

BOROUGH OF RAMSEY  
COUNCIL MEETING MINUTES

December 9, 2009

Mayor Botta called the regular meeting of the Mayor and Council to order. Council President Dillon led the Pledge of Allegiance. Mayor read the Open Public Meetings law notice. Members of Cub Scout Pack 175, Den 10, were in attendance and assisted with the meeting.

I. ROLL CALL

Present: Mayor Botta, Councilmembers Dillon, Jachzel, Jones, Nalbandian, Siemsen, Vozeh, Borough Administrator Nicholas Saros, Borough Attorney Peter Scandariato, Borough Clerk Meredith Bendian.

Absent: None

II. APPROVAL OF MINUTES

Motion by Jones, seconded by Dillon, to approve the minutes of November 23, 2009, as submitted. Carried.

III. COMMUNICATIONS -

Motion by Siemsen, seconded by Jachzel, to receive and file the following Communications. Carried.

1. [PERMA, Bergen County Municipal Joint Insurance Fund, Park 80 West, Plaza One, Saddle Brook, NJ 07663](#)  
letter dated November 25, 2009, enclosing the 2010 approved budget.
2. [PERMA, Bergen County Municipal Joint Insurance Fund, Park 80 West, Plaza One, Saddle Brook, NJ 07663](#)  
letter dated announcing the annual Reorganization Meeting of the Joint Insurance Fund on January 21, 2010 at Seasons Restaurant.
3. [Madeline Thumudo, Secretary, Northwest Bergen Utilities Authority, 30 Wyckoff Avenue, Waldwick, NJ 07463](#)  
letter dated November 13, 2009, enclosing minutes from the October 6<sup>th</sup> meeting.
4. [Madeline Thumudo, Secretary, Northwest Bergen Utilities Authority, 30 Wyckoff Avenue, Waldwick, NJ 07463](#)  
letter dated December 3, 2009, enclosing minutes from the November 10<sup>th</sup> meeting.
5. [Howard Hurwitz, Executive Director, Northwest Bergen Utilities Authority, 30 Wyckoff Avenue, Waldwick, NJ 07463](#)  
letter dated December 7, 2009, enclosing the preliminary service charges.

6. [Howard Hurwitz, Executive Director, Northwest Bergen Utilities Authority, 30 Wyckoff Avenue, Waldwick, NJ 07463](#)  
letter dated December 7, 2009, enclosing the amended 2010 budget.
7. [Albert Moomjy, MER Corporation, 100 Park Plaza Drive, Secaucus, NJ 07094](#)  
letter dated December 9, 2009, requesting permission for a temporary banner for their new business at 50 Spring Street, Ramsey until they receive approval for their permanent sign.

IV. APPOINTMENTS –

Mayor made the following appointments:

Daniel Caleca – Office of Emergency Management

James Duffy - Office of Emergency Management

Benjamin Young – Ramsey Rescue Squad

Benjamin Young – Office of Emergency Management

V. CONSENT RESOLUTION

Introduced by Siemsen, seconded by Dillon

BE IT RESOLVED that the following resolutions herewith listed having been considered by the governing body of the Borough of Ramsey be and are hereby passed and approved:

- |          |             |  |
|----------|-------------|--|
| 269-2009 | Resolution: | Payment of vouchers  |
| 270-2009 | Resolution: | <a href="#">Authorizing the tax refunds on several blocks and lots in Ramsey</a>   |
| 271-2009 | Resolution: | <a href="#">Authorizing a tax redemption in the amount of \$ 917.37 for Kenneth and Jill Prokop, Block 3605 Lot 6</a>  |
| 272-2009 | Resolution: | <a href="#">Authorizing the tax refund to Gary and Frances Monteith in the amount of \$3,068.50 for Block 5502 Lot 40</a>  |
| 273-2009 | Resolution: | <a href="#">Authorizing a tax refund to Sanford Diamond in the amount of \$1,754.71 for Block 4401 Lot22 C0132</a>   |
| 274-2009 | Resolution: | <a href="#">Authorizing the Veteran's tax refunds to Charles Mabie for block 2912 lot 10 in the amount of \$250.00 and Edward Beard for block 3701 lot 5.1 C0134 in the amount of \$250.00</a> |
| 275-2009 | Resolution: | <a href="#">Authorizing the tax court judgment to BRE/ESA P. Portfolio, LLC for block 5504 lot 1 in the amount of \$23,980.00</a>  |

