

**MINUTES FOR THE BUSINESS MEETING
OF THE COUNCIL OF THE BOROUGH OF RINGWOOD,
HELD ON TUESDAY, APRIL 16, 2024
AT 7:30 PM AT THE VIOLET E. BOGERT MUNICIPAL ANNEX,
60 MARGARET KING AVENUE, RINGWOOD, NEW JERSEY**

Mayor Noonan called the meeting to order at 7:30 pm and asked the Clerk to read the Statement of Compliance into the record.

Mayor Noonan asked for a roll call. Present on roll call Mayor Noonan, Deputy Mayor Matteo-Landis Council Members Baumgartner, Echols, Kerr, Kiraly and Rubacky.

Also present: Borough Manager/Director of Public Works Scott Heck, Municipal Clerk Nicole Langenmayr, Borough Attorney Richard J. Clemack and CFO Debbie Buchanan.

Mayor Noonan asked everyone to rise for the pledge of allegiance.

Mayor Noonan congratulated two Ringwood Residents recently appointed to the New Jersey Superior Court, Ronda Casson Cotroneo and William Marsala.

Mayor Noonan then made the following two Planning Board Appointments:
Jennifer Larson, as a Class IV Member for the unexpired term through December 31, 2024.
Angelo Martino, as Alternate #1 Member for the unexpired term through December 31, 2025.

I. PROCLAMATIONS & PRESENTATIONS

Mayor Noonan read a proclamation for National Volunteer Week. He specifically named volunteers who have served for over twenty years and thanked everyone for their service.

Mayor Noonan read a proclamation for Earth Day.

Councilman Kiraly read a proclamation for the National Day of Prayer.

II. APPROVAL OF MINUTES

Business Meeting – March 19, 2024

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis	X		X			
Baumgartner		X	X			
Echols			X			
Kerr			X			
Kiraly			X			
Rubacky			X			

III. GENERAL PUBLIC COMMENT - 3 minutes per person

Mayor Noonan asked if anyone wished to address the Council.

Dan Daily, Ringwood resident read a proclamation honoring Ringwood teachers and support staff.

Stephen Michelin, Ringwood resident spoke about being against having a timer. If you are going to enforce it, he hopes it is done fairly.

Nancy Frieda, Ringwood resident offered to volunteer to help bring film production companies to Ringwood. It would be her pleasure.

Peter Sando, Ringwood resident spoke about the speakers not being loud enough.

Ericka Travan, Ringwood resident thanked the Borough for the use of St. Catherines for the Ringwood Educational Foundation fundraiser earning \$25,000 which will go back into the schools via teacher grants.

Robin Canetti, Ringwood resident thanked the volunteers that work on animal rescue. We have quite a few good ones, including BASS.

MOTION by Deputy Mayor Matteo-Landis seconded by Councilman Rubacky and on roll call vote the General Public Comment of the meeting was closed.

VI. MANAGER'S REPORT

Manager Heck introduced and welcomed Ms. Kristen Holton to our team as our new Director of Economic Development. She will foster an economic development environment through promotion, cooperation, and communication between the public and private sectors, enabling an increased standard for those living, working, and visiting our community.

Ms. Holton introduced herself and spoke about how she will help support our business community and promote economic growth.

Manager Heck gave the following report:

Skyline Lakes Drive

Phase I of the Skyline Lakes Drive project is almost complete. Curbing is being installed and the road will be milled and paved in the coming weeks.

Phase II of this project will include reducing the size of the intersection at Skyline Lakes Drive and Canterbury Road and installing an all-way stop sign.

We are awaiting DOT approval and anticipate a late summer/fall construction to include drainage, milling, and paving.

Manager Heck read the following two resolutions:

Resolution Number
2024-95

BE IT RESOLVED that the Municipal Council of the Borough of Ringwood hereby authorizes payment for invoice number 23397 in the amount of \$4,153.04 for work done at the Community Center to Ray Nebiker Electric, LLC., 74 Woodland Road, Ringwood, NJ 07456.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis			X			
Baumgartner			X			
Echols		X	X			
Kerr			X			
Kiraly			X			
Rubacky	X		X			

Resolution Number
2024-96

WHEREAS, on Wednesday, March 20, 2024, the Borough experienced a very severe water main break that damaged a significant portion of roadway on Edward Drive; and

WHEREAS, due to public safety concerns the Borough closed this portion of Edward Drive and directed the neighborhood to use James Drive; and

