

Ordinance No. 2010-#08 - AN ORDINANCE AMENDING CHAPTER 2 ADMINISTRATION, OF THE REVISED ORDINANCES OF THE BOROUGH OF RINGWOOD TO INCLUDE ADMINISTRATIVE FEE AND POLICE VEHICLE FEE FOR CONSTRUCTION & ROAD DETAIL WORK

Attorney Clemack stated that they felt the ordinance would not be complete this evening, we need further discussion with the chief of police and this will be withdrawn.

**VI. RESOLUTIONS**

2010-111

WHEREAS, the Chief Financial Officer has certified that funds are available for payment of the Selected Payment List in the amount of \$497,744.32 and the Handwritten Check List in the amount of \$2,480,350.21 to be credited to the following accounts:

**SELECTED PAYMENT LIST:**

GENERAL CURRENT, O.E.	\$ 390,580.37
WATER OPERATING, O.E.	\$ 46,655.47
SPECIAL DOG	\$ 7,695.30
WATER CAPITAL	\$ 31,836.51
SPECIAL TRUST	\$ 8,409.52
RECREATION TRUST	<u>\$ 12,567.15</u>
<b>TOTAL</b>	<b>\$ 497,744.32</b>

**HANDWRITTEN CHECKS:**

WATER OPERATING, O.E.	\$ 723.08
GENERAL CURRENT, O.E.	\$2,479,614.44
RECREATION TRUST	<u>\$ 12.69</u>
<b>TOTAL</b>	<b>\$2,480,350.21</b>

**SMALL CITIES GRANT:**

RENT PAYMENT APRIL 2010	<u>\$ 3,150.00</u>
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<b>TOTAL</b>	<b>\$ 3,150.00</b>
<b>GRAND TOTAL</b>	<b>\$2,981,244.53</b>

As amended with the removal of 10-00968

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

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Resolution Number  
2010-111a

BE IT RESOLVED THAT The Municipal Counsel of the Borough of Ringwood hereby approve the following bills to be paid:

10-00968

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

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Resolution Number  
2010-112

**WHEREAS, the Chief Financial Officer has certified that funds are available for the Handwritten Checks paid in the month of MARCH, 2010 in the amount of \$195,376.57 to be credited to the following accounts:**

**HANDWRITTEN CHECKS:**

<b>GENERAL CURRENT, O.E.</b>	<b>\$ 177,909.85</b>
<b>SPECIAL TRUST</b>	<b>\$ 9,700.00</b>
<b>WATER OPERATING, O.E.</b>	<b><u>\$ 7,766.72</u></b>
	<b>\$ 195,376.57</b>

**TOTAL**

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

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Resolution Number  
2010-113

**RESOLUTION SUPPORTING LEGISLATION FOR CIVIL SERVICE REFORM  
TO PROVIDE LOCAL GOVERNMENT WITH THE OPTION TO OPTING  
OUT OF THE CIVIL SERVICE PROGRAM**

WHEREAS, Governor Christopher Christie provided in his budget address to the State Legislature that we must have civil service reform in this State; and

WHEREAS, Governor Christie stated the heart of our proposal is that government at every level should have the option of opting out of civil service and that tool alone will save an untold amount of taxpayer dollars and make management of our towns better, more professional and more efficient.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ringwood that it agrees with the recommendation of Governor Christie and strongly supports legislation to implement the recommendations of the Governor regarding civil service reform which provides local government the option to opt out of the civil service program; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Governor Christopher Christie, Senator Kevin O’Toole, Assemblyman David Russo, Assemblyman Scott Rumana and to the municipal clerks of all Passaic County municipalities.

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

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Resolution Number  
2010-125

BE IT RESOLVED that the Mayor and Council of The Borough of Ringwood hereby authorize the transfer of the following funds in the amount of \$100,000.00 from Water Bond Ordinance 2009-05 to Water Bond Ordinance 2008-05 for the Water System Improvement Project (Chlorination Station).

The project will be funded as follows:

\$280,000.00	From Water Bond Ordinance 2008-5
7,920.00	From Water Bond Ordinance 2008-5
51,034.18	From Water Bond Ordinance 2003-7
<u>100,000.00</u>	From Water Bond Ordinance 2009-5
\$439,054.18	

BE IT FURTHER RESOLVED this would leave a balance of \$27,700.68 for unexpected expenditures.

Council						
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Resolution Number  
2010-114

WHEREAS, Notice to Bidders for the Water System Improvement Project (Chlorination Station), Contract No. 2008-05 was advertised in accordance with Local Public Contracts Law; and

WHEREAS, two (2) bids were received, opened and read on April 6, 2010 at 11:00 am; and

WHEREAS, said bids were reviewed and recommended by James Neri, H2M and Borough Engineer Jeffrey Yuhas; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds.

NOW, THEREFORE BE IT RESOLVED that the contract for the Water System Improvement Project (Chlorination Station), Contract No. 2008-05 be awarded to the low bidder, Coppola Services, Inc., 28 Executive Parkway, Ringwood, NJ 07456, at their Total Bid Price (Total Base Price Bid Plus Alternate "A" of \$411,353.50; and

BE IT FURTHER RESOLVED, that the bid deposits be returned to the unsuccessful bidder, as per the bid specifications; and

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk be and are hereby authorized to execute the agreement for this project award.

