

Public Session Meeting of the Mayor and Council of the Borough of Ridgefield was held on February 14, 2011 at 7:30 p.m. Eastern Standard Time. Meeting was held at the Ridgefield Community Center, 725 Slocum Avenue, Ridgefield, New Jersey.

Mayor Suarez stated that this meeting of the Mayor and Council is being conducted pursuant to the Open Public Meetings Act, adequate notice of the meeting has been given by publishing notice in The Record. Furthermore, notice was posted in the Borough of Ridgefield Municipal Building.

Roll Call: Mayor Suarez, Councilman Castelli, Councilman Todd, Councilman Vincentz, Councilman Severino, Councilman Acosta and Councilman Jimenez are Present

Pledge of Allegiance

Mayor Suarez asked everyone to remain standing for a moment of silence for those residents who have passed away since the last meeting.

Mayor Suarez asked if anyone had comments on tonight's agenda. No one came forward

90-2011 Mayor Suarez Appointment of Patrolman

Swearing of Patrolman- Michael Greco

Roll Call

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| Councilman Castelli | Yes |
| Councilman Todd | Yes |
| Councilman Vincentz | Yes |
| Councilman Severino | Yes |
| Councilman Acosta | Yes |
| Councilman Jimenez | Yes |

Mayor Suarez commented on Corresponded he received:

Ridgefield Municipal Court report total disbursement \$ 61,193.67; the Bergen County Home Ownership center free homeowner buyer workshop announcement on March 12- March 19, March 26 flyer will be located at Borough Hall; Ridgefield's Police Department January monthly activity report from the Chief Police located in his office.; Fire prevent bureau January 2011 monthly report totaling \$2,209; Received a letter from resident, Richard Birdie, regarding the snow removal done by the DPW and a job well done; Faith Base housing Fair at Bergen Community College on January 22, 2011;

Motion to approve Minutes of January 25, 2010 Work Session Meeting, March 8, 2010 Public Session Meeting, and March 22, 2010 Work Session Meeting

Roll Call

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|---------------------|---------|
| Councilman Castelli | Yes |
| Councilman Todd | Yes |
| Councilman Vincentz | Yes |
| Councilman Severino | Yes |
| Councilman Acosta | Yes |
| Councilman Jimenez | Abstain |

As advertised, hearing will be held on Ordinance No. 2160 entitled, “AN ORDINANCE ABOLISHING THE POSITION OF MUNICIPAL ADMINISTRATOR AND DEPUTY MUNICIPAL ADMINISTRATOR”

Entertain motion to declare the time for the public hearing to be declared open

Public Hearing

Andrew Picone 650 Hamilton Ave: concerned the burden will be put on to the tax payers to abolish this position and there is no clear reasons on why. He doesn't understand how this will save the borough money by abolishing this position when in the end it will go to court and cost the borough more.

Councilman Jimenez stated that they were abolishing this position as a cost saving measure not for any criminal activity or any other reason.

Entertain motion to declare the time for the public hearing to be declared closed

Councilman Vincentz asked Borough Attorney Stephen Pellino if this ordinance abolishes the position, does it terminate Gary Bonacci employment? Stephen Pellino stated Yes. Councilman Vincentz asked Stephen Pellino if he reviewed Gary Bonacci contract. Stephen Pellino stated that he is relying on Labor Council. Councilman Vincentz asked Stephen Pellino; doesn't this ordinance require 2/3 votes to pass and doesn't the termination of the employee (borough administrator) also requires 2/3 vote? Is that correct?

Stephen Pellino stated that its two separate actions, if the council was going to terminate the borough administrator, his understandings would require two third vote , but the adoption of the Ordinance that eliminates the position will not be require two third vote, Councilman Vincentz states that no where in this ordinance does it terminate the employee, Stephen Pellino stated No, however if there is no position there is no job. Councilman Vincentz stated that if the borough administrator has a contract and has he reviewed the contract and does he feel that we don't have exposure to that contract. Stephen Pellino stated that ultimately there will be litigation and a judge will make a decision. Labor Council believes this is well grounded to abolish this position. Councilman Vincentz also commented on the contract it states that we are responsible for

Borough Administrator Legal fees. Stephen Pellino stated that we are only responsible if the Administrator wins in court to pay his legal fees.