WHEREAS, the Borough Engineering and Chief Financial Officer recommends awarding an Emergency Contract – Edward Drive Pavement Repair, Contract No. 2024-100 to RM Tuit Paving and Trucking Contractor, LLC., 66 5th Ave, Hawthorne, NJ 07506 to repair Edward Drive at a cost of approximately \$80,403.25 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. Pay-to-Play Requirements

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Borough of Ringwood hereby awards the Emergency Contract - Edward Drive Pavement Repair, Contract No. 2024-100 to RM Tuit Paving and Trucking Contractor, LLC., 66 5th Ave, Hawthorne, NJ 07506 to repair Edward Drive, subject to receipt of the items listed above.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis			X			
Baumgartner		X	X			
Echols			X			
Kerr			X			
Kiraly	X		X			
Rubacky			X			

Recreation Department

The Recreation Department has created the following new programs at the Community Center:

- Adult Cornhole
- New Youth Basketball open gym sessions.
- Walking Inside – an opportunity for seniors to walk around the gym for exercise.

Please visit our website for a complete program list, and Health Department programs, being offered this month.

The second round of Hometown Heroes banners has 53 new banners which will be displayed for this Memorial Day.

Upcoming Events

Caring for Ringwood Day is scheduled for April 27th at Borough Hall. Refreshments will be served at 8:30am and the event will begin at 9am. Anyone that would like to register can email the recycling office at recycling@ringwoodnj.net.

The Water Department has begun flushing water mains throughout the Borough and will continue through April 26th. Please check the website for details.

V. OLD BUSINESS: Public Hearing & Final Passage of Ordinances

Ordinance No. 2024-#02 AN ORDINANCE AMENDING CHAPTER 6 - ALCOHOLIC BEVERAGE CONTROL - OF THE REVISED ORDINANCES OF THE BOROUGH OF RINGWOOD TO INCREASE LICENSE FEES.

Attorney Clemack asked for a motion to read by title Ordinance No. 2024-#02 and then to open public hearing of said Ordinance.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis	X		X			
Baumgartner			X			
Echols			X			
Kerr		X	X			
Kiraly			X			
Rubacky			X			

Public comment:

No one came forward.

Mayor Noonan asked for a motion to close the public hearing on Ordinance No. 2024-#02.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis	X		X			
Baumgartner		X	X			
Echols			X			
Kerr			X			
Kiraly			X			
Rubacky			X			

Attorney Clemack read the following resolution to adopt Ordinance No. 2024-#02:

BE IT RESOLVED that Ordinance No. 2024-#02 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
Noonan			X			
Matteo-Landis			X			
Baumgartner			X			
Echols			X			
Kerr			X			
Kiraly		X	X			
Rubacky	X		X			

Ordinance No. 2024-#03 AN ORDINANCE AMENDING CHAPTER 18 - WATER AND SEWER - OF THE REVISED ORDINANCES OF THE BOROUGH OF RINGWOOD, SECTION 18-9 CHARGES FOR WATER SERVICE – WATER CONSUMPTION RATES.

Attorney Clemack asked for a motion to read by title Ordinance No. 2024-#03 and then to open public hearing of said Ordinance.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis	X		X			
Baumgartner			X			
Echols			X			
Kerr		X	X			
Kiraly			X			
Rubacky			X			

Public comment:

No one came forward.

Mayor Noonan asked for a motion to close the public hearing on Ordinance No. 2024-#03.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis			X			
Baumgartner			X			
Echols		X	X			
Kerr			X			
Kiraly	X		X			
Rubacky			X			

Attorney Clemack read the following resolution to adopt Ordinance No. 2024-#03:

BE IT RESOLVED that Ordinance No. 2024-#03 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
Noonan			X			
Matteo-Landis			X			
Baumgartner			X			
Echols		X	X			
Kerr			X			
Kiraly			X			
Rubacky	X		X			

VI. NEW BUSINESS: Introduction by Title of Ordinance(s)

MOTION by Deputy Mayor Matteo-Landis, seconded by Councilwoman Kerr and on roll call vote the Ordinance was read by title by the Borough Attorney.

Ordinance No. 2024-#04 - CALENDAR YEAR 2024 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMIT AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14).