- 276-2009 Resolution: [Authorizing the renewal of water sewer utility bond](#) anticipation note in the amount of \$472,000.00
- 277-2009 Resolution: [Authorizing the tax redemption to Albert and Viola Blayer](#) for block 5207 lot 9 in the amount of \$31,919.55
- 278-2009 Resolution: [Confirming the appointment of Daniel Caleca to the Office of Emergency Management](#)
- 279-2009 Resolution: [Confirming the appointment of James Duffy to the Office of Emergency Management](#)
- 280-2009 Resolution: [Confirming the appointment of Benjamin Young to the Office of Emergency Management](#)
- 281-2009 Resolution: [Confirming the appointment of Benjamin Young to the Ramsey Rescue Squad](#)
- 282-2009 Resolution: [Authorizing the application to Bergen County Community Development for funding for ADA compliant bathrooms at Finch Park in the amount of \\$50,000.00](#)

AYES: Dillon, Jachzel, Jones, Nalbandian, Siemsen, Vozeh NAYS: None  
 Mayor administered the Oaths to the new volunteers. Congratulations to all.

## VI. COMMITTEE AND LIAISON REPORTS

### A. FINANCE AND ADMINISTRATION -Councilman Andrew Siemsen

I wish everyone a Happy, Healthy and safe holiday season and my thanks to the new volunteers.

### B. PUBLIC SAFETY – Councilman William Jones

Home for the Holidays was very successful and my thanks to all of the emergency services for their help. A special thank you to Randy Sterbinsky and his team. I would like to welcome the new volunteers and thank them for serving the community. Happy Holidays to all. In response to the article in yesterday's newspaper about the poor quality of Ramsey's water, I would like to say that we on the governing body all live in Ramsey and between us we have 24 children. If there was something wrong with the water, I would not be quiet about it for 4 seconds, let alone 4 years. I would like to thank the Mayor and Nick Saros for their response yesterday. It was the best thing we could do to allay the public's fears. This is definitely the best group I have ever been involved with, as far as caring individuals who give enormous amounts of time. To come under attack for something that we had nothing to do with, it goes against every fiber of my being. Previous administrations followed all the guidelines and rules in place at the time. I am very disappointed with the irresponsible journalism of the New York Times.

C. BUILDING, PLANNING & ZONING – Councilman Arthur M. Nalbandian

I would like to thank the Cub Scouts for their attendance tonight, as well as the parents and leaders. I would like to wish all the new appointees well and thank them for their service. I would also like to thank the Fire Department for the Home for the Holidays event this weekend. It was very well received.

D. UTILITIES, BUILDINGS & GROUNDS – Councilman Bruce Vozeh

I too would like to thank the Cub Scouts. I would also like to thank the Fire Dept. for their efforts on Home for the Holidays. Also, my thanks to the new volunteers who were appointed tonight. The leaf collection is approximately 7 to 8 days behind schedule. Hopefully, they will be catching up this week. The Mayor sent out a very good response with regard to the water article and I thank him for doing that so quickly. The Record article contained more of the facts. I think we responded very well.

E. PUBLIC & GOVERNMENTAL RELATIONS – Councilwoman Vanessa Jachzel

I would like to thank the Cub Scouts for their attendance tonight. Congratulations and thank you to our new volunteers. I also wanted to mention that the Home for the Holidays was a great event and the Fire Department did a great job. I am very disappointed with the irresponsible reporting in the New York Times. A lot of people went through unnecessary anxiety about the safety of their families. We spent a lot of time setting the record straight. Hopefully, the New York Times will correct the facts in one way or another. There was no reason for Ramsey to be mentioned the way we were, especially since we were never in violation. Our water system is safe and does comply with state and federal standards. I wish everyone Happy Holidays.

F. HEALTH, EDUCATION & SOCIAL SERVICES – Council President Deirdre A. Dillon

Thanks to the DPW for a great job on Saturday and thanks to the Fire Department for organizing Home for the Holidays. The turn out was fabulous. Congratulations and thank you to the new volunteers. The article in the New York Times was irresponsible and disappointing. The flu shot for children will be given on Dec.13 at Smith School. Happy and Healthy Holidays to all.

G. MAYOR CHRISTOPHER C. BOTTA

Home for the Holidays on Sunday was an excellent event. My thanks to the Fire Department. We are working as quickly as we can to get the leaves picked up; we have authorized overtime for this project. Unfortunately, we cannot control the weather. As Mayor, I also serve as Chairman of the Board of Public Works and I know that my predecessor, Mayor Richard Muti, and I have worked very hard to make sure that our water is delivered to our residents in a safe manner and that our water is in compliance with all environmental regulations. I can assure the public that we have always been in compliance and have never had illegal concentrations of arsenic and tetrachloroethylene, as alleged in the New York Times article of December 8, 2009. It is certainly an irresponsible action by the author of this article, to single Ramsey out and cause such distress among our residents. I wanted to make sure that the public is

aware of the steps we have taken to keep our public informed. We have consistently sent out notices about the arsenic issue that we have dealt with and to assure the residents that we have taken steps to make sure that our water is compliant, which it has always been. We continue to work to make our water system safe and I assure you that we have never had any illegal concentrations of arsenic or chemicals supplied to our water. We have always been in compliance with all state and federal regulations with regard to arsenic and tetrachoroethylene.