Councilman Todd asked the question that the past Borough Administrator has gotten excessive salaries where as Gary Bonacci always seemed busy and got paid less. Now if a citizen has a problem who do they contact? Stephen Pellino stated the Borough Clerk.

Councilman Vincentz asked why was a borough administrator hired to begin with if we are now abolishing the position created back in 2001?

Mayor Suarez stated that the majority of the council at that time though it was the best interest of the borough.

Councilman Severino: asked are we still responsible to pay Mr. Bonacci salary?

Stephen Pellino stated that he has represented the Bonacci family in legal matters in the past. Councilman Vincentz asked Stephen Pellino if he was involved in the preparation of Gary Bonacci's Borough Administrator contract? Stephen Pellino defers the question to Gary Bonacci for response. Gary Bonacci stated all question directed to him be directed to his attorney

Final Reading of Ordinance

Roll Call

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| Councilman Castelli | Yes |
| Councilman Todd | No |
| Councilman Vincentz | No |
| Councilman Severino | No |
| Councilman Acosta | Yes |
| Councilman Jimenez | Yes |
| Mayor Suarez | Yes |

Gary Bonacci asked if his employment is now terminated at the final reading of this ordinance. Is there any transition period prior to handing over the reigns of the Administrator and bring on who ever taking on this responsibility. When is the official termination date. Stephen Pellino stated the date of publication.

Introduction of Ordinance No. 2161 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 92 "SALARIES AND COMPENSATION", SECTION 92-1, "SALARIES" TO REDUCE COMPENSATION FOR THE MAYOR AND COUNCIL MEMBERS BY TEN PERCENT"

First Reading of Ordinance

Roll Call

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| Councilman Castelli | Yes |
| Councilman Todd | Yes |
| Councilman Vincentz | Yes |
| Councilman Severino | Yes |
| Councilman Acosta | Yes |
| Councilman Jimenez | Yes |

Introduction of Ordinance No. 2162 entitled, “AN ORDINANCE AMENDING ARTICLE V OF CHAPTER 333 OF THE CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED “SEWER CONNECTIONS; MAINTENANCE; WASTE WATER TREATMENT”

First Reading of Ordinance

Roll Call

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| Councilman Castelli | Yes |
| Councilman Todd | No |
| Councilman Vincentz | No |
| Councilman Severino | No |
| Councilman Acosta | Yes |
| Councilman Jimenez | Yes |
| Mayor Suarez | Yes |

Introduction of Ordinance No. 2163 entitled, “AN ORDINANCE AMENDING CHAPTER 328 OF THE CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED “RETAIL BUSINESS HOURS”

First Reading of Ordinance

Roll Call

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| Councilman Castelli | Yes |
| Councilman Todd | Yes |
| Councilman Vincentz | Yes |
| Councilman Severino | Yes |
| Councilman Acosta | Yes |
| Councilman Jimenez | Yes |

PROPOSED CONSENT AGENDA:

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| 92-2011 | Mayor Suarez | Appointment for Appraisal Services |
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| 97-2011 | Councilman Acosta | Approve Request for Private Inspection Facility at 520 Broad Avenue |
| 98-2011 | Councilman Jimenez | Return of Escrow Monies |
| 99-2011 | Councilman Acosta | Appointment of Housing Inspector |
| 101-2011 | Councilman Jimenez | Green Communities Grant Agreement |
| 102-2011 | Councilman Jimenez | Emergency Repair-Sanitary Sewer Lateral |
| 103-2011 | Mayor Suarez | Proclamation-Read Across America-NJ |
| 108-2011 | Councilman Jimenez | Authorize Emergency Management Agency Assistance Grant for 2011 |