Attorney Clemack offered the following resolution:

BE IT RESOLVED that Ordinance No. 2024-#04 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 7:30 pm or as soon thereafter as the matter may be heard on Tuesday, May 21, 2024, at the Violet E. Bogert Municipal Annex, 60 Margaret King Avenue, Ringwood, NJ 07456.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis	X		X			
Baumgartner		X	X			
Echols			X			
Kerr			X			
Kiraly			X			
Rubacky			X			

MOTION by Deputy Mayor Matteo-Landis, seconded by Councilwoman Kerr and on roll call vote the Ordinance was read by title by the Borough Attorney.

Ordinance No. 2024-#05 – AN ORDINANCE AMENDING CHAPTER 7 – TRAFFIC – SECTION 7-21 MULTI-WAY STOP INTERSECTIONS – OF THE REVISED ORDINANCES OF THE BOROUGH OF RINGWOOD TO REMOVE TWO INTERSECTIONS AND ADD ONE INTERSECTION.

Attorney Clemack offered the following resolution:

BE IT RESOLVED that Ordinance No. 2024-#05 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 7:30 pm or as soon thereafter as the matter may be heard on Tuesday, May 21, 2024, at the Violet E. Bogert Municipal Annex, 60 Margaret King Avenue, Ringwood, NJ 07456.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis			X			
Baumgartner			X			
Echols	X		X			
Kerr			X			
Kiraly		X	X			
Rubacky			X			

MOTION by Deputy Mayor Matteo-Landis, seconded by Councilwoman Kerr and on roll call vote the Ordinance was read by title by the Borough Attorney.

Ordinance No. 2024-#06 - AN ORDINANCE AMENDING CHAPTER 20 – SOLID WASTE MANAGEMENT – SECTION 20-2 - DISPOSAL OF LEAVES AND GARDEN DEBRIS – OF THE REVISED ORDINANCES OF THE BOROUGH OF RINGWOOD TO AMEND IN ITS ENTIRETY 20-2.1, 20-2.2 AND 20-2.3.

Attorney Clemack offered the following resolution:

BE IT RESOLVED that Ordinance No. 2024-#06 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 7:30 pm or as soon thereafter as the matter may be heard on Tuesday, May 21, 2024, at the Violet E. Bogert Municipal Annex, 60 Margaret King Avenue, Ringwood, NJ 07456.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis	X		X			
Baumgartner			X			
Echols			X			
Kerr		X	X			
Kiraly			X			
Rubacky			X			

VII. RESOLUTIONS

Resolution Number
2024-86

WHEREAS, the Chief Financial Officer has certified that funds are available for payment of the Current Bills List in the amount of \$603,529.80; Supplemental Payments in the amount of \$10,872,539.40 and Merchant Services Fees in the amount of \$34.54 to be credited to the following accounts:

CURRENT BILL LIST

GENERAL CURRENT, O.E.	\$667,237.81
WATER OPERATING, O.E.	\$38,725.73
SPECIAL DOG	\$102.60
GENERAL CAPITAL	\$42,472.69
WATER CAPITAL	\$1,759.06
SPECIAL TRUST	\$12,313.65
RECREATION TRUST	\$15,639.04
UNEMPLOYMENT TRUST	_____
TOTAL	\$603,529.80

SUPPLEMENTAL PAYMENTS

GENERAL CURRENT, O.E.	\$3,768,990.16
WATER OPERATING, O.E.	\$267,670.88
SPECIAL DOG	-
GENERAL CAPITAL	\$5,071,075.00
WATER CAPITAL	\$1,755,925.00
CAPITAL RESERVE	-
SPECIAL TRUST	-
RECREATION TRUST	-
UNEMPLOYMENT TRUST	_____
TOTAL	\$8,878.36
	\$10,872,539.40

MERCHANT SERVICES FEES

MARCH 2024 \$34.54

GRAND TOTAL \$11,476,103.74

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis		X	X			
Baumgartner	X		X			
Echols			X			
Kerr			X			
Kiraly			X			
Rubacky			X			

Resolution Number
2024-87

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment
Decisions Under Title VII of the Civil Rights Act of 1964"

FORM OF RESOLUTION

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Ringwood, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis			X			
Baumgartner			X			
Echols	X		X			
Kerr			X			
Kirdaly			X			
Rubacky		X	X			

Resolution Number
2024-88

Municipal Budget Notice

Municipal Budget of the Borough of Ringwood, County of Passaic for the Fiscal Year 2024.

BE IT RESOLVED that the following statements of the revenues and appropriations shall constitute the Municipal Budget for the year 2024.

