

**PARK RIDGE MAYOR & COUNCIL MEETING
AGENDA FOR SPECIAL MEETING OF July 21, 2021
6:00 p.m.**

Mayor Misciagna calls meeting to order at:

Pledge of Allegiance to the Flag

ROLL CALL:

Present:
Absent:
Also Present:

Mayor Misciagna reads **Compliance Statement**, as required by Open Public Meetings Act, P.L. 1975, Chapter 231.

The Notice for the Special Work and Closed Session Mayor & Council Meeting of Tuesday, July 21, 2020, as required by Section 3(D) of the Open Public Meetings Act has been provided by:

1. On July 17, 2020 posting the same on the Municipal Bulletin Board;
2. Faxing Notice of this meeting to The Record, Community Life, The Pascack Press and Ridgewood News.
3. Filing a copy of this Notice in the office of the Borough Clerk.

Public Hearing

Mayor Misciagna asks if anyone present wishes to be heard on any matter.
Upon recognition by the Mayor, the person shall proceed to the floor and give his/her name and address in an audible tone of voice for the records. Unless further time is granted by the Council, he/she shall limit his/her statement to five (5) minutes. Statements shall be addressed to the Council as a body and not to any member thereof. No person, other than the person having the floor, shall be permitted to enter into any discussion, without recognition by the Mayor.

Mayor Misciagna asks for a motion to go into Closed Session to discuss matters pertaining to Affordable Housing

A motion was made by _____ and seconded by _____ to confirm.

Roll Call:

Clerk Reads:

WHEREAS, the Open Public Meetings Act, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

Matters Relating to Litigation, Negotiations and the Attorney- Client Privilege, including any pending or anticipated litigation. The specific matter involves the following; Affordable Housing Litigation

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED, that the public be excluded from this meeting.

Mayor Misciagna asks for a motion to return to Open Session

A motion was made by _____ and seconded by _____ to confirm.

Roll Call:

PUBLIC PRIVILEGE OF THE FLOOR:

Mayor Misciagna asks if anyone present wishes to be heard on any matter.

Upon recognition by the Mayor, the person shall proceed to the floor and give his/her name and address in an audible tone of voice for the records. Unless further time is granted by the Council, he/she shall limit his/her statement to five (5) minutes. Statements shall be addressed to the Council as a body and not to any member thereof. No person, other than the person having the floor, shall be permitted to enter into any discussion, without recognition by the Mayor.

CONSENT AGENDA:

Mayor Misciagna asks if any Councilmember would like to have any resolution removed from the Consent Agenda and placed under New Business.

Speaker:

Mayor Misciagna asks if any Council member would like to abstain from voting on any resolution on the Consent Agenda.

Speaker:

Mayor Misciagna asks for a motion to accept the Consent Agenda (with the abstentions so noted).

A motion was made by _____ and seconded by _____ to confirm.

Roll Call:

RESOLUTIONS:

- Res. No. 020-158 – Resolution Authorizing Execution of Settlement Agreement with Bear’s Nest Developers LLC

Adjournment

**BOROUGH OF PARK RIDGE
RESOLUTION NO. 020-158**

**A RESOLUTION OF THE BOROUGH OF PARK RIDGE, IN THE
COUNTY OF BERGEN AND STATE OF NEW JERSEY, AUTHORIZING
THE EXECUTION OF A SETTLEMENT AGREEMENT WITH BEAR'S
NEST DEVELOPERS, LLC**

WHEREAS, the Borough of Park Ridge (the "Borough") filed a Complaint seeking a declaration of its compliance with the Mount Laurel doctrine and Fair Housing Act of 1987, N.J.S.A. 52:27D-301 et seq., in accordance with In re Adoption of N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015), and bearing Docket No. BER-L-6030-15; and

WHEREAS, in connection with said litigation, and in furtherance of its effort to obtain its Third Round Substantive Certification from the Court and in order to demonstrate that it complies with its fair share housing obligation, the Borough entered negotiations with Defendant-Intervenor Bears Nest Developers, LLC in connection with the development of Block 206, Lots 1 and 2, located in the Borough of Park Ridge, commonly known as 2 Spring Valley Road, Park Ridge, New Jersey 07656; and

WHEREAS, the Borough has negotiated a partial settlement agreement (the Partial Settlement Agreement") with Defendant-Intervenor, Bear's Nest Developers, LLC, in its effort to seek approval from the Court that the Borough's plan is fair and compliant with its Third Round affordable housing obligations; and

WHEREAS, the purpose of the Partial Settlement Agreement with Defendant-Intervenor, Bear's Nest Developers, LLC, is (a) to create a realistic opportunity for the development of fifty (50) affordable rental units prior to December 31, 2024; (b) to control the development of Block 206, Lots 1 and 2, located in the Borough of Park Ridge, commonly known as 2 Spring Valley Road, Park Ridge, New Jersey 07656; and (c) to resolve all issues between the Borough and Defendant-Intervenor Bears Nest Developers, LLC; and

WHEREAS, the significance of the Partial Settlement Agreement with Defendant-Intervenor, Bear's Nest Developers, LLC, is that it will support the Borough's application for approval of its Third Round Affordable Housing Plan; and

WHEREAS, the Special Counsel who currently handles the Borough's Fair Share Affordable Housing litigation recommends Borough's execution of the Partial Settlement Agreement with Defendant-Intervenor, Bear's Nest Developers, LLC; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Committee of the Borough of Park Ridge, in the County of Bergen and State of New Jersey, that the Mayor is hereby authorized to execute the Partial Settlement Agreement with Defendant-Intervenor, Bear's Nest Developers, LLC.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign amendments to the Settlement Agreement as long as such amendments do not materially change the Settlement Agreement.

Adopted ___/___/___ on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Capilli						
Epstein						
Farinaro						
Ferguson						
Metzdorf						
Mintz						

APPROVED:

KEITH J. MISCIAGNA, MAYOR

Attest:

Magdalena Giandomenico
Borough Clerk