

**A REGULAR PUBLIC MEETING OF THE VILLAGE COUNCIL OF THE VILLAGE OF RIDGEWOOD HELD IN THE SYDNEY V. STOLDT, JR. COURT ROOM OF THE RIDGEWOOD VILLAGE HALL, 131 NORTH MAPLE AVENUE, RIDGEWOOD, NEW JERSEY, ON AUGUST 13, 2025 AT 7:30 P.M.**

**1. CALL TO ORDER – OPEN PUBLIC MEETINGS ACT – ROLL CALL – FLAG SALUTE**

Mayor Vagianos called the meeting to order at 7:30 p.m. and read the Statement of Compliance with the Open Public Meetings Act. At roll call, the following were present: Councilmembers Mortimer, Perron, Weitz, Winograd and Mayor Vagianos. Also present were Keith Kazmark, Village Manager; Heather Mailander, Village Clerk; and Matthew Rogers, Village Attorney.

Mayor Vagianos led those in attendance in the Pledge of Allegiance to the flag. There was a brief discussion about the acoustical issues in the courtroom. People in the audience who had trouble hearing what was being said at the dais were instructed to raise their hands.

**2. ACCEPTANCE OF FINANCIAL REPORTS**

Mayor Vagianos moved that the Bills, Claims, and Vouchers, and Statement of Funds on Hand as of July 31, 2025, be accepted as submitted. Councilmember Weitz seconded the motion.

Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd and Vagianos

NAYS: None

ABSENT: None

ABSTAIN: None

**3. APPROVAL OF MINUTES**

Mayor Vagianos moved that the Village Council minutes of June 25, July 2, and July 9, 2025, having been reviewed by the Village Council and now available in the Village Clerk's Office, be approved as submitted. Councilmember Winograd seconded the motion.

Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd and Vagianos

NAYS: None

ABSENT: None

ABSTAIN: None

4. **PROCLAMATIONS**

A. **PROCLAIM SEPTEMBER OVARIAN CANCER AWARENESS MONTH**

Councilmember Winograd read the following proclamation:

**B.     PROCLAIM SEPTEMBER NATIONAL PREPAREDNESS MONTH**

Councilmember Mortimer read the following proclamation:

**C. PROCLAIM SEPTEMBER NATIONAL SUICIDE PREVENTION AWARENESS MONTH**

Prior to reading this proclamation, Deputy Mayor Perron stated that she was reading the Proclamation entitled, it in honor of her brother, Tom Perron. Mayor Vagianos asked everyone to take a moment of silence to reflect how suicide has touched many people's lives, with the hope that suicide does not affect any lives in the future.

**5. PRESENTATION OF CERTIFICATE OF RECOGNITION TO JASON GOODRICH**

Mayor Vagianos asked Jason Goodrich and his family, as well as the Village Councilmembers, to join him on the floor. Mayor Vagianos stated that Mr. Goodrich is employed at the Ridgewood Recycling Center, and that his quick, heroic actions and courage saved Village employee Denton McCoy from losing his hand during a workplace emergency on June 26, 2025. He read and presented a Certificate of Heroism to Mr. Goodrich for his exceptional courage, quick thinking, and selfless actions. The hand of a fellow worker became trapped and severely injured in the blade of a packer truck. Acting without hesitation, Mr. Goodrich quickly intervened, helping to free his colleague by releasing pressure on the machinery to prevent further trauma — a response that may have prevented the loss of a limb and minimized further trauma. Mayor Vagianos said that Mr. Goodrich’s decisive action under extreme pressure, exemplified the highest standards of workplace safety, teamwork, and human compassion. There was a resounding round of applause.

Mr. Goodrich thanked everyone for this honor. Sean Hamlin, Supervisor of Sanitation and Recycling, said how proud he was to have Mr. Goodrich as a member of his team at the Recycling Center. He said that Mr. Goodrich seems to have the knack of being in the right place, doing the right thing, at the right time, and June 26<sup>th</sup> was no exception. Mr. Hamlin said that Mr. Goodrich’s actions decreased the amount of time that Mr. McCoy would be out of work, and he thanked Mr. Goodrich for his actions. There was another resounding round of applause.

At this point, Mayor Vagianos announced that he will be moving, ahead of public comments, the matter involving the Public Hearing for proposed Ordinance #4052, to amend Chapter 190, Land Use and Development, by establishing an S-1 Senior Overlay Zone District. He said he was just waiting for Beth McManus, the Village’s Affordable Housing Planner, to arrive to the meeting. She has been delayed due to traffic congestion. Until she arrives, Mayor Vagianos said that the Village Council would conduct its usual course of business.

**6. ORDINANCES – RIDGEWOOD WATER**

**A. INTRODUCTION - #4054 – AMEND CHAPTER 269 – WATER –  
UPDATE DEFINITIONS AND MATERIALS FOR CUSTOMER-  
OWNED WATER SERVICE LINES**

Mayor Vagianos moved that the Village Clerk read Ordinance #4054 by title on first reading. Deputy Mayor Perron seconded the motion.

Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd, and Vagianos  
NAYS: None  
ABSENT: None  
ABSTAIN: None

The Village Clerk read Ordinance #4054 by title only:

**AN ORDINANCE TO AMEND CHAPTER 269 OF THE CODE OF THE VILLAGE OF RIDGEWOOD, WATER, AT SECTION 269, "WATER"**

Councilmember Winograd moved that Ordinance #4054 be adopted on first reading and that September 10, 2025 be fixed as the date for the hearing thereon. Deputy Mayor Perron seconded the motion.

Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd, and Vagianos  
NAYS: None  
ABSENT: None  
ABSTAIN: None

**7. VILLAGE MANAGER'S REPORT**

Mr. Kazmark reported that tax bills have been mailed out to residents, and the grace period will be extended to September 2, 2025 before any interest will accrue. If taxes are paid after September 2, 2025, then interest will be retroactive.

Four Granular-Activated Carbon Vessels were delivered last week to Ridgewood Water's Wortendyke PFAS Treatment Facility in Midland Park. This is part of the PFAS Treatment Facility Buildout. The Wortendyke facility is on schedule to become operational in 2026. By December 2026, all 12 Ridgewood Water PFAS Treatment Facilities will be operational, and all regulated PFAS compounds will be at undetectable levels in the treated drinking water.

Mr. Kazmark said that he was pleased to report that the Village "broke ground" and removed some trees this week, to allow for the continued construction of the sidewalks along West Glen Avenue within the next few weeks. Mr. Kazmark said that this project has been ongoing for more than two years, and he is pleased that this project is moving forward, thanks to the cooperation of the residents who live along West Glen Avenue and execution of all of the easements that were required.

The roundabout being constructed at the intersection of Beverly Road and Heermance Place by Ridgewood High School is progressing. It is anticipated that this project will be completed before the start of school.

Mr. Kazmark spoke about the longstanding Green Acres diversion that has been the subject of much discussion over the years. In 1983, parkland on South Broad Street was developed as affordable housing condominiums. In 2011, the Village was notified of a violation of the New Jersey Department of Environment Protection Green Acres rules relative to this development, creating a diversion. Mr. Kazmark said that this matter has lingered since that time, and the Village is now acting to designate replacement parcels on Hammond Road and Marlborough Road to correct this issue. In addition, new recreation facilities will be installed at Kings Pond Park, along with payment to the New Jersey Garden State Preservation Trust.

A Public Hearing regarding the diversion will be held on Tuesday, September 9, 2025, at 7:00 p.m. in the Senior Lounge at Village Hall. The public is welcome to attend this hearing. Mr. Kazmark said that the Public Hearing is the next step in addressing this longstanding issue. By settling the Green Acres diversion, the Village will qualify for significant New Jersey Department of Environmental Protection (NJDEP) grant opportunities, in the future. Mr. Kazmark thanked Ms. Mailander and her staff in the Village Clerk's Office for their stalwart assistance, to ensure that this diversion issue moves forward to resolution.

Mr. Kazmark said that this evening's agenda includes a resolution to authorize the Shared Services Agreement for the Special Law Enforcement Officer Class IIIs between the Village and the Ridgewood Board of Education. The high school and both middle schools will be staffed with these Special Law Enforcement Officer Class IIIs beginning in September 2025. In addition, the Village is recommending approval of the \$3.3 million bid for construction of the Main PFAS Treatment Facility in Glen Rock. This will keep the Village in line with the Consent Agreement with the NJDEP, by having undetectable levels of PFAS in the drinking water by the end of 2026.

Mr. Kazmark said that he received an update today regarding the Kingsbridge Lane Pedestrian Bridge. It is anticipated that the repaired bridge will be returned to its original site sometime during the week of September 15<sup>th</sup>. It will take several weeks for the crews to reconstruct and reinstall the bridge, with completion perhaps by the first or second week of October.

Mr. Kazmark announced that customers affected by the Passaic Valley Water Commission system major water main break need the assistance of the Village. Emergency communications were sent out last night via the reverse 911 system, email and text. In order to increase the supply to those without water who are serviced by neighboring systems, Ridgewood Water has temporarily closed the interconnection with the Hawthorne Water System to divert water to the affected area. This action decreases Ridgewood Water's normal water supply by over 1 million

gallons per day. The Village is asking residents to conserve water to avoid Stage 3 water restrictions during this time, while assisting residents in Paterson, Prospect Park, Haledon and North Haledon who are without water at this time.

The Ridgewood Guild is sponsoring “Music in the Night” on Friday evenings in the Central Business District (CBD) through Labor Day. “Music in the Park” will take place on Saturday evenings from 7:30 p.m. to 9:30 p.m. in Memorial Park at Van Neste Square. “Free Movies in the Park,” sponsored by the Ridgewood Guild, are held in Memorial Park at Van Neste Square, and will continue through August 20<sup>th</sup> when “Batman” will be shown at 7:45 p.m. The Summer Concert Series continues at the Kasschau Memorial Shell, on Veterans Field. Visitors should bring a chair or blanket to the concerts. The concerts begin at 8:00 p.m. and end at 10:00 p.m., unless otherwise noted, and are held every Tuesday and Thursday evening. The final concert will be held on August 21st.

The Ridgewood Chamber of Commerce is hosting its Annual Ridgewood Farmers Market on Sundays from 8:30 a.m. to 2:00 p.m., through October 29<sup>th</sup>, at the Train Station parking lot on the west side.

Village offices will be closed on Monday, September 1, 2025 in observance of Labor Day. There will be no sanitation, recycling or yard waste collection on that day. Residents should consult their Village calendar for alternate collection dates.

Upcoming Village Council meetings are broadcast live from the Village Hall Courtroom, on the Village website, and on Channel 34 on FIOS. The next Work Sessions are scheduled for September 3 and September 24, 2025 at 7:30 p.m. The next Public Meeting will be held on September 10, 2025 at 7:30 p.m.

## **8. VILLAGE COUNCIL REPORTS**

Councilmember Mortimer said that he has nothing new to report.

Councilmember Weitz said that he recently substituted for Deputy Mayor Perron during a Green Ridgewood meeting last month. The Historic Preservation Commission met and the Ridgewood Library Board met, and Councilmember Weitz said that he had nothing important to report from those meetings.

Councilmember Winograd reminded everyone that there will be a meeting of the ACCESS Committee on Friday, August 8, 2025 at 2:00 p.m. All ACCESS Committee meetings are open to the public via Zoom.



Deputy Mayor Perron said that her committees have not met recently, but Green Ridgewood is moving forward with their collaboration with Columbia University graduate students on their analysis of the Saddle River Park System (bike path that runs through six towns), which is run by Bergen County. This initiative seeks to discover ways to mitigate flooding and offer recommendations to help the environmental situation there.

Deputy Mayor Perron reminded everyone that if they have recycling pickup scheduled for tomorrow morning, they should not put out their recyclables until the morning, if it is raining overnight, since it is hard to recycle wet paper and cardboard.

## **9. RESOLUTIONS – RIDGEWOOD WATER**

Ms. Mailander said that the following resolutions, numbered 25-324 through 25-334, would be adopted by a Consent Agenda, with one vote by the Village Council, and would be read by title only:

## **10. RESOLUTION**

Ms. Mailander stated that the following resolution, numbered 25-335, would be adopted by a Consent Agenda, with one vote by the Village Council, and would be read by title only:

After the vote on the resolution, Councilmember Winograd explained to the public that this resolution pertains to the Village entering into a Purchase Option Agreement to acquire the Warner Theater, which closed last year, as well as to purchase new kiosks to solve the myriad of difficulties encountered with the current kiosks in the Central Business District (CBD).

Mayor Vagianos added that the purchase of the Warner Theater by the Village is contingent upon the Village obtaining a grant from the New Jersey Economic Development Authority (NJEDA) that could fund up to 80% of the cost of renovations to the theater. If the funding is not received from the NJEDA, this project will not move forward.

## **11. RESOLUTIONS**

Ms. Mailander stated that the following resolutions, numbered 25-336 through 25-358, would be adopted by a Consent Agenda, with one vote by the Village Council, and would be read by title only:

## 12. ORDINANCES

### A. PUBLIC HEARING – ORDINANCE #4052 – AMEND CHAPTER 190 – LAND USE AND DEVELOPMENT – ESTABLISH S-1 SENIOR OVERLAY ZONE DISTRICT

Mayor Vagianos moved that the Village Clerk read Ordinance #4052 by title on second reading and that the Public Hearing thereon be opened. Deputy Mayor Perron seconded the motion.

#### Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd, and Vagianos

NAYS: None

ABSENT: None

ABSTAIN: None

The Village Clerk read Ordinance #4052 by title only:

AN ORDINANCE AMENDING CHAPTER 190, LAND USE AND DEVELOPMENT, TO CREATE THE S-1 SENIOR OVERLAY ZONE DISTRICT

Mayor Vagianos said that this matter has been discussed a couple of times at meetings of the Planning Board. He and Deputy Mayor Perron were in attendance at those meetings and were grateful to hear the thoughtful and respectful comments of everyone who spoke. Taking residents' concerns into consideration, Mayor Vagianos said that he met with representatives of Kensington Senior Development last Thursday, to discuss their proposed assisted living building on Maple Avenue, near its intersection with Franklin Avenue. Mayor Vagianos told Kensington that they needed to scale back the size of this project. He commended the representatives of Kensington since, at that meeting, they immediately "rolled up their sleeves" and agreed to attempt to do so.

By consensus of the Village Councilmembers, a new proposal will be submitted by Kensington Senior Development and previewed to the public on Thursday, September 4, 2025 at 7:00 p.m. in the Youth Lounge on the first floor of Village Hall. In attendance will be Mayor Vagianos, Deputy Mayor Perron, Ms. McManus, the Village's Affordable Housing Planner, and perhaps other Village staff.

Councilmember Weitz said that he feels very strongly that the Village Councilmembers need to be "good stewards" of the Village and make it better for future generations. He agrees with Mayor Vagianos and his Village Council colleagues that there are too many outstanding questions regarding the Kensington project to pass Ordinance #4052 this evening. Councilmember Weitz said that there are many concerns about traffic at the intersection of North Maple Avenue/Marshall

Street/Franklin Avenue and the height and size of the building. Diagrams of the building need to be viewed and discussed before any further action is taken on this project, and those renderings will be presented at the September 4, 2025 meeting.

Councilmember Weitz said that he is still interested in seeing an assisted living facility built in Ridgewood. He said that such a request was denied to Kensington by a prior Village Council, when they were looking at a location on South Broad Street. He described this as a missed opportunity, because that location was ideal for such a facility. He said that there would be less traffic generated with an assisted living facility than there would be with a 40-unit apartment building, and an assisted living facility would not have a negative impact on Village schools.

Councilmember Weitz stated that the Village must abide by affordable housing State mandates. He said that he will not vote in favor of any development in the Village if it does not fit into the character of Ridgewood. Councilmember Weitz said that it was important to take into account the opinions and concerns of adjacent neighbors to the proposed structure. He said that he will keep an open mind when it comes to reviewing the subsequent rendering by Kensington Senior Development.

Although Councilmember Weitz was away on vacation last week, he had the opportunity to view the comments on social media regarding the Kensington building. He said that most of the comments were complete fiction and were laughable. There were comments that the Fourth of July parade was going to be canceled, that there would be no more fireworks, and that bribes were being taken by the Village Councilmembers. He implored intelligent Ridgewood residents not to believe what they are reading on social media. Councilmember Weitz encouraged everyone to attend the meeting on September 4<sup>th</sup> to learn the facts. He thanked everyone who showed up to the meeting this evening and the Planning Board meetings to be “a part of the conversation.” He said that even though he would like to attend the meeting on September 4<sup>th</sup>, no more than two Village Councilmembers can attend such a meeting at the same time without it being considered a Village Council meeting (Mayor Vagianos and Deputy Mayor Perron are already attending).

Matthew Rogers, Village Attorney, reminded everyone that the Public Hearing on this matter has to be held before any voting can take place on this ordinance.

Councilmember Winograd thanked Mayor Vagianos and Deputy Mayor Perron for attending the meetings regarding the Kensington Senior Development proposal. Councilmember Winograd thanked all residents who contacted her regarding their concerns about this proposal, which included concerns about traffic, trees, cutouts on Maple Avenue, and stormwater drainage, as well as rumors that Kensington would be offered a Payment in Lieu of Taxes (PILOT) program by the Village. Councilmember Winograd emphatically stated that Kensington would not be offered a PILOT program (where they pay taxes to the Village but not to the Board of Education).

Councilmember Winograd stated that senior housing is an important part of housing in Ridgewood, and she had been a proponent of the Kensington project on South Broad Street many years ago. She said that the two office buildings at the intersection of North Maple Avenue, Marshall Street, and Franklin Avenue are for sale, and she feels that there is a better way “to have this conversation” regarding the proposed assisted living building. She assured all residents that the Village Councilmembers are listening to all of their concerns.

Councilmember Mortimer echoed Councilmember Weitz’s comments and stated that he is pleased to see all of the engagement shown by Village residents in this matter, expressing the hope that this type of enthusiasm would result in more residents serving on Village committees.

Mayor Vagianos stated that he would like to see this type of engagement at other Village Council meetings, including budget hearings. He welcomed Beth McManus to the meeting and introduced her as the Village’s Affordable Housing Planner. Mayor Vagianos asked her to elaborate on her experience and background.

Ms. McManus said that she has been working on New Jersey land use matters for almost 25 years, since 2001. She has spent approximately 70% to 90% of this time working for municipalities, and began specializing in affordable housing in 2005. She considers herself a specialist in municipal planning for New Jersey communities and affordable housing in New Jersey. When questioned by Mayor Vagianos, Ms. McManus stated that she has no relationship with Kensington Senior Development whatsoever.

Mayor Vagianos asked Ms. McManus to explain how she has served as a Special Adjudicator for the courts. Ms. McManus stated that in several matters, she has been appointed as a planner by a judge to assist the New Jersey Superior Court system that is tasked with reviewing and approving Housing Elements and Fair Share Plans. Beginning in approximately 2015, every municipality seeking housing plan approval had to do so through the Superior Court. Most often, the Superior Court Judge would appoint a planner to assist them. The planner would review any relevant agreements and housing plans submitted to the court, would make recommendations to the court, and would conduct mediation where necessary, between municipalities, advocacy organizations, and developers. In the Fourth Round Affordable Housing Plan, the role for Special Adjudicators is very similar, although the process differs.

Mayor Vagianos proposed a scenario where the Kensington Senior Development matter ended up in the court system for adjudication. He asked Ms. McManus if it would be her position to advise the court on how to adjudicate this case. Ms. McManus replied that the Special Adjudicator’s role in that type of scenario would typically be limited to deciding whether the location of the proposed housing site was suitable, whether the municipality’s housing element was compliant or whether it was in need of additional credits, and whether the proposed housing was appropriate and suitable for the community. She said that she is often asked to address these topics in written reports, but

these topics can also be accomplished through testimony or through conferences with the judge. She also makes recommendations to the judge, which recommendations are very often followed by the judge.

Mayor Vagianos asked Ms. McManus to explain what is currently allowed on the site (under the current applicable zoning, without any variances) on which Kensington has requested to build an assisted living facility. Ms. McManus replied that the site is currently located in the B-2 Zone District, which permits a mix of uses (commercial uses and upper story apartments). Commercial uses include retail establishments, restaurants, childcare facilities, medical offices, and brew pubs, among others. For upper story apartments, the maximum density permitted is 18 units per acre. On this property, Ms. McManus said that it is reasonable to conclude that an apartment building with at least 22 apartments could be built, with at least 9,000 square feet of commercial space.

When questioned by Mayor Vagianos if 9,000 square feet would be the size of a restaurant or convenience store, Ms. McManus said that it could certainly be the size of a restaurant or a convenience store, with multiple commercial uses on the property. Mayor Vagianos asked if he was correct in assuming that if the Village Council does not rezone this property or grant a zoning variance, a 22-unit apartment building could be built on the site, together with a convenience store, a restaurant and a microbrewery, and Ms. McManus stated that he was correct. Mayor Vagianos asked what the allowable maximum height is in the current B-2 Zone District, and Ms. McManus replied that the allowable maximum height is 50 feet.

When asked about the existing lot line setbacks, Ms. McManus stated that there are three front yard setbacks, one each on North Maple Avenue, Franklin Avenue, and Marshall Street, which are based upon adjacent building setbacks, as opposed to a strict footage setback. The front yard setback along North Maple Avenue would be approximately 18 feet, along Marshall Street approximately 10 feet, and along Franklin Avenue approximately 20 feet.

Mayor Vagianos asked what the traffic impact would be on the neighborhood if a 22-unit apartment building, along with a restaurant, microbrewery and convenience store, were built on the site, compared with the traffic impact if an assisted living facility were built on the site. Ms. McManus said that she would need to defer to a traffic engineer for answers to this question. However, regarding specific land uses and what their traffic generation would be, Ms. McManus said that if a 5,000 square foot, fast, casual restaurant were built on the site, the traffic for a weekday evening near the site would be more than double what it would be if an assisted living facility were built on the site. If a 4,000 square foot convenience store were built on the site, the traffic in the mornings or on weekends for that use would be more than ten times what it would be if an assisted living facility were built on the site, and weekday evening traffic would be five times more than what it would be if an assisted living facility were built on the site. A childcare facility encompassing 10,000 square feet would provide more than five times the amount of traffic on weekday mornings and three times

the amount of traffic on weekday evenings, when compared to the traffic generated by an assisted living facility.

Mayor Vagianos asked if he was correct in assuming that an assisted living facility would have an inherently low traffic impact on the area. He said that there were concerns from the public that the assisted living facility would be a 24-hour facility, with three shift changes and lots of employees. Ms. McManus said that an assisted living facility would generate less traffic, despite the significant number of residents living at the site, because the residents of that age group traditionally have very low rates of actively using any vehicle that they may own. Traffic would be generated by just staff members coming to and from the property. When questioned by Mayor Vagianos, Ms. McManus replied that there are traffic engineering resources that are used across the United States. These organizations establish data to quantify trips in and out of facilities throughout the country, and this data is routinely used by traffic engineers to anticipate traffic demands and provide comparisons. Mayor Vagianos asked Ms. McManus to bring this traffic data with her to the September 4, 2025 meeting.

Mayor Vagianos said that the neighborhood where this proposed building might be erected has experienced severe, repeated flooding in the past. He asked if the proposed assisted living facility would enhance the possibility of flooding in the area, and Ms. McManus said that it would not. The site is outside of the flood hazard area and the existing property is largely paved. There is little to no stormwater management on the property. Through the proposed redevelopment of this site, stormwater management would be required and would be incorporated into the plans. This would result in less water flow from the site to adjacent properties.

Mayor Vagianos stated that there has been a lot of discussion about a lack of transparency on the part of the Village Council, which he finds hurtful. He asked Ms. McManus to describe the process followed when the Village is approached by a developer requesting development of a particular parcel of land in the Village.

Ms. McManus said that the typical process followed in all New Jersey municipalities begins with a developer identifying a particular piece of property that they would like to develop. The developer brings their proposal to the attention of the municipality itself, if the property requires rezoning, or through a site plan application, if their plan entails a permitted use. If the municipality is interested, more meetings would ensue, and variations to the original plan could be requested of the developer, until such time as the municipality is comfortable with the parameters of the proposal. At that point, the municipality would bring the matter to the public for their input.

Mayor Vagianos asked why a municipality would engage in these discussions rather than just letting the matter go to a formal submission and proposal. Outside of affordable housing, Ms. McManus stated that it is often done because there may be some advantage to the municipality. When the development matter can create affordable housing units, the lengthier process is more heavily relied



upon because of several reasons. The time constraints are very significant when the development deals with affordable housing issues, where the municipality must adhere to statutory deadlines and obligations. Otherwise, the municipality would have no time constraints to make a decision on a requested rezoning. There are advantages for a municipality to be able to eliminate an objection from a developer and to be able to work well with the developer, so that the municipality stands a better chance of obtaining approval of their affordable housing plan through the courts.

Mayor Vagianos asked whether or not that would be a good time for a municipality to amicably extract concessions from a developer, such as the size of the development. Ms. McManus replied in the affirmative, stating that this type of scenario gives the municipality many advantageous opportunities to shape the parameters of the development.

Mayor Vagianos asked what would happen if the process breaks down and the rezoning ordinance is defeated more than once. Ms. McManus said that municipalities are obligated to adopt ordinances that enable the implementation of their housing plans. In her professional opinion, if any municipality declines or cannot secure the requisite votes to adopt an ordinance that implements some portion of their housing plan, she would expect a court to force the municipality to adopt any ordinance that would enable that municipality to implement its housing plan and obtain approval. The Village would not be eligible for that housing plan approval, unless the Village takes the requisite actions to be able to implement that housing plan.

Mayor Vagianos asked if a municipality has some leverage in the negotiation process prior to litigation, and Ms. McManus replied in the affirmative. If a matter is in litigation because a municipality has failed to do what it had committed to do, she would expect that a municipality's leverage would be significantly reduced. Mayor Vagianos asked if it was Ms. McManus's opinion that Kensington would be successful in their litigation if Kensington presents another ordinance proposal and the Village defeats it again, and she confirmed that this is her opinion.

Mayor Vagianos asked Matthew Rogers, Village Attorney, if he agreed or disagreed with Ms. McManus's assessment. Mr. Rogers replied that he agrees with Ms. McManus's assessment, since the courts are aware that there is a constitutional mandate on every municipality in New Jersey to provide affordable housing (pursuant to the landmark 1975 Mount Laurel decision). The Village is obligated to find a realistic opportunity for affordable units to be built in the Village or through the redevelopment of existing sites. Mr. Rogers said that he has engaged in several Mount Laurel cases on behalf of municipalities. He stated that, in each instance, no matter how egregious the development might have been to the community, the courts have ruled that the constitutional mandate prevailed in the litigation.