BE IT FURTHER RESOLVED that the said Budget be published in the Suburban Trends issue of April 21, 2024.

The Governing Body of the Borough of Ringwood does hereby approve the following as the Budget for the year 2024:

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis			X			
Baumgartner			X			
Echols			X			
Kerr			X			
Kiraly		X	X			
Rubacky	X		X			

Notice is hereby given that the Budget and Tax Resolution was approved by the Council Members of the Borough of Ringwood, County of Passaic on April 16, 2024.

A hearing on the Budget and Tax Resolution will be held at The Municipal Building on May 21, 2024, at 7:30 pm at which time and place objections to said Budget and Tax Resolution for the year 2024 may be presented by taxpayers or other interested persons.

Deputy Mayor Matteo-Landis read the following resolution:

Resolution Number
2024-89

WHEREAS, the Borough of Ringwood is designated in the Highlands Water Protection and Planning Act of 2004 as one of five municipalities whose boundaries are totally located within the Highlands Preservation area; and

WHEREAS, the Borough of Ringwood preserves the Watershed which provides drinking water to millions of New Jersey residents; and

WHEREAS, the Borough of Ringwood preserves 4,784 acres in perpetuity for millions of New Jersey residents and receives no compensation therefore; and

WHEREAS, the Borough of Ringwood preserves the third largest amount of acreage for water preservation purposes of the top six communities preserving acreage, but the Borough of Ringwood is the only municipality not receiving Watershed Moratorium Aid; and

WHEREAS, the Highlands Municipal Property Tax Stabilization Board is the designated entity to oversee Watershed Moratorium Aid; and

WHEREAS, the Highlands Municipal Property Tax Stabilization Board whose authorized three members is currently defunct with no members appointed thereto and has not met since 2012; and

WHEREAS, the Highlands Council has petitioned Governor Murphy to appoint representatives to the Highlands Municipal Property Tax Stabilization Board to enable a fully functioning board to assist municipalities who have the burden of preserving the Watershed and the inability to create tax ratables to offset their tax base; and

WHEREAS, according to a study conducted by the Highlands Council it estimated that the Borough of Ringwood is due \$224,848.00 yearly based upon the estimate of other Municipalities receiving Watershed Aid.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Borough of Ringwood as follows: (1) That Governor Murphy is hereby requested to appoint three members to the Highlands Municipal Property Tax Stabilization Board. (2) That the New Jersey State Legislature and Governor Murphy appropriate \$224,848.00 to the Borough of Ringwood for Watershed Moratorium Aid.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis			X			
Baumgartner			X			
Echols		X	X			
Kerr			X			
Kiraly	X		X			
Rubacky			X			

V. CONSENT AGENDA RESOLUTIONS

Consent Agenda
Resolution
#2024-90

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:

- 2024-90 Approval of Consent Agenda
- 2024-91 Approval of Payroll & Payroll Transfers – March 2024
- 2024-92 Authorize Redemption of Tax Sales Certificates April 2024
- 2024-93 Voided and Replaced Checks
- 2024-94 Professional Services Payment, H2M, Inc., \$561.00

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis			X			
Baumgartner			X			
Echols			X			
Kerr		X	X			
Kiraly			X			
Rubacky	X		X			

Consent Agenda
Resolution
#2024-91

WHEREAS, the Chief Financial Officer has certified that funds are available for the payment of Payroll and Payroll Transfers.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Borough of Ringwood hereby approves the following Payroll and Payroll Transfers for the month of March 2024.

GENERAL	\$	573,772.48
WATER	\$	28,566.14
TOTAL- PR 5 & 6	\$	602,338.62

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis			X			
Baumgartner			X			
Echols			X			
Kerr		X	X			
Kiraly			X			
Rubacky	X		X			

Consent Agenda
Resolution
#2024-92

BE IT RESOLVED that the Municipal Council of the Borough of Ringwood hereby approves the following lien redemptions:

Consent Agenda
Resolution
#2024-94

WHEREAS, a Professional Services Contract was awarded to H2M Associates, Inc for services to update Ringwood's GIS data to revise/update Ringwood's Stormwater Infrastructure map as required by NJDEP, Contract No. 2023-102.