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

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Resolution Number  
2010-122

BE IT RESOLVED that the Mayor and Council of the Borough of Ringwood hereby authorize a one-year Professional Environmental Consulting Agreement with Agra Environmental and Laboratory Services in the amount of \$11,400.

BE IT FURTHER RESOLVED that the Municipal Manager is hereby authorized to execute said agreement.

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

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Resolution Number  
2010-123

BE IT RESOLVED by the Mayor and Council of the Borough of Ringwood that the Council authorizes a one-year agreement for the management operation for the James Drive Sewer Treatment Plant with the Wanaque Valley Regional Sewerage Authority for a sum of \$28,359.00

BE IT FURTHER RESOLVED that the Municipal Clerk and the Mayor be hereby authorized to execute the said contract.

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

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Attorney Clemack's explained A few months ago the Council authorized the foreclosure on five properties for non-payment of taxes. These are vacant lands. In the usual tax sale the certificate is purchased by a private party. Therefore the Borough is paid. The private party pays the taxes for the party. Then the private party after a certain period of time on their own can foreclose. The Borough has no participation in that. These are properties, which are not sold privately. They are struck off to the Borough. The Borough has held these for a few years. There are no taxes paid on these. About two



months ago the Council authorized a foreclosure that is where the Borough would take over ownership of these properties. There are six properties on the list. The hopeful purpose of the foreclosure is to get people to pay their taxes. One party did pay their taxes in full. We have to reduce the number, we reduced it to five, now we have to reduce it to four because my title search indicated that another party is in bankruptcy. Being in bankruptcy stops this action automatically. This is a resolution authorizing the in Rem foreclosure against these listed properties. I file a lawsuit, just like a bank files a mortgage foreclosure suit. If the property owner doesn't pay the taxes by the end of the foreclosure suite, the title reverts to the municipality and the municipality can then dispose of the property as it deems fit.

Resolution Number  
2010-124

**RESOLUTION AUTHORIZING FORECLOSURE UNDER THE IN REM FORECLOSURE ACT AND ESTABLISHING THE TAX FORECLOSURE LIST OF LIENS TO BE FORECLOSED**

BE IT RESOLVED that the Municipal Council of the Borough of Ringwood, in the County of Passaic, State of New Jersey, hereby determines that the Borough of Ringwood foreclose by summary proceedings in rem as provided by the In Rem Tax Foreclosure Act the tax sale certificates held by it, as listed on the attached Tax Foreclosure List prepared by Gail Bado, Tax Collector of the Borough of Ringwood, dated April 16, 2010.

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

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Resolution Number  
2010-126

BE IT RESOLVED that the Municipal Council of the Borough of Ringwood, in the County of Passaic, State of New Jersey, hereby approves a payment to Passaic River Coalition from the Open Space Trust Fund in the amount of \$15,000. for acquisition of Ringwood 48 LLC.

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

**VII. CONSENT AGENDA RESOLUTIONS**

Consent Agenda  
Resolution  
#2010-115

**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:

- 2010-115 Approval of Consent Agenda
- 2010-116 Approval of Payroll & Payroll Transfers
- 2010-117 Authorize Redemption Tax Sales Certificates – various
- 2010-118 Cancellation of Unfunded Bond Ordinances – 1996-12, 1997-16 and 2003-10
- 2010-119 Approval of Water Credit
- 2010-120 Contractor Payment, 2010 Guide Rail Project, Contract No. 2010-3
- 2010-121 Professional Service Invoice, DPW Garage Project, Contract No. 2009-100

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

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**VIII. MANAGER’S REPORT**

Manager Rohde gave the following report:

2010 Budget Overview

The finance committee, Gail, Scott and I are continuing to cut the budget. We are \$750,502.00 below last years spending of \$15,325,792.00. We are looking at all operations and making appropriate reductions which will be equal to or greater than the 400,000 loss of state aid.

All departments are being reviewed for possible shared services, regionalization and privatization.

Proposals have been prepared for all unions for concessions to their contracts this year, which the attorney is reviewing before distribution later this week. If we are unsuccessful, the layoff plan will be finalized for the Civil Service Commission to review and approve.

The budget will be introduced in May.

There is now a clerk's web site [www.ringwoodnj.net](http://www.ringwoodnj.net) departments/clerk. You can find out what responsibilities fall under the clerk, election forms & important dates, resolutions & ordinances, OPRA, Budget information including bill list and handwritten checks. Council meeting agendas, minutes, audio. Forms including peddlers, raffle, social affairs and coin-operated amusements. This could not have been accomplished without the efforts of Tracey Lawrence working with me to get this information on.

We received a check for \$5,480 in response to an incident that took place in the fall of last year behind Borough Hall. Mr. Clark of Clark Custom Homes requested that the monies be used for local sports programs and we will be upgrading the scoreboard at the De Simone Football/Lacrosse field with these funds.