Mayor Vagianos thanked Ms. McManus for her time and expertise. He said that he has received some letters expressing concern that ambulances would not be able to access the assisted living facility during the Fourth of July parade, because those streets are usually closed off during the

parade. Mayor Vagianos stated that Fire Chief John Judge has assured Mayor Vagianos that there is absolutely nothing that would stand in the way of an ambulance getting where it needs to go. Mayor Vagianos assured the public that there is no consideration by the Village to offer a PILOT plan to Kensington Senior Development, now or in the future. Mayor Vagianos said that there are rumors that members of the Village Council have taken political campaign donations from Kensington, and he steadfastly denied that this was true. Mayor Vagianos said that the assisted living facility is a good use that helps the Village and it is called for in the Master Plan. He asked the public to keep an open mind regarding this project, since the Village would prefer not to have this matter end up in litigation.

Mr. Kazmark stated that the Village Manager's Office does not play a role in introducing or adopting zoning ordinances, and this type of policy decision is made by the Village Council. In the three municipalities he served in prior to becoming the Village Manager in Ridgewood, Mr. Kazmark said that he spent a considerable amount of time working with developers, Planning Boards, and elected officials to try to avoid becoming entangled in a builder's remedy lawsuit. He asked Ms. McManus to explain to the public an outcome in a builder's remedy lawsuit, wherein the decision was adverse to a municipality.

Ms. McManus said that a builder's remedy lawsuit is litigation that municipalities are subjected to when they do not have a compliant affordable housing plan that addresses its affordable housing obligation or when they fail to implement their affordable housing plan. At this time, the Village enjoys immunity from builder's remedy litigation because the Village has adopted its housing plan and is awaiting certification. When this immunity is stripped (the terminology used in such litigation), a municipality is subjected to builder's remedy litigation. This type of litigation is almost always a lawsuit brought by a developer that has a contract on a piece of property, and the litigation ultimately states that a municipality is noncompliant and in breach of fulfilling their affordable housing obligation. In that instance, a developer will provide the missing affordable housing units in that municipality and the court would require the municipality to rezone the site to facilitate the development. Ms. McManus added that, in such a case, the developer's site plan is always larger and more intense than what the municipality would have otherwise permitted. This could result in a court imposing a larger number of affordable housing units than what was originally intended.

Councilmember Weitz said that it was his understanding that Kensington was planning on building fairly high-end units, with a certain percentage (approximately 10%) to be set aside as affordable housing units, which would count towards the Village's Fourth Round Affordable Housing Obligation. If the Village's fails to adopt the appropriate ordinances to enable its housing plan to be implemented, then it will be exposed to an even bigger facility being built by Kensington.

Councilmember Winograd asked Ms. McManus to explain to the public what an "overlay" is. Ms. McManus explained that an overlay zone is an additional zone district that is layered over the existing zoning. This layering creates an additional option to the property owner or developer of the

site. In this particular case, the Village is proposing to establish an S-1 Senior Overlay Zone District for the property located at the intersection of North Maple Avenue and Franklin Avenue, as an additional layer over the existing B-2 Zone District. The B-2 Zone remains intact, but the owner or developer of this property would then have the option to develop pursuant to either the B-2 or S-1 Senior Overlay zoning for the property, but not both.

Mr. Rogers stated that Ms. McManus was the Village's Affordable Housing Planner in the Third Round Affordable Housing Obligation, and the Village is currently engaged in the Fourth Round Affordable Housing Obligation. The fifth round will occur in approximately 15 years. Mr. Rogers stated that the Certification of Compliance is the goal for municipalities to achieve in Mount Laurel housing, so that builder's remedy lawsuits may be avoided. This is the reason why the Village has been engaged in negotiations with Kensington.

Mayor Vagianos thanked the viewing public for their patience and noted that there were about 100 people in the courtroom. Councilmember Winograd asked about hybrid access, and Mayor Vagianos informed her that there was currently no one waiting to speak remotely. Ms. McManus will stay at the meeting so that she may answer questions from the public.

Mayor Vagianos stated that although Ordinance #4052 will be defeated this evening, since the Public Hearing on this ordinance was advertised for tonight's meeting, he invited anyone wishing to speak on this ordinance to do so at this time. Each person will have five minutes to speak, but he asked that each person keep their comments between two to three minutes so that everyone will have a chance to be heard. He mentioned that the Village Council tries to maintain a curfew of 11:00 p.m. for meetings, but it can be extended if necessary.

Kieran Doyle, a Ridgewood resident, asked if cars can "come and go" from North Maple Avenue under the current zoning, and Ms. McManus replied in the affirmative. Mr. Doyle asked if the establishment of the S-1 Senior Overlay Zone District would prohibit access to the property from North Maple Avenue (if the assisted living facility were built), and Ms. McManus again replied in the affirmative. Mr. Doyle asked Ms. McManus if this would have a major impact on traffic traveling on Franklin Avenue and Marshall Street. Ms. McManus replied that if he was asking if closing off access to that site from North Maple Avenue would have a negative impact on traffic flow, her answer was no. When asked to elaborate, she said that closing off access to that site from North Maple Avenue would enhance pedestrian safety in that area. In an intersection such as the one in question, it would be common to have access to the site from one of the side streets (Marshall Street), rather than from the primary street (North Maple Avenue). The matter is further complicated by the intersection with Franklin Avenue, which she described as a "dog leg."

Mr. Doyle felt that traffic would definitely be increased on both Franklin Avenue and Marshall Street, but Ms. McManus stated that car traffic would be reduced as a result of the assisted living facility, compared to not only what could be developed on that site, but also what currently exists on

the property. When pressed by Mr. Doyle why Ms. McManus felt that traffic would be reduced on Marshall Street and Franklin Avenue by not allowing access to the site from North Maple Avenue, Ms. McManus said that her statement was really about overall traffic generation as a result of the assisted living facility, compared to what currently exists on the property or what could potentially be constructed on the site. She said that other more specific traffic questions could best be answered by a traffic engineer. No traffic study has been done for this site to date.

Mr. Doyle asked approximately how many times Ms. McManus has seen a municipality choose not to adopt an ordinance that would help to satisfy its affordable housing obligations. Ms. McManus said that it has happened dozens of times across the State of New Jersey, but she has personally experienced this approximately six times. When asked if any builder's remedy lawsuits were filed in any of these cases, Ms. McManus said that she did not believe so, since the court directed the municipalities to adopt the required ordinance. Mr. Doyle asked if he was correct in assuming that even if a lawsuit were filed, it is not too late for a municipality to negotiate a settlement. Ms. McManus replied that courts often give municipalities an opportunity to settle in buyer's remedy cases.

Mr. Doyle said that the Village Councilmembers cannot arrive at a correct decision in this matter without first conducting a traffic study. He felt that Ms. McManus's observations with regard to pedestrian traffic on North Maple Avenue versus Franklin Avenue and Marshall Street do not take into account that these latter roadways are constant thoroughfares for people coming to and from Ridgewood High School and Benjamin Franklin Middle School.

Russell Rothstein, Ridgewood resident, feels that there are a lot of questions that have not been discussed, and a lot of "leading" questions were asked of Ms. McManus. He said that it is unlikely that a microbrewery or convenience store will be constructed on the site, because it is a horrible location for a business or restaurant, primarily due to lack of parking in the area. He said that he was not concerned about a brewery being developed on that site. He asked what the traffic impact would be if a State Farm agent took over 2,000 square feet of the property. He said that the Village Council is telling the public that the "worst possible outcome" is going to be developed on that site, if the Kensington proposal is not approved, and he feels that this is insulting to the public.

Mr. Rothstein said that Ms. McManus has stated at a different meeting that she has visited the site five times, for a period of approximately 15 minutes each time. He said that her statement that traffic will be less by having an assisted living facility constructed on the site is absurd and incorrect. He said that no reasonable dialogue can be had until an appropriate traffic study is performed. He said that the Kensington assisted living facility in White Plains, New York, is probably very expensive, about \$12,000 to \$14,000 per month. Mr. Rothstein said that when monthly rentals are that high, grown children are not going to just drop off their parents there and never visit. On the contrary, although the residents may not own cars, their relatives will most certainly be driving to visit the residents at least a few times per week.

Mr. Rothstein said that it was his understanding that the Village must come up with four affordable housing units for this round, reduced from over 1,000. Ms. McManus replied that this was incorrect. The 1,000 units she cited was in reference to the Village's total affordable housing obligation for the first, second, third and fourth rounds. The first and second round obligations totaled 229, the third round obligation was 664, and the fourth round obligation is 427. The Village is subject to a vacant land adjustment, because there is a lack of developable land in Ridgewood. The 427 units was reduced to four units, taking into account the vacant land adjustment and other credits.

Ms. McManus stated that the downward adjustment number, known as the Realistic Development Potential (RDP), is not the entire affordable housing obligation that the municipality must meet. Ms. McManus said that the difference in units is not eliminated just because the obligation is downwardly adjusted. The difference is called an "Unmet Need" and has different requirements associated with it. Therefore, Ms. McManus does not feel that it is accurate to say that the Village's obligation has gone from 1,000 units to only four, or that the Village's obligation is only four units. Mr. Rothstein asked if the Village will ever meet its affordable housing obligation, and Ms. McManus said that she did not believe that it would.

Anastasia, a Ridgewood resident, said that she is speaking as the mother of four children. She has just recently become aware of the proposed Kensington project. She heard this evening that the people in attendance at this meeting is the greatest number of people who have ever come to a Village Council meeting. Anastasia said that this should speak volumes to the Village Councilmembers. She and the other residents who have attended this meeting are not going to change their minds about being opposed to the Kensington proposal. She is concerned that this development will change the charm and "footprint" of the Village. Residents were told this evening to cut back on their water usage, to assist residents in neighboring towns who have no water to drink. She asked how bringing large buildings and residences to the Village will help to conserve water in the future.

Anastasia said that she is not on Facebook, but it is hard for her to believe that pushing this project through will not provide some advantage to someone sitting on the dais. Otherwise, she wondered why this matter is even being considered, given the fact that so many other large apartment complexes have sprung up in the past few years. She said that there are so many people already struggling to pay their rent in Ridgewood, and those existing apartments could be used to accommodate this affordable housing obligation. She said that while she did not want to dismiss the importance of senior living, she asked why Kensington would not consider using the old Stop & Shop site on Route 17 (by Linwood Avenue) or the old Lord & Taylor site (next to the new Valley Hospital). Anastasia said that she was confident that people living in the assisted living facility would visit Ridgewood to shop and dine, but she cannot understand why the Village would consider building such a facility in the middle of town, especially before conducting a traffic survey.

Anastasia said that Mayor Vagianos insisted that Kensington made no campaign donations to the current Village Councilmembers, but she was wondering if the developer or seller of the property made any such donations. Mayor Vagianos, Deputy Mayor Perron, and Councilmember Mortimer told Anastasia that neither the developer nor the seller of the property made any campaign donations to them. Mayor Vagianos admonished the people in the audience by stating that comments cannot be yelled out, although applause was fine. He said that he would suspend this hearing if shouting from the audience continued.

Anastasia asked Mayor Vagianos what the Village will gain from allowing Kensington to build this facility. Mayor Vagianos explained that the Village does not determine what a company/developer does. This assisted living facility operator, Kensington Senior Development, secured options to purchase this property before approaching the Village. Zoning is in place for the entire Village, and that zoning dictates the usage of a property, although the zoning may be modified through the variance process or amended with an overlay district. He said that the Village does not have the option to tell a developer to use the Stop & Shop property along Route 17 for their assisted living facility.

Anastasia thanked Mayor Vagianos for his reply. She asked if the “outrage” shown by residents at this evening’s meeting means anything to him and if it would be taken into consideration. Mayor Vagianos said that the attendance of so many residents at the meeting this evening absolutely means something to him, and that is the reason why the Village has asked Kensington to modify their plans to make the assisted living facility smaller. He told the public that residents can talk to Kensington’s attorney directly, since he is also present at the meeting this evening. Mayor Vagianos said that the Village cannot tell Kensington to “get out of town.” Anastasia asked if that could be done if there were another purchaser of the property. She asked if there were any other offers to purchase the property and Mayor Vagianos replied that he had no knowledge of any other offers. Kensington has represented to him that they have signed an option to purchase the three parcels of land in question.

Addressing the member of the audience who accused the Village Councilmembers of lying with regard to not receiving any campaign contributions from Kensington, Councilmember Weitz said that he would be happy to speak to that member of the audience separately. He said that if anyone in the audience has any facts to back up their accusations that any of the Village Councilmembers has anything to personally gain from approving the Kensington project, he hoped that person would share those facts with everyone, to prove that what they are saying is not just conjecture or opinion. Councilmember Weitz said that it was wrong for anyone to make such accusations with no evidence of wrongdoing.

Councilmember Winograd said that the affordable housing process is complicated and the present issue is intense. She said that all of the Village Councilmembers are elected officials and are bound by election law. All election contributions given to candidates for Village Council are publicly disclosed. If anyone has questions on how to find this information, they should feel free to contact



any of the Village Councilmembers. Councilmember Winograd said that the Village Councilmembers have the duty to address the actual shortage of senior housing in Ridgewood. She said that the Village Council has approved a zoning change that would allow a microbrewery to be established anywhere in a B-1 or B-2 zone. Councilmember Winograd then spoke about water restrictions and how water usage increases dramatically over the summer months. She added that the Village has no right to tell Kensington where to build their facility.