WHEREAS, H2M Associates, Inc. has submitted, and the Borough Engineer has reviewed and recommends payment for the following:

Invoice Number 259885 dated March 19, 2024, for \$561.00

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Borough of Ringwood hereby approves payment in the amount of \$393.00 to H2M Associates, Inc., 538 Broad Hollow Road, Melville, NY 11747.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis			X			
Baumgartner			X			
Echols			X			
Kerr		X	X			
Kiraly			X			
Rubacky	X		X			

VI. ATTORNEY'S REPORT

Attorney Clemack read the following resolution:

Resolution Number
2024-97

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

RESOLVED that the Municipal Council enter into executive session to discuss the following matters:

- A. Fair Share Housing Case
- B. Appointment of Cell Tower Manager

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 legal advice

on pending or anticipated litigation shall not be disclosed until the conclusion of said litigation 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 and upon the Municipal Council waiving the lawyer-client privilege. 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 Municipal Council enters into open session or any other matters when the Municipal Council returns to open session.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis			X			
Baumgartner	X		X			
Echols			X			
Kerr		X	X			
Kiraly			X			
Rubacky			X			

VII. GENERAL PUBLIC COMMENT - 3 minutes per person

Mayor Noonan asked if anyone wished to address the Council.

Peter Sando, Ringwood resident spoke about hate and our discourse. Citizen's outrage over the policies affecting health and taxes and the environment is not hate. It's often outrage which is not hate and you should respect that and the fact that the vote was close, so we are representing the many Ringwood residents that agree with us.

MOTION by Deputy Mayor Matteo-Landis seconded by Councilman Rubacky and on roll call vote the General Public Comment of the meeting was closed.

VIII. MAYOR & MEMBERS OF THE COUNCIL

Councilman Rubacky mentioned the Knights of Columbus will have an empanada fundraiser.

Councilwoman Echols said the Marine Corp League is having a semi-annual breakfast April 20, 2024. It is also the 23rd Annual Festival of the Arts celebrated at St. Francis Church in Haskell from April 18th - 21st.

Councilman Kiraly attended the Little League opening day ceremonies this past Saturday and it was wonderful to see the children play baseball.

He also spoke about the National Day of Prayer and the earlier proclamation he read. He shared that his father lived in Hungary and was a boarding school supervisor during the communist regime. He was warned to stop praying and refused, which he was imprisoned for. This did not deter his father as he pursued his calling to become a minister. A few years later, he escaped to the United States where he enjoyed the freedom to worship and minister until he passed away.

He said he is grateful that our great nation guarantees religious freedom to all faiths, and he's honored to be able to read the Ringwood Day of Prayer proclamation. He invited everyone to attend the ceremony at noon on May 2nd here at Borough Hall.

Councilwoman Kerr said in honor of Earth Day, Ringwood's Second Annual Anti-Littering Poster Contest is due on Friday, April 19th. Submissions can be dropped off at either Borough Hall or the Board of Education Office.

Tickets for Annie Jr. at Ryerson School are available online for shows on Thursday at 7pm, Friday at 7pm, and Saturday at 2pm. Tickets can be bought at ryersonmusic.booktix.net.

Since next week is National Volunteer Week, I'd like to take a moment to thank all of the volunteers in our community. Your steadfast dedication is commendable, and we celebrate your bravery and time commitment.

Our firefighters in Stonetown are working on their Trex Recycling Program to earn a bench for a school bus stop. All thin plastic can be recycled at either the firehouse in Stonetown or at Borough Hall.

The second round of Hometown Hero banners had a huge turnout of over 53 more submissions. Last year's banners and our new veteran banners will be displayed around town by Memorial Day. Thank you to Mr. LaCorte for working very hard on this project.

She also said she is excited to see a new playground under construction in Upper Ringwood.

Mark your calendars for our Memorial Day Ceremony on Thursday, May 23rd at 6:30pm outside at the Ringwood Public Library. If it rains, we will move the ceremony indoors.

Last, but not least, we are excited to have a new Economic Developer for the Borough and she got right to work. We congratulate Ms. Holton on her new role in Ringwood.

Councilwoman Baumgartner said we have a lot of participants in the upcoming art show and she thanked the Library for hosting an event on the solar eclipse blending fun and education in a creative way.

Deputy Mayor Matteo-Landis said on March 26, 2024, she had the honor of providing testimony to the Senate Budget and Appropriations Committee fighting for watershed aid for Ringwood. She read the following testimony:

Good afternoon members of the Senate Budget and Appropriations Committee.