Canterbury Road project will begin the week of May 3<sup>rd</sup>. The road will be closed except for local and emergency traffic during construction.

Manager Rohde read the announcements.

Deputy Manager Heck gave the following report:

STORM DAMAGE

This morning Chief Lombardo and I attended a meeting with representatives from FEMA for the storm beginning March 12, 2010 whereby the Borough sustained a considerable amount of damage to our facilities. We have applied for reimbursement funding to help offset the cost of the damage. We have a meeting this Thursday with our representative in Ringwood. I have been documenting the repairs and costs associated with the damage and hope to recover costs from FEMA.

RECYCLING CENTER

As many of you know, on March 1, 2010, the Borough took over the operation of our Recycling Center. For those of you who may not know the history, we had a contractor who managed our Recycling Center at a cost to the Borough of \$86,280.00 for 2009. The contractor became the owner of all the product at the Recycling Center so anything he took to market and sold was an additional revenue and any losses were his expenses.

Since March 1<sup>st</sup>, we have altered the work schedule for members of the DPW so that we can manage the site during our normal 40-hour workweek and there are no additional labor expenses.

We have sold the following in March 2010:

Co-mingled bottles and cans	13.75 Tons	\$ 206.25
Corrugated Cardboard	12.93 Tons	\$1,414.03
Newspaper and Junk Mail	11.0 Tons	\$1,100.00
Metal	19,060 Lbs.	\$1,936.29
Non-ferrous Metal	389 Lbs.	\$ 680.01

Total \$ 5,336.58

We did have a cost for a contractor trucking our product to market for the month of March of \$2,285.00. This cost will be eliminated hopefully once we purchase a roll off truck to do the trucking ourselves. Therefore, our profit for the month of March is \$3,051.58.

In summary, last year we expended \$7,190.00 per month on average to run the Recycling Center. This year we have an income of \$3,051.00 a month resulting in a net gain to the Borough budget of \$10,240.00 per month which projected out over 12 months is a savings to our budget of \$122,898.00 per year.

**IX. ATTORNEY’S REPORT**

Resolution Number  
2010-127

**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:

- EPA Cost Recovery Action Ford – litigation
- GBG vs Ringwood - litigation
- Various Tax Board Appeals - litigation

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.

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**X. MAYOR & MEMBERS OF THE COUNCIL**

Councilman Davison had the job of master of ceremonies for the St. Patrick’s Day Parade. He thanked Tracey and Bob Lawrence for doing an outstanding job recording the Parade on their own time.

Councilman Conley wanted to clarify the passing of ordinances by this Council. Mr. Michelin stated that these ordinances are passed without any public comment. In the agenda it says public hearing and final passage of ordinance. No one came up tonight to speak about any ordinance that we passed. Anyone in the public that does have any comments or questions about any ordinance that we discussed, please feel free to contact any one of us. We always allow the public to speak on these ordinances before we pass them.

Erskine Firehouse is having their Pancake Breakfast on Mother's Day. There is a motorcycle raffle for a Harley Davidson. It is \$20 per ticket and they are only selling 2000. Skyline Fire Dept. is having Comedy Night this Saturday night. Stonetown Fire Dept is having a Tricky Tray on May 6<sup>th</sup>.

Councilman Marsala congratulated the Patrick's Day Committee on a great job on the St. Patrick's Day Parade.

Councilman Speer mentioned that the Ringwood Educational Foundation Shephard Lake 5-K run is May 15<sup>th</sup>. Registration starts at 7:30. There may be 300 runners this year.

Councilwoman Anderson asked if we were doing the poetry contest for Memorial Day.

Manager Rohde responded that the flyers went out to the schools and we are just waiting for responses.

Deputy Mayor Schaefer commented on the Recycling Center how clean and orderly it is and how everything has a place. The DPW workers are doing a great job.

April 24<sup>th</sup>, Ringwood Ambulance Auxiliary is having a 70's and 80's Dance. \$20. Per person BYOB Ziti Dinner with desserts and May 16<sup>th</sup> Wine in the Woods in West Milford, \$25. Per person. Erskine Lakes Fire Dept, Skyline Lakes Fire Dept., Stonetown Fire Dept. is having a Hair CutaThon and Car Wash at Magic Touch, \$25. for Ladies, Children are \$20. All proceeds and \$2.00 for each car wash will be donated directly to the fire departments.

Mayor Taukus reminded everyone that Saturday is Caring for Ringwood Day. 9:00 am at the Park and Ride. You will have breakfast and you will have lunch. Please come out it is a fun day.

**XI. 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 9:05 p.m. At 9:25 p.m. 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, Marsala, and Speer.

Attorney Clemack stated that discussions of executive session will require no formal action this evening.

**XII. ADJOURNMENT**

There being no further business to come before the Municipal Council at its Business Meeting, on MOTION by Council Member Anderson seconded by Deputy Mayor Schaefer and on roll call carried the meeting adjourned at 9:28 p.m.

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TED TAUkus, MAYOR

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KELLEY A. ROHDE, RMC  
BOROUGH CLERK

Adopted: May 18, 2010