Boyd A. Loving, a Ridgewood taxpayer, said that he found it very disrespectful for Councilmember Weitz to disrupt public comments to make his own statement.

Mr. Loving stated that this is the first time he has heard that Kensington has a contract to buy all three properties on North Maple Avenue, near the intersection of Franklin Avenue and Marshall Street. He asked for confirmation from Kensington's attorney. Mayor Vagianos said that that is what Kensington has represented to the Village. Mr. Loving said that two of those buildings are condominium office buildings, so Kensington would have to have contracts with all of the condominium owners in those two buildings. Deputy Mayor Perron said that Kensington has advised her that they have four contracts because of the condominium units. Mr. Loving said that he would be surprised if Kensington had contracts with all of the condominium owners and he again asked for confirmation.

Mr. Loving said that Mayor Vagianos said that the public may or may not like the proposal by Kensington, and Mr. Loving said that he wanted to go on record as stating that he does not agree with this proposal and he does not like it. He stated that people talking about Kensington possibly engaging in a PILOT program is because the last time Kensington had a proposal on South Broad Street, they asked for a PILOT status. He said that the Village Councilmembers have stated that there is no consideration of a PILOT in "the plan," but that does not necessarily mean that a PILOT might not be discussed at a later date.

Mr. Loving said that he respectfully disagrees with Councilmember Weitz and Councilmember Winograd, in that he does not feel that South Broad Street was a great location for the assisted living facility, since it is a residential neighborhood. Kensington was unsuccessful in its bid to build the facility on South Broad Street because, similar to the present proposal, a lot of neighbors protested. Mr. Loving said that the intersection of North Maple Avenue, Marshall Street and Franklin Avenue is also not a great place to build an assisted living facility, since Marshall Street is a residential neighborhood as well.

Mr. Loving said that he was insulted when Mayor Vagianos said that a microbrewery, a 22-unit apartment building, and a convenience store could possibly be constructed on the parcels which are the subject of this discussion. He said that this location is not a suitable location for any of those uses. Mr. Loving asked Mayor Vagianos not to attempt to scare or intimidate the public by insinuating that a usage worse than an assisted living facility could be constructed on this property,

if the Kensington proposal fell through. He said that he is also perturbed by the fact that Village officials are saying that if they do not approve the Kensington project, the Village may wind up in a lawsuit. Mr. Loving said that the Village Councilmembers are elected to serve the citizens of Ridgewood and to fight for the citizens of Ridgewood, and Ridgewood citizens do not want this building to be constructed on this site.

Regarding traffic concerns, Mr. Loving recalled the recent tragic accident that occurred in Hawthorne. Despite signs warning of “No Trucks Allowed,” a truck followed GPS directions made a turn and wound up killing someone. Mr. Loving warned that this same type of accident will occur in the Marshall Street neighborhood if the Kensington facility is approved, particularly if a tractor-trailer is attempting to deliver products to the assisted living facility.

Mr. Loving asked the Village Councilmembers if they have seen a rendering of what the proposed building will look like, and Mayor Vagianos replied in the affirmative. Mr. Loving asked why the public has not seen the rendering. Mayor Vagianos said that during the meetings with Kensington, they have seen drawings of what was proposed. Mr. Loving again asked why members of the public have not seen the drawings, and Mayor Vagianos said that it was because the proposal has not yet been submitted for formal action. It was shown to Village officials as part of the negotiation process. Mr. Loving expressed outrage that the drawings were not shown to the public just because they were not part of a formal proposal. He concluded by saying that he expects the Village Councilmembers to fight for Ridgewood residents if this matter ends up in court.

Mayor Vagianos reiterated at this point that there will be no PILOT program for the Kensington project, with no “wobble room” and no way around it. He said that the only reason he asked certain questions of Ms. McManus was to make the public aware of what might happen if the Kensington project does not go through, or if certain ordinances are not approved by the Village, and not to scare or intimidate anyone. He apologized to anyone who felt that his questioning was a scare tactic. Mayor Vagianos said that his only aim was to inform the public, and that he would have been remiss if he had not informed the public of builder’s remedy lawsuits and other scenarios.

Deputy Mayor Perron said that part of her fiduciary duty is to watch the Village’s budget and expenses, for the benefit of Village taxpayers. She has a fair idea of what protracted litigation can cost. She described the costs as “mind boggling” and stated that taxpayers would end up footing the bill, if this matter ended up in builder’s remedy litigation. Deputy Mayor Perron said that despite all of the controversy surrounding the construction of the last few multifamily housing complexes in Ridgewood, traffic has not been adversely affected. There were shout from the audience members that traffic has indeed been adversely affected.

Deputy Mayor Perron acknowledged that she and Mayor Vagianos viewed drawings and concepts, and engaged in discussions and negotiations with Kensington representatives, during which time none of the other members of the Village Council were present.



Mr. Rogers said that it has been his experience in litigation that the court takes into consideration what the existing zoning is to determine whether or not the Kensington project is a comparable or suitable development. He emphasized that the existing zoning has a “play” in the litigation as well.

Jeannette LaRocco, a resident of Ridgewood, asked Deputy Mayor Perron what the cost to the citizens of Ridgewood would be, if they continue to allow these large housing developments to be built without fighting back. She has lived in Ridgewood for 37 years and wants to continue living in Ridgewood. She spoke about her daughter and young granddaughter, and stated that her daughter is not going to want to move near her because Ridgewood is becoming a “mini-city.” Ms. LaRocco said that it is unconstitutional for the State to decide where huge housing complexes may be built, without “real” input from residents. She said that if every town stood up and fought, maybe the State would stop dictating where immense housing projects are built.

Ms. LaRocco said that it is disingenuous for Councilmember Winograd to say that Ridgewood needs senior living facilities. Ms. LaRocco said that she does not believe that grown children want their parents to live in an expensive, overpriced, luxury assisted living facility, where eventually families run out of money and end up on the street. She said that most seniors, including herself, would not live there. Rather, they want affordable senior living to be able to stay in Ridgewood, so that they do not have to maintain houses in Ridgewood that are way too big for them and too expensive to maintain.

Ms. LaRocco said that this proposal by Kensington should be rejected in any shape or form, mainly because it is just the wrong location for such an enormous building. Ms. LaRocco said that she is aware that requests by Kensington to build elsewhere in the Village have been denied in the past. She spoke about the multitude of children who walk along the back streets leading to town behind the high school, and how dangerous it will be for them if this building is built. She mentioned that high school students of driving age also park their cars along Marshall Street, which further narrows the road. Ms. LaRocco said that it was disingenuous of Ms. McManus to say that this development would not create traffic problems in that area. She said that this building is not aligned with the charm and character of Ridgewood, the very charm and character which caused her and others to move to Ridgewood many years ago. Ms. LaRocco also said that the Fourth of July parade and other events would be adversely affected if this building were built.

Olivia Phillips, a resident of Ridgewood, said that she lives on Marshall Street, one of the streets which would border the Kensington assisted living facility. She believes that all Ridgewood residents, as well as all Village Councilmembers, should insist upon a complete traffic and pedestrian study before moving forward in any way, with regard to the Kensington project. The traffic and pedestrian study should be conducted during the school year, and not during the summer. She believes that her “little neighborhood” is the most walked neighborhood in the Village, except for the Central Business District (CBD), since it connects Ridgewood High School to the CBD. Ms.

Phillips said that she is particularly concerned about the safety of the young members of the Ridgewood community.

Ms. Phillips described the intersection of Marshall Street, North Maple Avenue, and Franklin Avenue as an “odd, awkward, and already unsafe” intersection. She said that Ridgewood High School has an open campus, and she stated that it seems like the entire school population walks through her neighborhood to go to the bagel place or to Starbuck’s during lunch, during school, after school, after practice, and before rehearsal. Ms. Phillips also spoke about younger students from Benjamin Franklin Middle School who traverse that area to get to the CBD. She said that all of these students would be walking in this area at the same time that there would be a staff change at the assisted living facility, around 3:00 p.m.

Ms. Phillips also mentioned the families with young children who live in the neighborhood, stating that the increased 24-hour, 7-day per week traffic with delivery trucks on narrow Marshall Street poses a danger to these children. These trucks would provide food and linens, and vehicles would be driven by ambulatory care staff and personal nurses that are typical at high-end facilities like the one proposed. Ms. Phillips concluded by imploring the Village Councilmembers to commit to performing a robust traffic and pedestrian study.

Shirley Rothstein, a Ridgewood resident, said that while she appreciates the fact that this ordinance has been defeated this evening, pending a revision of the proposed development by Kensington, she said that she will believe it when she sees it. She said that she and Mr. Kazmark have been communicating about the uneven intersection at North Maple Avenue, Marshall Street and Franklin Avenue for about 1-1/2 years, even before the Kensington proposal came to light. Ms. Rothstein said that there has not been any change made at that intersection to improve safety, nor any hint of a change to be made in the future. She said that she lives “just steps” away from the site of the proposed zoning overlay. She said that, every day, her family and her neighbors deal with the traffic that backs up at the light at Franklin Avenue and North Maple Avenue.

Ms. Rothstein handed Mr. Kazmark, to pass on to the Village Councilmembers, a picture that she took today at 11:35 a.m. showing traffic congestion at this intersection. The pictures depict vehicles that are unable to pass, due to the backup at the light, and there is a patient unable to exit the driveway of the doctor’s office. Ms. Rothstein questioned how a fire truck or emergency vehicle could possibly access the proposed entrance to the assisted living facility with all of this traffic congestion. Ms. Rothstein showed three more photographs which were taken on a Tuesday in July at 9:10 a.m., which she produced at one of the Planning Board meetings where the Kensington matter was discussed. She stated that the photographs depict traffic congestion on a normal morning on Franklin Avenue, with cars backed up waiting to turn, at a traffic light that Ms. Rothstein said lasts less than ten seconds. She said that this congestion lasts all day long, through 7:00 p.m. when rush hour and after-school activities end.

Despite all of this evidence of how congested this intersection is normally, Ms. Rothstein said that Ms. McManus, the Village Council and Kensington Senior Development picked this corner as a “good spot” to construct a huge assisted living facility. She cited the numerous occasions when children will be walking past and around this facility, such as during team practice at Stevens Field, which is located one block from this busy intersection. Ms. Rothstein said that this area is a direct route for parents who drive their children to school. She questioned whether delivery trucks, recycling trucks, garbage trucks and emergency vehicles will exercise the same caution that she exercises when she exits her driveway at this busy intersection, particularly when time is of the essence in an emergency. Ms. Rothstein said that there are no “walk” and “don’t walk” signals for pedestrians on any corner of this intersection, which makes sense to her because there is never a safe time for a pedestrian to walk across North Maple Avenue or Franklin Avenue. Every day, she watches pedestrians dodging cars to get to their destination, and Ms. Rothstein described this as “an accident waiting to happen.” A huge facility as proposed, with the traffic that will come along with it, will add “fuel to the fire.”

Ms. Rothstein asked why Ridgewood officials are catering to Kensington Senior Development, with a zoning overlay. She asked who met with Kensington to craft the proposed building and why there are no public records. She also asked why Ridgewood has not joined the Local Leaders for Responsible Planning coalition, with leaders from 29 municipalities including Wyckoff, Allendale, Westwood and Hillsdale, who argue that the State's requirement to provide a "fair share" of affordable housing will place an unfair burden on their towns. Ms. Rothstein said that Goal #6 on the Village's Master Plan is to limit further high density housing, and the Kensington development qualifies as high density housing. The development also goes against the Master Plan's recommendation that senior living be at grade level. Ms. Rothstein concluded by stating that the residents of Ridgewood are totally against the Kensington development.

Kelly Morgan, a Ridgewood resident, said that this is the first time she is speaking at a Village Council meeting. She said that she appreciates the information session offered to the public on September 4, 2025, but she and many other parents will not be able to attend since they will be at the Somerville School Back-to-School Night. She asked if a second session could be scheduled to accommodate these families. Mayor Vagianos agreed that a second session would be scheduled.

Ms. Morgan said that she comes from a “long line” of Ridgewood residents, and stated that she is looking forward to raising her children in Ridgewood as well. She said that she lives on Franklin Avenue, in the closest residential property to this proposed facility. Her house is over 100 years old, like many homes in the Village. She said that one of her main concerns about this facility is the impact on the residents and the neighborhood character. Ms. Morgan said that she appreciates the need for senior housing and believes that aging in place is important, but this proposed building is completely out of scale to the surrounding area, in width, length and height. It will dominate the streetscape, tower over the surrounding homes, and permanently alter the skyline. She said that the afternoon sun in her backyard, where her children play and where she has dinner with her family,

will be completely obliterated by this building. This massive building will greatly diminish her quality of life, as well as her property value.

Ms. Morgan said that the proposed height of this building violates the Village's Master Plan. She feels that the Kensington project shows no consideration for the established community of families who live right behind the site. She said that she is looking forward to reviewing the reference and source documents for all of the traffic data discussed this evening.

Regarding safety and traffic, Ms. Morgan asked the Village Councilmembers if they have ever physically walked where this building may be constructed, if they have spent time looking skyward to see how tall this building is going to be, and if they have thought about how much the setbacks would change. Mayor Vagianos said that he has traversed that area many times over many years, including recently. Ms. Morgan said that the Master Plan identifies the intersection of North Maple Avenue/Marshall Street/Franklin Avenue as one of the most dangerous intersections in Ridgewood.