My name is Jaime Landis and I serve as the Deputy Mayor in the beautiful town of Ringwood, NJ. Ringwood is home to a population of about 12,000 people with ninety-percent owner occupied single-family homes. Ringwood is an amazing place in the "Heart of the Highlands." It is centered around various lake communities and numerous hiking trails. We are also home to the Ringwood State Park and NJ Botanical Gardens as well as the watershed that provides drinking water to millions of New Jersey residents. We have been charged with the tremendous responsibility of preserving history and preserving the water and that preservation comes at a cost that is shouldered entirely by our residents, which I believe is fundamentally unfair.

I've taken the time to read the committee earnings from the Senate Environment Committee in reference to Senate Bill No. 1 and Assembly Bill No. 2635 "The Highlands Water Protection and Planning Act." When Ringwood was signed into the Highland's Act, we were immediately stripped of "home rule" and the ability to say what goes on in our community was taken from us because we are 100% in the Highlands Preservation area. Ringwood's business community is comprised of small, family-owned businesses, many of which are generational, for which they cannot survive in a restricted economy. Our senior citizens are being forced to move because they cannot retire here. They are having to leave a town that they created and helped to preserve. Our taxes are high, and the costs of running municipal government, county government, state government and our schools all continue to increase, and we are completely handcuffed.

Much like stagnant water isn't good, a stagnant community is not good either. We preserve the water for towns that are growing by leaps and bounds and yet we receive nothing in return for our sacrifice. To add insult to injury, year after year since 2018 we have drastically lost aid to our schools. Our residents are constantly hit with a financial burden from all angles.

I have done a tremendous amount of research and have also met with Mr. Ben Spinelli, the Executive Director of the Highlands Council, to understand why Ringwood was skipped over in 2004 when Watershed Moratorium Aid was transferred to the Highlands. The Highlands Tax Stabilization Board became the body to oversee the fund. That body last met in 2012. The Highlands Council has petitioned Governor Murphy to appoint representatives and get the tax stabilization board back up and running. It is estimated, based upon figures of other towns receiving aid, that Ringwood is due \$224,848.00 per year. This figure was confirmed in a letter dated June 23, 2023 from Executive Director Benjamin Spinelli to the Highlands Council Membership. This money would prove non-detect to your state budget and a significant advantage to our municipal budget.

In closing, I implore you to find a more equitable solution to our biggest challenges. We preserve 4,784 total acres in perpetuity for millions of NJ residents, yet we do not get paid in perpetuity for that sacrifice. We understand that protecting the quality of water is important, however, how much can one community be asked to do? Thank you for taking the time to hear my concerns. We would ask that you please include Ringwood for \$224,848.00 in Watershed Moratorium Aid yearly moving forward.

Deputy Mayor Matteo-Landis also congratulated Ringwood Little League on a successful opening day. She thanked the Recreation Department and DPW because the fields looked great even though we had rain prior to opening day.

On April 13th along with Mayor Noonan she attended the RVFC #1 Installation dinner. She congratulated the officers and thanked them for their dedication.

May 6th at 7:00pm at the Community Center the Health Department is sponsoring a question-and-answer discussion called Under the Influence: The Truth About Marijuana.

The Health Department is also sponsoring a new free program called Movement as Medicine for April and May.

Ringwood Ambulance Auxiliary is holding a Tricky Tray on April 21st.

Mayor Noonan reminded everyone to drive slowly around the lakes as the walkers and bikers are out. He reminds everyone not to feed the geese and waterfowl as it is against the law and encourages them to stay. Please don't blow leaves in the street.

He also thanked everyone who came out to the parade. Despite heavy rains there was still a crowd.

IX. EXECUTIVE SESSION

The Council convened into Executive Session at 8:38 pm. At 8:58 pm the Council came back on the record of the Business Meeting. Present on roll call Mayor Noonan, Deputy Mayor Matteo-Landis, Council Members Baumgartner, Echols, Kerr, Kiraly and Rubacky.

Attorney Clemack read the following resolution:

Resolution Number
2024-98

RESOLUTION AUTHORIZING THE AWARD OF A COMPETITIVELY BID CONTRACT FOR A MANAGER OF THE CELLULAR TOWER SITE LOCATED AT 35 CANNICI DRIVE, RINGWOOD, NEW JERSEY.