H. BOROUGH ATTORNEY – Peter A. Scandariato, Esq. No comments.

I. BOROUGH ADMINISTRATOR – Nicholas C. Saros No comments.

J. BOROUGH CLERK – Meredith Bendian No comments.

#### VII. PUBLIC COMMENT

Alan Braggin, 25 Franklin Street, spoke about the Borough ordinance 20-2.10 which states that a c.o. (certificate of occupancy) will not be issued for new construction prior to the completion of the landscaping plan as approved by the Shade Tree Commission. It is not clear if it applies to a residence or a commercial building. I had requested an interpretation from Borough Attorney Scandariato and I still have not gotten that answer. I also asked about quotations for services that they had solicited. One of the members of the Shade Tree Commission filled in the blanks with prices. There was also a case I saw where the quotations were not handled properly here at a work session. I would like to know if the Mayor would request that the Borough Attorney respond to my two questions. Mr. Braggin stated that Planning Board Attorney Bruce Whitaker had indicated that other communities had similar ordinances that do require the completion of a landscaping plan for a residence. Mayor stated that he would not play one attorney against the other, nor could he speak to what other communities have. The ordinance that we have is the ordinance on our books and how it is addressed is not something that goes beyond the letter of the law. Mr. Braggin stated that he would speak to the Shade Tree Commission. Mayor stated that the Shade Tree Commission is an advisory board and they are welcome to bring their concerns to our attention.

Angela Strollo, 27 Lakeview Terrace, expressed her appreciation for the response in the Record regarding the article in the New York Times about Ramsey's water. The water report is extremely informative and the journalist should have read it. This report goes above and beyond what needs to be available to residents and I thank you.

Mr. Braggin asked about the articles regarding the water. Mayor stated copies of the article are here and you are welcome to it, as well as the responses which are also on Ramsey's website.

#### VIII. ADVERTISED PUBLIC HEARING FOR FINAL CONSIDERATION OF ORDINANCES

[ORDINANCE 26-2009 Bond Ordinance to authorize the acquisition of real property for municipal purposes in, by and for the Borough of Ramsey, in the County of Bergen, State of New Jersey, to appropriate the sum of \\$847,500.00 to pay the cost thereof, to make a down payment, to authorize the issuance of bonds to finance such appropriation and to provide for the issuance of bond anticipation notes of the issuance of such bonds](#)

Resolution by Nalbandian, seconded by Siemsen

BE IT RESOLVED that an Ordinance entitled: BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR MUNICIPAL PURPOSES IN, BY AND FOR THE BOROUGH OF RAMSEY, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$847,500.00 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES OF THE ISSUANCE OF SUCH BONDS having been brought up for public hearing and all persons interested having been given an opportunity to be heard, pass final reading by title, and that said ordinance be adopted as an ordinance of the Borough of Ramsey, and

BE IT FURTHER RESOLVED that the Borough Clerk be, and she hereby is, directed to cause a copy of the title of said ordinance to be published in an official newspaper of the Borough of Ramsey in the manner provided by law together with a notice of the date of introduction and adoption of said ordinance.

Not seeing anyone who wished to speak, Mayor closed the public hearing for ord. 26-2009. Councilman Nalbandian stated that this in connection with some land we are acquiring with the possibility of using it for affordable housing obligations and any other purposes that may be permissible or appropriate.

AYES: Dillon, Jachzel, Jones, Nalbandian, Siemsen, Vozeh NAYS: None

IX. INTRODUCTION OF ORDINANCES

[ORDINANCE 27-2009 An Ordinance amending Chapter XIX of the Code of the Borough of Ramsey, County of Bergen, State of New Jersey, so to establish Chapter 19.7 entitled requirements for installation of Dry Wells - REMOVED](#)

X. UNFINISHED BUSINESS None

XI. NEW BUSINESS

Mayor announced that the work session for December 28 has been cancelled. The regular Council Meeting scheduled for December 23 has been moved back to December 21. Those changes will be advertised by the Borough Clerk.

XII. ADJOURNMENT

Motion by Nalbandian, seconded by Jones, to adjourn the meeting. Carried.

Meredith Bendian  
Borough Clerk