Ms. Morgan's home office faces Franklin Avenue. On a daily basis, she sees high school students and middle schoolers walking in the area and residents walking to the grocery store. She said Franklin Avenue is a main thoroughfare to access two grocery stores in Ridgewood. She said that only two or three cars at a time get through the light at North Maple Avenue when attempting to turn left onto Franklin Avenue. With this intersection already being a "nightmare," Ms. Morgan said that it will be impossible to drive through the streets, with the addition of ambulances, delivery trucks, and vehicles transporting staff and visitors to the site. This additional traffic will cause gridlock and cause potential tragedy.

Ms. Morgan invited all of the Village Councilmembers to join her one afternoon and sit in her front yard to witness what the traffic volume and pedestrian volume looks like. Ms. Morgan said that sometimes she cannot even get into her own driveway because there is a line of traffic down the block. Since the proposed development will not have access to the building from North Maple Avenue, volumes of additional traffic will be directed onto Marshall Street and Franklin Avenue. She added that the Village Councilmembers were elected to represent the residents of Ridgewood and not a development company.

Comments that the Kensington development is a "done deal" undermines the public trust. Ms. Morgan said that she heard this stated at a Planning Board meeting. However, she said that the residents are not "done," they need to be included in the conversation, and they need transparency.

Mayor Vagianos said that no one ever said that this is a "done deal." He said that the actions of the Village Council this evening prove that this deal is not finalized.

Susan Barbet, a resident of Ridgewood, said that she grew up in Ridgewood and graduated from Ridgewood High School. Although she moved away when younger, she moved back to Ridgewood

due to illness in her family. Ms. Barbet said that she just learned about the Kensington proposal this morning. She said that she watched a Village Council meeting for the first time this evening, and her meal “came up” in her throat while listening to it. She quickly got dressed and came to the meeting tonight to speak.

Ms. Barbet said that it appeared to her that Mayor Vagianos wants to see this assisted living facility built, and she agrees that the questions he asked Ms. McManus were “leading.” She stated that there is a multitude of assisted living facilities surrounding the Ridgewood area, almost too many of them. Ms. Barbet said that she is a Licensed Assisted Living Administrator and used to work at an assisted living facility as a Sales Director. Although Ms. McManus was correct in stating that most seniors do not drive, Ms. Barbet stated that family members visit all day and all night. Ambulances are arriving all day and all night, as well as doctors, hospice staff, and other staff. She stated that there are a lot of cars usually coming in and out of an assisted living facility.

In addition, Ms. Barbet said that she has been an activist her whole life. She said that she has seen Ridgewood change so much over the years, with a multitude of apartment buildings, and now there is a proposal for a huge assisted living facility. She stated that she became incensed when she noted that an assisted living community was being “built around the fear” of affordable housing. She said that assisted living is big business and it’s all about “heads to beds.” She said that everyone has spoken very clearly this evening, and have sent the message that they do not want an assisted living community in town. She said that the neighboring assisted living facilities cannot fill their beds, so it does not make sense that an additional facility should be built in Ridgewood. Ms. Barbet said that when she was watching the meeting this evening, it was very clear that the Village Councilmembers have already made up their minds about allowing the assisted living facility to be built.

Mayor Vagianos said that his questions to Ms. McManus were indeed “leading,” because he wanted her to tell the public what she knows specifically about affordable housing and the proposed project.

Rich Dirkus, a resident of Ridgewood, said that he has lived in Ridgewood for approximately 40 years and he has seen the Village Council do some good things and some bad things over the years. He said that the Village Councilmembers are the “front line troops” for Ridgewood residents and they should not let this proposal go through without a fight. He said that he viewed the little “dog and pony show” between Mayor Vagianos and Ms. McManus. However, Mr. Dirkus said that the big monstrosity Kensington is proposing to build on North Maple Avenue is a location where there are small children on Franklin Avenue and Marshall Street, and a large number of school children will be walking through this area once school starts in a couple of weeks. Mr. Dirkus asked where the overflow parking is going to be located, since access to the site will not be allowed from North Maple Avenue. He also asked how tractor-trailers are going to travel along these small side streets.

Mr. Dirkus also asked about an environmental impact statement for this building. He said that Kensington has to have one, since he believes that a building of this size cannot be built without one. He asked Ms. McManus if she worked for the State of New Jersey.

Ms. McManus replied that she did not work for the State. She stated that she works at Kyle McManus Associates, a private planning firm in New Jersey. She is sometimes appointed as a Special Adjudicator by the State court system, to work with County Judges. Mr. Dirkus said that there was not a lot of developable land in Ridgewood. He asked Ms. McManus how Ridgewood will be able to satisfy the affordable housing obligation imposed upon Ridgewood by the State. Ms. McManus anticipates that, unless the Fair Housing Act is significantly amended, municipalities like Ridgewood will be unable to fulfill their entire affordable housing obligation. Ridgewood has had inadequate vacant land to fulfill its obligations since before the year 2000. Ridgewood will remain subject to vacant land adjustments perpetually into the future, unless the Fair Housing Act is amended.

Mr. Dirkus reiterated that the Village must fight against this matter in court. He said that Verona and Montclair fought similar matters in court and prevailed. He reminded the Village Councilmembers that they have to “stand with the people.” He asked that the environmental impact study be provided at the September 4, 2025 meeting, so that it can be viewed by the public. Mr. Dirkus asked Mr. Rogers if he was correct in assuming that Kensington will have to have performed an environmental impact study in order to construct a building of this magnitude. Mr. Rogers said that he does not believe there is going to be an extensive environmental search on this property, because it is a residential facility and is not presenting any environmental issues. When Mr. Dirkus asked Mr. Rogers if the proposed site is in a flood zone, Mr. Rogers said that he does not believe so, but the developer must adhere to regulations concerning stormwater runoff and drainage off of the site.

When Mr. Dirkus again asked whether an environmental impact study would be rendered before this building is constructed, Mr. Rogers replied that an environmental impact study, if required, would be included in a site plan review, if the matter ever came before the Planning Board. Mr. Dirkus said that the public could still take a look at the study, and Mr. Rogers replied that the details that go into stormwater management from an engineering standpoint are very extensive. If the zoning and other ordinances are approved, the developer will not be able to be approved unless they meet those requirements for stormwater management. There was more back-and-forth dialogue between Mr. Dirkus and Mr. Rogers about the environmental impact study, how many floors the building would end up being, and when renderings and/or a site plan would be submitted for review. Mayor Vagianos said that these and many other questions would be discussed at the September 4, 2025 meeting and subsequent meetings.

Alisa Becker, a resident of Ridgewood, said that she had a family member who was living at the Brandywine Assisted Living facility in Mahwah, and there were often no parking spots available



when she and her family went to visit. She said that it was very clear that the adjacent neighborhood in Ridgewood cannot accommodate overflow parking from the proposed assisted living facility. Ms. Becker said that she has been living in Ridgewood for 25 years, two doors down from the proposed building. She is concerned about the impact of razing the existing buildings and construction of the new building on her quality of life, and the quality of life of her family and neighbors. She asked what the distance would be from the residential neighbors behind the site, to the location where a building is allowed to be built. Mayor Vagianos said that the distance is 20 feet. Ms. Becker said that she feels that this will have a negative impact on her air, light and open space. She said that municipalities enact height restrictions and setback restrictions to preserve air, light and open space for residents, and she believes that Ridgewood is no exception, as evident in the Chapter 190, Land Use and Development document. Point 3 of that document is to ensure adequate light, air and open space. Ms. Becker believes that allowing a building of this caliber to be built by their backyards is violating the rights of residents to air, light and open space.

Ms. Becker is aware that the original height of the Kensington facility was 56 feet, together with the additional 11 feet of potential elevator shaft towers on top of the building. Mayor Vagianos corrected her by saying that the towers would be 15 feet high. Ms. Becker said that this towering structure would obliterate the sun from ever hitting her yard. At a prior meeting, someone stated that it was hoped this project would have negligible effect upon the neighborhood. Ms. Becker said that the impact of this building would be far from negligible and will significantly negatively impact the neighborhood. She emphasized that the quality of life of the homeowners and families must be considered.

Ms. Becker said that a Village Councilmember was asked a couple of weeks how they felt about the Kensington project, and that Village Councilmember replied that they were comfortable with the project and that they felt it was in a great location. At a subsequent meeting a day later, there was a comment made about building height and setback restrictions not being violated, and that same Village Councilmember said that they appreciated the sensitivity to the nearby homes and reduced height allowances. Ms. McManus replied that there were a few aspects where she tried to acknowledge and account for the residences to the rear of the proposed assisted living facility. Ms. Beck said that there was no sensitivity shown to her neighborhood by the proposed development plans. She urged the Village Councilmembers to rethink this project and be responsive to the needs of their constituents, rather than to the needs of an outside corporation. If the Village is being pushed by a State mandate, Ms. Becker asked the Village to push back.

Mayor Vagianos advised the public that it is the intention of the Village Councilmembers this evening to defeat this ordinance. However, he said that the Village is obligated to take a look at the revised plans by Kensington the next time this matter is heard.

Jill Shevlin, a Ridgewood resident, asked why Kensington did not litigate the last time their proposal to build an assisted living facility on South Broad Street was denied by the Village. Mr.

Rogers replied that Kensington simply withdrew their interest in building on South Broad Street, just as they did on Walnut Street. Ms. Shevlin asked if they withdrew their proposal because of backlash from Ridgewood residents, and Mr. Rogers said that he was not sure why Kensington withdrew their proposal. Ms. Shevlin said that Kensington is now revising their building plans, and she said that they are going to come back “with as much as they think they can get away with.” She asked if the Village Councilmembers have a right to refuse those plans as well.

Mayor Vagianos said that he has shared with the public what the Village’s obligations are to the community, by defeating the ordinance this evening. By law, the Village must review the revised plans by Kensington, and then assess the chances that something “might come in that could be worse.” Mayor Vagianos felt that it was premature to make a determination in this regard, before the revised plans are even reviewed.

Ms. Shevlin said that she was told by a realtor friend of hers that there is an easement on the corner of Franklin Avenue and North Maple Avenue, which was placed on the property in case the Village ever decides to make improvements at that intersection. Mayor Vagianos said that he is unaware of any such easement, but he was confident that the easement would be shown during a site plan review. Mr. Rogers said that he would check to see if there is an easement on that property, but he felt that Ms. Shevlin was actually talking about a right-of-way.

Ralph Hacker said that when Ridgewood was first incorporated, he said that the concept of a “Village” was born and it “had all the good parts” to it, including education and real estate. When the four new housing developments were proposed a few years ago, there were approximately 700 angry residents who expressed concerns. Mr. Hacker acknowledged that these housing developments have been successful, for the most part, by creating additional tax revenue for the Village, but he described this as the “first crack in the armor” regarding the Village’s unity. The “second crack in the armor” is before the Village Council this evening, a project that is creating divisiveness and which may or may not happen. Mr. Hacker warned of a “third crack in the armor,” whereby someone is going to write a novel or a book entitled, “Assisted Living – The Death of a Village.”

Andrew Vanderhoof, a Ridgewood resident who lives on Marshall Street, said that he has served on Historic Preservation Committees before and is a high school teacher. Mr. Vanderhoof stated that Ridgewood is “the best of the best” and has always been used as the “prime example.” He said that if this project is allowed to go through and developers are allowed to do as they please without any fight by the Village, this will be the “beginning of the end” for Ridgewood. Mr. Vanderhoof said that the words “a done deal” have definitely be used during Planning Board meetings, and he is not the only one who heard those words being spoken. He asked if this ordinance would have passed this evening, if the room had been devoid of protesting residents.



Mayor Vagianos stated that this ordinance was going to be defeated if no one was in the room tonight, citing as proof the pre-determined wording in the agenda stating that Ordinance #4502 would be defeated this evening. Mr. Vanderhoof again asked if the ordinance would have been defeated, if no one had complained. Mayor Vagianos said that the ordinance would “very likely” have been defeated if no residents had complained. He said that the Village Councilmembers do not know what everybody in the community thinks. Kensington was contacted by the Village and told that they needed to scale back their original proposal.

Councilmember Weitz said that the Village Councilmembers wanted feedback from both residents and the Planning Board. When he found out what transpired at the Planning Board meetings, he was pretty confident that this ordinance would not be adopted this evening. Once he conferred with his Village Council colleagues after returning from vacation, it was decided that this ordinance would not be adopted this evening.

Councilmember Winograd said that at the August 6, 2025 Village Council meeting, she explained to the public that only two Village Councilmembers could attend the Planning Board meeting, otherwise it would be a violation of State statute. She said that the Planning Board has 35 days to complete their review. Councilmember Winograd said that she received many calls regarding the Kensington proposal. She advised residents that the Public Hearing on this matter would be held this evening and further discussion would take place at the September 4, 2025 informational meeting with Kensington. She also asked for a copy of the “graphic” to be made available for the September 4, 2025 meeting, and also asked that representatives from Kensington be in attendance. There was a consensus before this evening’s meeting that the ordinance would be defeated. She also noted that Somerville School’s Back-to-School Night is on September 4<sup>th</sup>.

Mr. Vanderhoof said that he understood all of that. However, he said that he, and most of the people who showed up tonight, are concerned that the Village Councilmembers considered the original plan by Kensington as being acceptable in the first place. It scares him to imagine what the revised plan will look like. He stated that Kensington will “push it to the max.” Mr. Vanderhoof said that it is very disconcerting that the Village Councilmembers, who are familiar with the Village and the area where this proposed building may be constructed, feel that this is not a terrible plan. He said that parking is allowed on only one side of Marshall Street, and he questioned how nonstop deliveries to this assisted living facility would even work.