WHEREAS, Resolution No. 2024-54, passed on January 23, 2024, authorized advertising for proposals for manager of the cellular tower site located at 35 Cannici Drive, Ringwood, New Jersey; and

WHEREAS, an advertisement was published in the Suburban Trends newspaper issue on February 14, 2024 and also posted on the Municipal website; and

WHEREAS, Five (5) proposals were received; and

WHEREAS, the Municipal manager directed the preparation of a report with a recommendation of an award of contract; and

WHEREAS, the Municipal Council reviewed the said report.

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

1. It is hereby determined that based upon the aforementioned recommendation and pursuant to N.J.S.A.40A:11.1, et seq., a contract for the position of site manager of the cellular tower site located at 35 Cannici Drive, Ringwood, New Jersey be and is awarded to Steel in the Air, Inc., 8337 Oswego Road, Baldwinsville, New York; and
2. The term of the said contract shall be for a period of five (5) years, and
3. Notice of this award shall be published in the official newspaper of the Municipality.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan					X	
Matteo-Landis			X			
Baumgartner			X			
Echols		X	X			
Kerr			X			
Kiraly			X			
Rubacky	X		X			

Manager Heck commented that even though we are hiring a Cell Tower Manager it is important to understand they report back to us. We can control our destiny and neighborhoods.

Attorney Clemack further emphasized the Borough Manager and Council have final decisions on the business of the tower.

Attorney Clemack then stated that the Borough has been engaged in Fair Share litigation since 2015 when the Supreme Court decided that the judiciary would be in charge of determining the number of fair share housing units for municipalities in New Jersey. A court in Central New Jersey determined that Ringwood was required to have 215 fair share units. The Council has disputed that figure. If you go through many towns in New Jersey and see multi-family housing under construction, it is probably the result of Fair Share litigation, whether the town is wealthy or modest.

A person named Ron Pagano through his various entities owns 16 acres of land on Skyline Drive and intervened in the litigation. He has submitted various proposals regarding development of the site including the erection of multi-family units with a Fair Share component. All have been rejected as unsuitable to this particular site.

The parties have come to an agreement to settle the case after nine years of litigation. The Borough will acquire Mr. Pagano's 16 acres and he will drop his suit. The Borough will pay \$1,050,000.00 which is approximately \$65,000.00 to \$68,000.00 per acre. This will basically end a contentious part of the Mt. Laurel litigation. As a condition of purchase, an environmental audit will be conducted to ascertain that the property is clean.

A prior administration around 2005 – 2007, purchased a 7-acre site of land at the intersection of Skyline Drive and Field Drive now called the Jerry Wyckoff Reserve when a developer wanted to build a 100-unit nursing home site, and determining that the development was not suitable for the site, the Council at that time purchased it for \$600,00.00 or about \$65,000.00 an acre.

We are using available Borough funds because time is of the essence and the red tape involved in getting grants would be too long. However, after acquisition, the Council can seek grants.

Upon completion of the purchase, the Council and the public will determine the use of the property. This has been a long fight but, in my opinion, the opinion of special counsel, Mr. Heck and the special master assigned to the case, this is a fair resolution.

Manager Heck read the following resolution:

Resolution Number
2024-99

RESOLUTION AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT WITH HAL,LLC; HLA,LLC; A.H.L.,LLC; AND ALH SKYLINE LLC, LIMITED LIABILITY COMPANIES OF THE STATE OF NEW JERSEY WITH PRINCIPAL OFFICES AT P.O.BOX 235, ROCKWAY, NEW JERSEY 07866-0235 (hereafter "HAL ENTITIES")

WHEREAS, the Borough of Ringwood filed a certain action for Declaratory Judgment and other relief entitled "In the Matter of the Application of the Borough of Ringwood, a Municipal Corporation of the State of New Jersey" in the Superior Court of New Jersey, Passaic County, Law Division, Docket No. PAS-L-2297-15 (hereafter "the Litigation"); and

WHEREAS, the HAL Entities, excepting HAL, LLC, are owners of certain tracts of property within the Borough of Ringwood which are known and designated on the Tax Map of the Borough of Ringwood as Block 801, Lots 3, 4 and 4.04 (hereafter "HAL Properties") and

WHEREAS, the HAL Entities filed a motion to intervene in the Litigation on August 11, 2015, which was granted by Order entered on November 16, 2015; and

WHEREAS, the HAL Entities sought to include the HAL Properties in Ringwood's affordable housing compliance plans while Ringwood questioned whether the HAL Properties were approvable and developable pursuant to all applicable environmental regulations; and

WHEREAS, the Parties have reached an agreement to resolve their differences and resolve all matters, disputes and claims that may exist between the Parties relating to the subject matter of the Litigation, including without limitation any claims of the HAL Entities that were or could have been asserted in the Litigation and any other claims that the HAL Entities have or could anticipate against Ringwood as of this date and wish to memorialize the same in a written agreement, a copy of which is attached hereto.