Mr. Vanderhoof said that he recently held a birthday party for his two-year-old son and arranged for a firetruck to visit. Traffic was basically blocked and all of the cars parked on the opposite side of the street had to be moved. He questioned whether emergency vehicles would even be able to gain access to the assisted living facility, since Marshall Street is very narrow. He said that it is commendable that the Village Councilmembers are listening to residents, but he and other residents do not feel that the Village Councilmembers are acting in good faith. Mr. Vanderhoof said that no traffic study has been performed, and there are large amounts of children who traverse Marshall

Street every day, particularly while school is in session, from 7:00 a.m. at the start of school until 8:00 p.m., when sports practices conclude.

Mr. Kazmark stated that the Village Council is in a procedural predicament, which he acknowledged is no consolation to residents. The State of New Jersey has imposed certain deadlines on Village officials, Ms. McManus, Ms. Mailander and Mr. Kazmark regarding the affordable housing obligation. Mr. Kazmark said that these deadlines and procedural processes are what has “imposed this” on the community. In addition, there is a statutory process that needs to be followed by municipalities when adopting ordinances. Regarding the affordable housing ordinances, in late winter/early spring, Kensington Senior Development had the ability to officially intervene (in the Village’s affordable housing obligation) and file paperwork with the State of New Jersey, which gave them a “seat at the table.” The Village is forced to negotiate with Kensington, whether Village officials like it or not. Mr. Kazmark then described the process followed when an ordinance is introduced, through adoption by the municipality. He said that the residents at the meeting this evening are “victims of process.”

Answering a question asked by Jill Shevlin earlier, Mr. Kazmark stated that the easement she was referring to is actually located on the Sotheby’s property, just south of Franklin Avenue. It is not located on the site being discussed this evening.

Rocio, a resident of Ridgewood, said that she lives on South Irving Street, between East Ridgewood Avenue and Grove Street. She asked the Village Councilmembers to vote against Ordinance #4052, to reject any zoning changes to the Village’s current zoning laws, and to deny free rein to developers. She is speaking this evening not just as a resident, but as a mother as well, to oppose Ordinance #4052 and Ordinance #4053. She asked the Village Councilmembers to think about all of the children who walk to the Ridgewood Library. These children will be significantly impacted by any massive infrastructure proposed by Kensington.

Rocio stated that there are approximately 12 families with multiple children under the age of five who live near her on South Irving Street. She said that creating a constraint for young families to access the very resources that Ridgewood offers will be a testament to a Village Council that has forgotten the main values of the Village, which are safety, accessibility, and residents’ overall well-being. She said that adoption of Ordinance #4052 will create permanent changes and will allow developers free rein to overdevelop the Village with no regulations concerning size, height, and high density construction.

Rocio said that Ordinance #4053 shifts decision-making authority away from the Village to a third party, which can make decisions regarding businesses and how revenue is spent. She said that Ordinance #4052 and Ordinance #4053 do not benefit the residents of Ridgewood. Safety, well-being and residents’ input should prevail over developer dollars. She asked the Village Councilmembers to protect Ridgewood’s small-town charm.

Rocio said that it was her understanding that Kensington was denied approval in 2019 (when Susan Knudsen was Mayor of Ridgewood) to build an assisted living facility on South Broad Street. She asked if it was true that Kensington, in an open letter to the Village, asked the Village Council to refer their project to the Planning Board, in order to study the property to determine if it meets the criteria to be designated as an Area in Need of Redevelopment.

Mr. Rogers replied that earlier than 2019, there was a decision made by the Village to declare the Walnut Street parking lot area as an Area in Need of Redevelopment. Kensington was considering constructing an assisted living facility on Walnut Street, but they withdrew their application because they could not make the deals that they needed to make with the property owners, to make it a viable opportunity. Mr. Rogers said that this request was never voted on by anybody. He said that he was unaware of any application made by Kensington to declare the South Broad Street property as an Area in Need of Redevelopment. If there had been an application, Mr. Rogers said that it was never voted upon and the application was withdrawn by Kensington.

Rocio countered this by stating that there is a document online which indicates that the South Broad Street application by Kensington had been voted on and denied by the Village Council. Mr. Rogers said that he does not recall such an instance and asked her to share the document with him and the Village Councilmembers. Rocio said that she would do so.

Rocio stated that the change in zoning for South Broad Street in 2019 to designate it as an Area in Need of Redevelopment would have enabled Kensington to apply for a PILOT agreement with the Village. In order to qualify for a PILOT agreement in the State of New Jersey, an area must be designated by a municipality (by adoption of an ordinance) as an Area in Need of Redevelopment. In 2019, Kensington had argued that if they were granted a PILOT agreement, 95% of the tax revenue collected would go to the Village and not to the Board of Education. Rocio asked for the document filed which clarified the amount of affordable housing units that the Village needs, in order to satisfy the RDP and maintain immunity from builder's remedy lawsuits. She asked if Ridgewood needed 106 units to satisfy its affordable housing obligation.

A discussion ensued with Ms. McManus and Rocio about the number of affordable housing units the Village is obligated to develop in the Fourth Round Affordable Housing Plan. Rocio said that there are areas in the Village which could be considered for four affordable housing units. She spoke about the rezoning of Chestnut Street, which would allow for 25 affordable housing units to be built on 4.2 acres. She reminded the Village Councilmembers that the site on North Maple Avenue is 1.5 acres. Another area which could be considered for affordable housing units is 299 Goffle Road, with an overlay zoning district being adopted to allow for the construction of townhouses with four affordable housing units on 1.65 acres.

Rocio said that the third area under consideration for affordable housing units in the Village would be created by rezoning the entire Central Business District (B-1 and B-2 zones) to create 102

affordable housing units via a “zoning density boost” and set-aside increases. [Ms. Benegueda] spoke about Ordinance #4053 (Special Improvement District) whereby affordable housing units would be established above the businesses in the Central Business District, which she stated would change the whole landscape of East Ridgewood Avenue.

Mr. Rogers, Deputy Mayor Perron and Mr. Kazmark said that Ordinance #4053 establishes a Special Improvement District in the Village and has nothing to do with affordable housing or rezoning. Rocio said that she was merely explaining how Ordinance #4052 and Ordinance #4053 will affect the Village overall. Mr. Kazmark acknowledged that there are separate ordinances, beyond the S-1 Senior Overlay Zone District ordinance, that must be considered as part of what the State is mandating the Village to do. Chestnut Street, Goffle Road, and an overlay in the Central Business District are all part of that plan. Those ordinances have not yet been introduced, but the Village is obligated to adhere to the State-imposed mandates promulgated by the Department of Community Affairs. Rocio again clarified that the Village can meet its affordable housing obligation without considering the Kensington project and, in fact, has an excess amount of affordable housing options.

Ms. McManus explained that an area deemed as an Area in Need of Redevelopment does not automatically lead to a PILOT agreement. She said that a PILOT agreement is an option for a municipality, but not an obligation. Ms. McManus said that the proposal by Kensington is required for the Village to be able to implement the housing plan submitted to the State. She said that the Kensington project is part of the package for demonstrating compliance with the entirety of the Village’s affordable housing obligation. The Kensington project is not part of the four-unit RDP, but is rather part of the Village’s unmet need for which the Village has multiple mechanisms, including those described by Mr. Kazmark. Ms. McManus said that it is not accurate to say that the Village has an excess amount of affordable housing options, and that the Kensington project is unnecessary. Ms. McManus reiterated that the Kensington project is part of what the Village is using to demonstrate that the Village has satisfied its fourth round obligation. Mr. Rogers agreed with Ms. McManus and stated that most municipalities are unable to meet their affordable housing obligations, including Ridgewood, and the Village must rely on a vacant land adjustment to even get close to meeting its obligation.

Cynthia O’Keefe, a Ridgewood resident, commended the residents who developed the flyers to create awareness about the Kensington proposal. She stated that the property along North Maple Avenue is the wrong location for the Kensington project, although she is not against assisted living. Ms. O’Keefe asked how Kensington was able to “sneak in” and submit their bid to purchase the sites along North Maple Avenue. She recalled Mayor Vagianos stating at an earlier Village Council meeting how fortunate it was that Kensington approached the Village with this project when it did. Ms. O’Keefe reiterated that she questioned how no real estate brokers or business owners knew that Kensington was planning to purchase the properties along North Maple Avenue.

Ms. O’Keefe stated that one does not need to live in Ridgewood for years to recognize the fact that the intersection of North Maple Avenue/Marshall Street/Franklin Avenue is the worst possible location for a project of this size. She said that her heart breaks for the neighbors who are going to be subjected to this construction. Ms. O’Keefe said that perhaps the Village Councilmembers thought it was a good idea to construct the assisted living facility because seniors would just walk through the CBD without the need for parking and spend their money, to the benefit of businesses in that area. She said that Kensington gets paid “per bed” in the assisted living facilities they construct. She predicted that Kensington may present a revised plan that is smaller in scale, but they are in the business to make money and are not running a charity.

Ms. O’Keefe said that someone asked earlier this evening if the Village Councilmembers would have approved the Kensington proposal if no residents showed up to complain about the proposal, and one of the Village Councilmembers said “probably yes.” She said that the Village Councilmembers probably did not expect the groundswell of residents who showed up at this evening’s meeting. Ms. O’Keefe said that the Village Councilmembers are not listening when it comes to the Schedler plan, but she hopes that they start listening with regard to the Kensington proposal. She said that approval of the Kensington plan will not only change the character of the Village, but will compromise pedestrian safety at the intersection of North Maple Avenue and Franklin Avenue. Ms. O’Keefe said that it is unacceptable that a traffic study has not been performed. She added that she has also heard people saying that the Kensington project is a “done deal.”

George Becker, a resident of Ridgewood, stated that he lives on Marshall Street. He opined that an S-1 Senior Overlay to the B-2 business district on North Maple Avenue will permit a building to be constructed that is far too large and that will do irreparable damage to the adjacent neighborhood. He said that this project runs counter to the goals set forth in the Village’s 2022 Master Plan. Mr. Becker said there is no evidence that a massive assisted living facility is substantially needed in downtown Ridgewood, and the Village Council needs to seriously reconsider entertaining any zoning changes that will negatively impact current residents and future generations. He said that an overlay must not allow for a building that is taller than existing structures. A proposal that would allow for construction significantly close to the property lines will greatly magnify the perceived height from the surrounding streets and sidewalks. Mr. Becker said that setbacks and allowances must not cause degradation of sight lines and views.

Mr. Becker stated that additional detriments to the neighborhood that this proposal will cause include noise from delivery trucks with their backup alarms, ambulances, traffic from staff and visitors unsafely utilizing Franklin Avenue and Marshall Streets, shade over all neighboring properties, and damage to the character of the neighborhood. He commented on how the Kensington proposal contradicted the tenets of the Master Plan, including maintenance of the small town Village feel, protecting and enhancing the tree canopy, maintaining the aesthetic qualities and

feel of the downtown area, creating a safe environment for pedestrians, making streets safer to promote and support walking and biking, and limiting further high density residential development.

Mr. Becker said that the Village Council should not approve spot zoning for a company that has been twice denied the opportunity to build enormous assisted living facilities in Ridgewood. He said that the needs of the residents must supersede the desires of the developer.

Mayor Vagianos said that the time was 10:45 p.m. and he specifically moved this Public Hearing up on the agenda so that as many people as possible could speak. He said that the Village Council has other business to attend to this evening. Mayor Vagianos stated that the Public Hearing will conclude at 11:00 p.m., which will go beyond the 11:00 p.m. curfew set for Village Council meetings.

Janice Sublonski-Hickey, a Ridgewood resident, said that a lot of comments have been made this evening about the Village having to meet deadlines and obligations imposed by the State. She believes that there is a great hunger and need in the community for residents to understand the process better. She said that Ms. McManus rattled off different numbers this evening, and Ms. Sublonski-Hickey said that she would like to see some report or documentation outlining what the Village's obligations are and how the Village will be meeting these obligations. She asked if a committee had been formed by the Village regarding the affordable housing issues and, if so, what were the findings of the committee. She asked if the Village has looked at other locations or explored other strategies to achieve its affordable housing obligations, rather than giving approval for a huge assisted living complex that will give the Village 12 affordable housing units.

Ms. Sublonski-Hickey said that she would like to see documentation on the Village website, for full transparency, that indicates the findings of the Village regarding its assisted living needs, what the Village has done to meet its affordable housing obligations to date, the deadlines that need to be adhered to, and what options are being investigated to satisfy its affordable housing units. She feels that the Village should be looking for solutions to this problem, rather than looking to the Kensington proposal as a solution.

Ms. Sublonski-Hickey said that she voted for all of the current Village Councilmembers and she feels that the Village is being run so much better than before. However, she said that her faith has been shaken by the decision making which she has heard today. Hearing that the Village Council had not even considered traffic studies is very upsetting to her. She said that it is apparent that the Village Councilmembers did not explore all of the pros and cons of this proposal, and she is very disappointed in that regard. Ms. Sublonski-Hickey said that she lives on North Maple Avenue, very close to Veterans Field, but there are some highly congested areas in the Central Business District that are bearing the brunt of Village development. She asked whether some other neighborhood could be found to take on some of the "dirty end of the Village." She said that she is sick of every single need being foisted upon the areas near Veterans Field, North Maple Avenue, and the Central



Business District, while certain areas get new pavilions. She pleaded with the Village Council to distribute the difficulties of the Village throughout the town without making one area the “ghetto.”

Mayor Vagianos asked Ms. McManus to briefly answer Ms. Sublonski-Hickey’s question regarding the different strategies that are used by the Village. Ms. McManus advised residents seeking to learn the strategies used by the Village to address its affordable housing obligation to review the adopted housing plan. The Village used a variety of existing projects that have already been constructed to meet as much of its affordable housing obligation as possible. The Village also relied upon new strategies, such as the Kensington project and other inclusionary developments, to meet its affordable housing obligation. She said that “inclusionary” is defined as a mix of market rate and affordable housing units. Mr. Kazmark added that he just emailed the adopted housing plan (link to Village website) to Ms. Sublonski-Hickey. Deputy Mayor Perron said that the housing plan specifically addresses alternatives that the Village considered.

Kaylin, a resident of Ridgewood, said that she wanted to highlight some of the items that were written directly into the affordable housing dispute resolution program that was filed with the State, including the Kensington proposal. She asked if she was correct in understanding that the current B-2 zoning only permits 20 dwelling units per acre. Ms. McManus said that B-2 zoning permits 18 dwelling units per acre. Kaylin asked if the S-1 Senior overlay zone district would exempt Kensington from the 20-unit per acre requirement, and Ms. McManus said that it would since the assisted living facility is not considered a dwelling unit. Kaylin asked if the proposed project could either consist of 96 dwelling units per acre (if counted as beds) or 48 dwelling units per acre (if counted as rooms). She said that the current zoning for 176 Chestnut Street is commercial use only, but a developer has requested a C-R-1 inclusionary overlay, which would permit 52 dwelling units per acre. This number was reduced to 30 dwelling units per acre by the Village. This latter proposal was not followed through by the Village because the density was too high and the setbacks, heights and building size were incompatible with the surrounding area.

Kaylin said that the property at 299 Goffle Road is zoned as R-2 (residential). She said that a developer asked for 29 dwelling units per acre, but the Village proposed 13 dwelling units per acre, due to excessive density and the height and size being incompatible with the neighborhood. The Village Ford property is currently zoned as B-3 and a developer requested 27 dwelling units per acre, which was rejected by the Village in its entirety because it was over one mile from the train station and it didn’t match commercial and mixed use character. The property at 560 Route 17 was rezoned in 2020 when an AH-3 (affordable housing) district was added. A developer requested 20 dwelling units per acre and this was reduced by the Village due to adjacent residential uses (density too high for neighboring homes). This property is over two miles from the Ridgewood Train Station (affordable housing should be located within a certain distance from mass transit). However, across the highway from this property is a Park and Ride which could be used to get to the train station.

Kaylin said that all of these sites were either denied or reduced for having too much density or for traffic and safety concerns. These sites were deemed as a poor fit for surrounding uses, being too far from transit or having a negative impact on nearby homes. However, the Kensington proposal is not being rejected, even though it “checks all these boxes.” She said that this proposal seems like a “business move” to her. She said that the actions by the Village Council are not consistent with its prior actions or its prior denials of developer proposals. If 27 dwelling units per acre was denied for North Maple Avenue because it was too far from the train, she asked how 48 or 96 dwelling units would be acceptable for the residences near Marshall Street and Franklin Avenue. She said that sending Kensington back to the drawing board for revised plans is a negotiation tactic. She said that Ms. McManus should be protecting the Village’s Master Plan. Kaylin asked Ms. McManus how many developers she has represented in her career. She also asked if assisted living facilities are allowed to initiate builder’s remedy lawsuits. Ms. McManus replied that senior housing, including assisted living, can file builder’s remedy litigation. Kaylin said that she would like to see the statute pertaining to same.

Mayor Vagianos said that the following speaker will be the last one for the evening.

Ava Brett, a long-time resident of Ridgewood, said that she empathized with her neighbors. She had not planned on speaking, but was disgusted how Councilmember Weitz, Mayor Vagianos, and Mr. Rogers shouted at the public from behind their “big wooden panels.” She said that she was not talking about people who were being rude, but people who were just asking a question.

Amy McCambridge, a resident of Ridgewood, said that as a veteran and former Marine, the Village Councilmembers are the last people she would want to serve with on the front lines. She said that they have not protected the Schedler neighbors and the kids that they are poisoning with artificial turf. She said that the Village Councilmembers were elected to represent the residents of Ridgewood and they have not done a good job at doing so. She said that residents have the opportunity to “recall” the Village Councilmembers and Village Manager.

Lorraine Reynolds, a long-time Ridgewood resident, asked if the September 4, 2025 meeting date will be changed for the Kensington presentation, considering the fact that September 4<sup>th</sup> is Back-to-School Night for Somerville School. Mayor Vagianos said that the September 4<sup>th</sup> meeting will still be held, but there will be another meeting held for the residents who were unable to attend the September 4<sup>th</sup> meeting.

Ms. Reynolds asked why the presentation could not be done at a Village Council meeting, where the meetings are taped and residents who missed the meeting could view the meeting when they have the opportunity.

Mayor Vagianos said that they want Kensington to make their presentation outside of a Village Council meeting, because it will be easier for residents to ask questions. Mayor Vagianos



apologized to anyone who felt that they were being yelled at by him. He said that he was simply trying to keep the meeting “moving” so that the greatest number of residents could speak and so that the Village Councilmembers could answer as many questions from the public as possible. He mentioned that Ms. McManus lives approximately two hours from Ridgewood, but he asked her to stay late at the meeting to answer questions. He assured the public that the Village Councilmembers were listening to everything that residents said this evening. Mayor Vagianos said that the Village is weighing options to fulfill its statutory obligations. He stated that the Village has already violated one of the obligations, which was to adopt ordinances by August 31, 2025 that are necessary for the Village to implement its submitted housing plan. Mayor Vagianos said that the Village Councilmembers are doing the best they can for the affected neighborhood.

Ms. Reynolds said that she feels it is extremely important that the Kensington presentation be recorded, so that residents can watch it at a convenient time. She again asked why Kensington could not present their proposal at a Village Council meeting or why the meeting could not be televised. She recalled that during meetings concerning the Valley Hospital, Planning Board meetings were televised. Mayor Vagianos said that they will discuss it and let her know.

Joan Landis, a resident of Ridgewood, said that she understood that there are State-mandated obligations which must be adhered to by the Village, but she asked if the Village Councilmembers could look into joining the Local Leaders for Responsible Planning. The towns of Allendale, Franklin Lakes, Westwood and Montvale are among the 27 municipalities that have joined forces to combat State mandates as they relate to affordable housing. This coalition has filed a Federal lawsuit to not have to meet all of these mandates. Ms. Landis said that some urban centers are being exempt. For every ten people that move into an urban area, four units have to be created in the suburbs, and these towns are fighting the State obligations. There is an attorney representing this coalition, and Ms. Landis asked if someone from Ridgewood could look into possibly joining this group. Ms. Landis mentioned that Hackensack just turned down an agreement they signed, in which they agreed to offer a PILOT program to some developers but then reneged on the deal.

Mr. Rogers replied that the lawsuit referred to by Ms. Landis has been filed several times, because the prior lawsuits have all been dismissed in court. The coalition is looking for a forum that might listen to them, but so far, they have been unsuccessful. He stated that joining the coalition was considered by the Village, but it was felt that this would not be viable because everyone knows how important affordable housing is to the courts.

Dominick Magliano, a resident of Ridgewood, asked Ms. McManus how long she has been working for Ridgewood, and she replied that she has done so since 2018. Mr. Magliano asked what a buildable lot is in Ridgewood, and Ms. McManus replied that it depends in what zoning district the lot is located. Mr. Magliano asked if there are five different zones in Ridgewood.

Mr. Rogers indicated that Ms. McManus is the Village's Affordable Housing Planner. Mr. Rogers added that he would have to look at the code to see the definition of a buildable lot in each zone. He said that he would need some time to research the answer to that question. Mr. Rogers indicated that there are designated buildable lot sizes in Ridgewood.

Mr. Magliano indicated that there is a parking problem associated with the 45-unit apartment building across the street (263 Franklin Avenue) from the proposed site for the Kensington project. Mr. Rogers said that he believes tenants either lease or rent spots in the parking lot where the former Kings Supermarket was located, which is adjacent to the building at 263 Franklin Avenue. Mr. Magliano said that there already exists a parking problem in that area, and it will be exacerbated once the assisted living facility is built.

Mr. Magliano said that the Planning Board discussed Block 3611, Lots 1, 19 and 22. Lot 1 has nine condominium units (75 North Maple Avenue). He said that each lot has a separate tax account ID number. Mr. Rogers responded that he and the Village Councilmembers would know lot and block numbers but not tax account identification numbers. Mr. Magliano said that 61 North Maple Avenue contains multiple condos in one building, but all of the lots are not listed on the tax maps. When questioned by Mr. Rogers if the Fair Share Housing Element submitted by the Village to the State did not contain all of the lot numbers, Mr. Magliano said that he was referring to the tax maps. There are nine different lots in one building and 14 in the other building, with different owners, and these separate lots are not listed on the tax maps. The height of the assisted living facility will be 71 feet, with the elevator equipment. If Kensington wanted to put antennae on top of the building, Mr. Magliano said that he was told they would have to go before the Planning Board for a variance.

Mayor Vagianos thanked everyone for speaking this evening in a civil manner. He encouraged anyone with concerns to contact him by telephone. He apologized for not being able to hear the people waiting on hybrid access. Mr. Rogers said that he had to raise his voice to be heard over people who were interrupting what he was trying to say, and he apologized if he caused any concern to anyone. Mayor Vagianos thanked Ms. McManus for staying at the meeting.

Since there were no further public comments, Mayor Vagianos moved that the Public Hearing on Ordinance #4052 be closed. Deputy Mayor Perron seconded the motion.

#### Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd, and Vagianos

NAYS: None

ABSENT: None

ABSTAIN: None

Councilmember Winograd moved that Ordinance #4052 be defeated. Deputy Mayor Perron seconded the motion. Ms. Mailander did a roll call, and said that a “yes” vote was to defeat the ordinance.

Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd, and Vagianos  
NAYS: None  
ABSENT: None  
ABSTAIN: None

At this point, a five-minute break was taken, after which time roll call was taken, where the following were present: Councilmembers Mortimer, Perron, Weitz, Winograd and Mayor Vagianos. Also present were Keith Kazmark, Village Manager; Heather Mailander, Village Clerk; and Matthew Rogers, Village Attorney.

**2. INTRODUCTION - #4055 – BOND ORDINANCE – PURCHASE OF KIOSKS AND FINANCING OF PROFESSIONAL PARKING CONSULTANT**

Mayor Vagianos moved that the Village Clerk read Ordinance #4055 by title on first reading. Councilmember Mortimer seconded the motion.

Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd, and Vagianos  
NAYS: None  
ABSENT: None  
ABSTAIN: None

The Village Clerk read Ordinance #4055 by title only:

BOND ORDINANCE PROVIDING FOR VARIOUS PARKING UTILITY IMPROVEMENTS IN AND BY THE VILLAGE OF RIDGEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$1,372,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,300,000 BONDS OR NOTES OF THE VILLAGE TO FINANCE PART OF THE COST THEREOF

Councilmember Winograd moved that Ordinance #4055 be adopted on first reading and that September 10, 2025 be fixed as the date for the hearing thereon. Councilmember Mortimer seconded the motion.

Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd, and Vagianos  
NAYS: None  
ABSENT: None  
ABSTAIN: None

**3. INTRODUCTION - #4056 – BOND ORDINANCE – DOWNPAYMENT  
FOR OPTION TO PURCHASE WARNER THEATER**

Mayor Vagianos moved that the Village Clerk read Ordinance #4056 by title on first reading. Deputy Mayor Perron seconded the motion.

Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd, and Vagianos  
NAYS: None  
ABSENT: None  
ABSTAIN: None

The Village Clerk read Ordinance #4056 by title only:

BOND ORDINANCE PROVIDING FOR A PURCHASE OPTION FOR THE ACQUISITION OF A MOVIE THEATER IN AND BY THE VILLAGE OF RIDGEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$237,500 BONDS OR NOTES OF THE VILLAGE TO FINANCE PART OF THE COST THEREOF

Councilmember Winograd moved that Ordinance #4056 be adopted on first reading and that September 10, 2025 be fixed as the date for the hearing thereon. Deputy Mayor Perron seconded the motion.

Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd, and Vagianos  
NAYS: None  
ABSENT: None  
ABSTAIN: None

**13. COMMENTS FROM THE PUBLIC**

Mayor Vagianos said that he inadvertently forgot to open up public comments, so he was doing so at this time.

Anne Loving, a resident of Ridgewood, said that a resident, Cynthia O’Keefe, asked Councilmember Winograd a question during the August 6, 2025 Village Council meeting, with regard to the distance of the public bathrooms proposed for the Schedler property from the adjacent neighbors’ property lines. Ms. O’Keefe asked this question both orally and in writing, but had not received a clear answer. Ms. Loving said that Councilmember Winograd “danced around the subject” and suggested that Ms. O’Keefe could learn how to read maps at the Ridgewood Library. Councilmember Winograd stated that some seniors are unable to manage phones and understand basic web functionality. Ms. Loving said that this remark was insulting and condescending to Ms. O’Keefe.

When asked about Councilmember Winograd’s comment (about the map reading), Mayor Vagianos characterized it as an “offhanded comment” and a “joke,” although Councilmember Winograd indicated later on that her suggestion was not meant as a joke.