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

1. The aforementioned recitals are incorporated herein by reference as if set forth at length.
2. The Municipal Manager is herewith authorized to execute the aforesaid Settlement Agreement on behalf of the Borough of Ringwood and the said Municipal Manager and other municipal officials where necessary are authorized to take such further acts and execute such documents so as to effectuate the terms and conditions of the Settlement Agreement.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis			X			
Baumgartner			X			
Echols			X			
Kerr		X	X			
Kiraly	X		X			
Rubacky			X			

MOTION by Deputy Mayor Matteo-Landis, seconded by Councilwoman Kerr and on roll call vote the Ordinance was read by title by the Borough Attorney.

ORDINANCE NO. 2024-#07 AN ORDINANCE AUTHORIZING THE PURCHASE OF BLOCK 801, LOT 4, FOR THE SUM OF \$1,050,000.00 AND THE ACQUISITION BY GIFT OF BLOCK 801, LOT 3 AND ACQUISITION BY GIFT OF BLOCK 801, LOT 4.04, AS THE SAID LOTS ARE SHOWN AND DESIGNATED ON THE TAX MAP OF THE BOROUGH OF RINGWOOD

Attorney Clemack offered the following resolution:

BE IT RESOLVED that Ordinance No. 2024-#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 7:30 pm or as soon thereafter as the matter may be heard on Tuesday, May 21, 2024, at the Violet E. Bogert Municipal Annex, 60 Margaret King Avenue, Ringwood, NJ 07456.

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
Noonan			X			
Matteo-Landis	X		X			
Baumgartner			X			
Echols		X	X			
Kerr			X			
Kiraly			X			
Rubacky			X			

Attorney Clemack also read the Ordinance into the record:

WHEREAS, the Local Lands and Buildings Law, N.J.S.A.40A:12-1, et seq. provides that a municipality may by ordinance provide for the acquisition of real property or an interest by purchase, gift, devise, lease or exchange; and

WHEREAS, the Borough has been engaged in litigation with HAL, LLC; HLA, LLC; A.H.L; LLC and A.L.H Skyline LLC (the HAL Entities) in a certain action filed by Ringwood for Declaratory Judgment and other relief entitled: "In the Matter of the Application of the Borough of Ringwood, a Municipal Corporation of the State of New Jersey" in the Superior Court of New Jersey, Passaic County, Law Division bearing Docket No. PAS-L-2297-15; and

WHEREAS, the Borough and the HAL entities have executed a certain Settlement Agreement to dispose of all claims and causes of action asserted by and which could have been asserted by the HAL entities in the said litigation and any other claims or causes of action of whatsoever any nature which the HAL entities may possess or could have asserted at the date of settlement; and

WHEREAS, a condition of the Settlement Agreement is the passage of the within ordinance by the Municipal Council; and

WHEREAS, it is in the interest and welfare of the Borough of Ringwood that the aforementioned lands be acquired as aforesaid; and

WHEREAS, funds are available for the said purchase.

NOW THEREFORE IT IS HEREBY ORDAINED by the Municipal Council of the Borough of Ringwood, State of New Jersey, as follows:

1. The aforementioned recitals are incorporated herein by reference as if set forth at length.
2. The acquisition and purchase of Block 801, Lot 4 from HLA, LLC for the sum of \$1,050,000.00 is hereby authorized.
3. The acquisition by gift of Block 801, Lot 3 from A.H.L., LLC is hereby authorized and the acquisition by gift of Block 801, Lot 4.04, from AHL Skyline, LLC is hereby authorized.

BE IT FURTHER ORDAINED, that the Municipal Manager, Borough Attorney, and such other persons as necessary are authorized to take such acts and execute such documents so as to effectuate the provisions of this ordinance.

X. ADJOURNMENT

There being no further business to come before the Municipal Council at its Business Meeting, on MOTION by Councilwoman Baumgartner and seconded by Councilman Kiraly and on roll call carried the meeting adjourned at 9:20 pm.

SEAN T. NOONAN, MAYOR

NICOLE LANGENMAYR, RMC
MUNICIPAL CLERK

Approved: May 21, 2024