Ms. Loving said that when Mayor Vagianos was confronted about not answering Ms. O’Keefe’s question, Mayor Vagianos stated that the Village has spent about \$100,000.00 answering questions from the public, regarding the soil contamination on the Schedler property, and that this question by Ms. O’Keefe was not significant. Ms. Loving asked if there was a stated limit as to how many questions the Village or Matrix is obligated to answer about the Schedler project. She asked if the question by Ms. O’Keefe crossed an “undisclosed threshold” of allowable questions.

Ms. Loving said that Mayor Vagianos commented that Councilmember Winograd has been spoken to in an offensive way more times than he can count. He said that there have been more negative comments directed at Councilmember Winograd than she has directed at residents. Ms. Loving asked if it is now alright for Councilmember Winograd to “fire back” at a taxpaying resident, just because Councilmember Winograd has “come under fire” many times as an elected official. Ms. Loving asked if there was a balance sheet in which the number of negative comments directed towards Councilmember Winograd can be counteracted by her insulting a resident.

Ms. Loving said that before Councilmember Winograd was elected to the Village Council, she attended Village Council meetings week after week and repeatedly spoke offensively and rudely to Mayor Knudsen. She added that Mayor Vagianos “waxed poetical” that the Village Councilmembers are all volunteers and are the neighbors of all residents. Ms. Loving said that Mayor Vagianos reported spending a staggering \$76,985.13 in the November 2024 election, proving how badly he wanted to be elected. Ms. Loving said that Mayor Vagianos is not just a volunteer neighbor, but is instead an elected official and politician with a tremendous amount of power. She said that every vote by Mayor Vagianos represents 20% of every decision to spend taxpayer money and to establish policy. Ms. Loving concluded by stating that Councilmember Winograd owed an apology to Ms. O’Keefe and Mayor Vagianos owed an apology to all Ridgewood taxpayers.

Boyd A. Loving, a resident of Ridgewood, said that Ms. Reynolds made a comment earlier this evening about the scheduled September 4, 2025 meeting for the Kensington presentation, which happens to be the same date as the Somerville School Back-to-School Night. Mr. Loving asked why a Public Hearing for the “park issue” (the Green Acres diversion) was scheduled on September 7<sup>th</sup>, the same night as Back-to-School Night for Ridgewood High School. He asked why a Public Hearing on this matter is being held on a Tuesday night at a meeting which is not a regularly scheduled Village Council meeting. Mr. Loving said that doing so precludes the matter being televised and people participating remotely. He asked who will be hearing the matter, if it is not the Village Councilmembers, since the group or board was not identified on the meeting notice. He also asked if the public comments made will be forwarded to the NJDEP and whether or not a representative from the NJDEP will be in attendance at the meeting.

Mayor Vagianos pointed out that September 7<sup>th</sup> is a Sunday. Mr. Loving said that he might have the date wrong, but it is a Tuesday night. It was clarified that the Public Hearing on the Green Acres diversion matter will be held on September 9<sup>th</sup>.

Eileen Lackey, who was on hybrid access, said that she did not have a question.

Rurik Halaby, a Ridgewood resident, thanked the Village Councilmembers, Village Manager and his team at Village Hall for the continuing improvements in the Village’s infrastructure, including the sidewalks on West Glen Avenue and repaving of the streets. Mr. Halaby said that Emperor Augustus found Rome in brick and left it in marble. He said that he would not say the same about Mayor Vagianos, but what has been accomplished in the past two years is remarkable. One criticism he has is the amount of time spent by the Village Councilmembers answering emails. Mr. Halaby facetiously said that he longs for the “bad old days” when he used to count the unanswered emails, he used to send members of the former Village Council and the points of order he received at Village Council meetings.

Mr. Halaby said that the current Village Council has set the bar for communicating with the residents. Mr. Halaby feels that the Village Councilmembers need to budget their time and be somewhat discretionary when answering emails, especially from people whose motives are somewhat suspect. Mr. Halaby said that Mayor Vagianos did a terrific job running the meeting this evening. He said that Mayor Vagianos was courteous, and no Village Councilmember was rude.

Paul, a resident of Ridgewood, said that he wanted to thank the Village Councilmembers for their service, which he said was “tough duty.” He asked if the downpayment on the movie theater was \$450,000.00, and he was told that it was actually \$250,000.00. Paul asked what the purchase price would be, and he was told by Mayor Vagianos that it would be an additional \$2.5 million. Paul asked what the plan was to pay the operating expenses, and he was told by Mayor Vagianos that the option agreement is contingent upon the Village obtaining a grant from the New Jersey

Economic Development Authority (NJEDA) that would fund up to 80% of the cost of renovating the theater and for initial operating expenses. If the Village is unable to obtain the funding, then the Village will not purchase the theater.

There were no further public comments.

Ms. Mailander stated that regarding the wording of the announcement for the diversion meeting, the wording was developed by the NJDEP (Green Acres) and had to be used by the Village. The meeting will be televised and hybrid access will be available during the meeting. The meeting was scheduled for September 9, 2025 because the Village consultant for the diversion process is available on September 9<sup>th</sup> but not on September 10<sup>th</sup> (the date of the regularly scheduled Village Council meeting). The Village is facing a tough timeline to try to get the diversion finished and completed, so that the matter can be heard by the State House Commission in December 2025. Ms. Mailander said that she could not wait another week or even a few days to schedule the meeting, because the timeline is so tight. Green Acres needs time to review and approve the matter. If the matter is not heard by the State House Commission in December 2025, then the Village will have to wait until March 2026 for it to be heard.

Councilmember Winograd thanked Ms. Mailander for scheduling the diversion meeting. There will be a Zoom option at the meeting. Since it is being held on an odd day of the week, the agenda will be posted earlier than usual. Councilmember Winograd asked Ms. Mailander whether notices would be going out to all neighbors within 200 feet. Ms. Mailander stated that the sign has been posted at the Broad Street location, and will remain posted until September 23<sup>rd</sup>. All properties within 200 feet of the Broad Street location (which was a playground but became affordable housing, which was a diversion of public property) received notices as well. The notice is also posted on the Village website under “Public Notices.”

Addressing the comments made by Ms. Loving, Councilmember Winograd said that she wanted to let the public know that she made multiple attempts to offer assistance to residents on how to use the Zoom feature on the map of the Schedler property. She replied to numerous emails, stating that she would help residents interpret the plan, and even offered to have professional staff help the residents, but these offers were declined. Councilmember Winograd said that she did not mean her suggestion to get technical help from the Ridgewood Library as a joke or an insult. She considers the library as much of a resource as the Village’s Engineering Department. Councilmember Winograd expressed her hesitancy in responding to questions about how far the public restrooms are from the property line of neighbors, primarily because this is not her function as a Village Councilmember. She also said that her interpretation of the scale on the map may not be accurate.

Ms. Mailander clarified that the September 9<sup>th</sup> meeting regarding the diversion will not be televised, but will be on Zoom. Hybrid access will also be available through Zoom.



## 14. ORDINANCES

### A. PUBLIC HEARING – ORDINANCE #4050 – WHITE COLLAR SALARY ORDINANCE

Mayor Vagianos moved that the Village Clerk read Ordinance #4050 by title on second reading and that the Public Hearing thereon be opened. Councilmember Weitz seconded the motion.

#### Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd, and Vagianos

NAYS: None

ABSENT: None

ABSTAIN: None

The Village Clerk read Ordinance #4050 by title only:

AN ORDINANCE TO FIX SALARIES, WAGES AND OTHER  
COMPENSATION OF AND FOR THE WHITE COLLAR EMPLOYEES OF  
THE VILLAGE OF RIDGEWOOD, COUNTY OF BERGEN, AND STATE OF  
NEW JERSEY

Since there were no public comments, Mayor Vagianos moved that the Public Hearing on Ordinance #4050 be closed. Councilmember Weitz seconded the motion.

#### Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd, and Vagianos

NAYS: None

ABSENT: None

ABSTAIN: None

Councilmember Mortimer moved that Ordinance #4050 be adopted on second reading and final publication as required by law. Councilmember Weitz seconded the motion.

#### Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd, and Vagianos

NAYS: None

ABSENT: None

ABSTAIN: None

**B. PUBLIC HEARING – ORDINANCE #4051 – BLUE COLLAR SALARY  
ORDINANCE**

Mayor Vagianos moved that the Village Clerk read Ordinance #4051 by title on second reading and that the Public Hearing thereon be opened. Councilmember Mortimer seconded the motion.

Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd, and Vagianos  
NAYS: None  
ABSENT: None  
ABSTAIN: None

The Village Clerk read Ordinance #4051 by title only:

AN ORDINANCE TO FIX SALARIES, WAGES AND OTHER  
COMPENSATION OF AND FOR BLUE COLLAR EMPLOYEES OF THE  
VILLAGE OF RIDGEWOOD, COUNTY OF BERGEN, AND STATE OF NEW  
JERSEY

Since there were no public comments, Mayor Vagianos moved that the Public Hearing on Ordinance #4051 be closed. Councilmember Mortimer seconded the motion.

Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd, and Vagianos  
NAYS: None  
ABSENT: None  
ABSTAIN: None

Councilmember Winograd moved that Ordinance #4051 be adopted on second reading and final publication as required by law. Councilmember Mortimer seconded the motion.

Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd, and Vagianos  
NAYS: None  
ABSENT: None  
ABSTAIN: None

**C. PUBLIC HEARING – ORDINANCE #4053 – ESTABLISH SPECIAL IMPROVEMENT DISTRICT (SID) AND DESIGNATE A NON-PROFIT DISTRICT MANAGEMENT CORPORATION (DMC)**

Mayor Vagianos stated that he was turning this matter over to Deputy Mayor Perron because she spearheaded the formation of the SID in Ridgewood and carried the entire project “on her back.”

Deputy Mayor Perron moved that the Village Clerk read Ordinance #4053 by title on second reading and that the Public Hearing thereon be opened. Councilmember Mortimer seconded the motion.

**Roll Call Vote**

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd, and Vagianos

NAYS: None

ABSENT: None

ABSTAIN: None

The Village Clerk read Ordinance #4053 by title only:

**AN ORDINANCE CREATING A NEW CHAPTER ENTITLED “SPECIAL IMPROVEMENT DISTRICT” WITHIN THE VILLAGE OF RIDGEWOOD AND DESIGNATING A DISTRICT MANAGEMENT CORPORATION**

Boyd A. Loving, Ridgewood resident, stated that the presentation given during the Village Council Work Session was a PowerPoint presentation in which the small font was very difficult for the audience to read. He asked if the presentation could be posted somewhere so that it could be viewed by members of the public, since the presentation answered a lot of important questions.

Deputy Mayor Perron said that she would make the presentation available to the public. She thanked the members of the Central Business District Advisory Committee (CBDAC) who have been working on the Special Improvement District (SID) “idea” for the last four years. The goal of forming the SID is to improve marketing for all businesses in Ridgewood and to recruit new businesses with a better balance/mix of businesses. Addressing a resident who opposed formation of the SID this evening (during the Public Hearing for Ordinance #4052), Deputy Mayor Perron said that the formation of the SID is not to shift decision making from the local governing body, but rather is to supplement what the Village provides, and to help the business community direct their own destiny.

Deputy Mayor Perron said that this is a public/private partnership and the District Management Corporation (DMC), which is called the Ridgewood Business Alliance (RBA), will use monies that they raise through assessments from the business community as they see fit. The RBA will be

required annually to give a report to the Village Council as to what they have accomplished and to undergo an annual audit of how they spent the monies. Each year, the RBA must also present a proposed budget to the Village Council, which the Village Council can amend, approve or reject. This ordinance creates the DMC/RBA and specifically indicates that the Village Council is not giving up any of its duties.

Since there were no further public comments, Deputy Mayor Perron moved that the Public Hearing on Ordinance #4053 be closed. Councilmember Mortimer seconded the motion. Before seconding the motion, Councilmember Mortimer that there were a lot of members from the business community present at the meeting this evening, but most of them left before the second reading and Public Hearing of the ordinance. He thanked all of the business owners, landlords, Chamber of Commerce members, and Ridgewood Guild members for their support.

#### Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd, and Vagianos  
NAYS: None  
ABSENT: None  
ABSTAIN: None

Councilmember Winograd moved that Ordinance #4053 be adopted on second reading and final publication as required by law. Councilmember Mortimer seconded the motion. Before doing so, he explained that this ordinance establishes the formation of the SID and the DMC, the latter of which will have a Board of Directors comprised of representatives from “all the different parties at play.” The Board will consist of landlords, business owners in the Central Business District and outside the Central Business District, and reclassified not-for-profits. Councilmember Mortimer said that it is estimated that at least a third of the monies raised through assessments will be used for marketing downtown Ridgewood.

Before voting, Councilmember Winograd thanked Deputy Mayor Perron and all of those involved with formation of the SID.

#### Roll Call Vote

AYES: Councilmembers Mortimer, Perron, Weitz, Winograd, and Vagianos  
NAYS: None  
ABSENT: None  
ABSTAIN: None

### **15. RESOLUTIONS**

Ms. Mailander said that the following resolution, numbered 25-359, would be considered separately and read in full, and Mayor Vagianos recused himself from this matter:

**16. COMMENTS FROM THE PUBLIC**

There were no further comments from the public this evening.

**17. ADJOURNMENT**

There being no further business to come before the Village Council, on a motion by Deputy Mayor Perron, seconded by Councilmember Winograd, and carried unanimously by voice vote, the Village Council's Regular Public Meeting was adjourned at 11:48 p.m.

---

Paul Vagianos  
Mayor

---

Heather A. Mailander  
Village Clerk