Roll Call on Consent Agenda

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|---------------------|-----|
| Councilman Castelli | Yes |
| Councilman Todd | Yes |
| Councilman Vincentz | Yes |
| Councilman Severino | Yes |
| Councilman Acosta | Yes |
| Councilman Jimenez | Yes |

RESOLUTIONS:

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|---------|--------------|---------------------------------------|
| 91-2011 | Mayor Suarez | Appointment of Rent Leveling Attorney |
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Roll Call

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|---------------------|-----|
| Councilman Castelli | Yes |
| Councilman Todd | No |
| Councilman Vincentz | No |
| Councilman Severino | No |
| Councilman Acosta | Yes |
| Councilman Jimenez | Yes |
| Mayor Suarez | Yes |

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| 93-2011 | Councilman Jimenez | Authorize CFO to Pay Certain Obligations Prior to Regular Payment of Bills-TABLED |
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Roll Call

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| Councilman Castelli | Yes |
| Councilman Todd | Yes |
| Councilman Vincentz | No |
| Councilman Severino | No |
| Councilman Acosta | Yes |
| Councilman Jimenez | Yes |

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| 94-2011 | Councilman Jimenez | Appointment of Fund Commissioner to PAIC |
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Roll call

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| Councilman Castelli | Yes |
| Councilman Todd | No |
| Councilman Vincentz | No |
| Councilman Severino | No |
| Councilman Acosta | Yes |
| Councilman Jimenez | Yes |
| Mayor Suarez | Yes |

95-2011 Mayor Suarez Appointment to Planning Board- **NO COUNCIL VOTE NECESSARY**

Councilman Vincentz stated this appointment does not meet the definition of Borough Official.

96-2011 Councilman Acosta Award Janitorial Services Contract

Roll Call

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| Councilman Castelli | Yes |
| Councilman Todd | No |
| Councilman Vincentz | No |
| Councilman Severino | No |
| Councilman Acosta | Yes |
| Councilman Jimenez | Yes |
| Mayor Suarez | Yes |

100-2011 Councilman Jimenez Professional Services Agreement-Borough Attorney

Roll Call

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| Councilman Castelli | Yes |
| Councilman Todd | No |
| Councilman Vincentz | No |
| Councilman Severino | No |
| Councilman Acosta | Yes |
| Councilman Jimenez | Yes |
| Mayor Suarez | Yes |

104-2011 Councilman Jimenez Professional Services Agreement-Architect

Gary Bonacci the borough administrator stated there is no certification of funds and no method of funding this operation at this time. He feels the council should put into consideration; if this project isn't completed and Mayor and Council doesn't move it forward it could be a great deal of expense against the borough in architect bills that we really have no funding for and no certification. He believes if were going to bond this it

shouldn't be passed until the bond passes. There is no money into the budget to fund this. He believes an exploratory committee, spend \$ 5,000, if the \$ 5,000 is available, and once you have the location and have the size, scope and project then you can put a bond together and present it to the Mayor and Council and hoped its supported by the governing body and the tax payers. If the tax payers say no to five or ten million dollar bond for the facility we are still obligated to pay this architect his full Fee. Gary stated that right now were hiring an architect to do a full scope project and his fee of 4% on how many millions. Councilmen Castelli stated that we would only pay that if it's actually being built. Mayor Suarez stated that were hiring the architect right now at a preliminary bases. Mayor Suarez stated that were at the beginning stages and the project isn't defined yet, that a group of people will be meeting to get ideas together for this project. Gary Bonacci would like to know if there is a minimum and a maximum of obligation to this architect. Mayor Suarez believes that we aren't going to engage him. Gary Bonacci stated that we are in litigation with a prior architect for borough hall and it should be a lesson learned and not have the same problem occur again.

Roll Call

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| Councilman Castelli | Yes |
| Councilman Todd | Abstain |
| Councilman Vincentz | Yes, but do have concerns about the fees |
| Councilman Severino | Yes |
| Councilman Acosta | Yes |
| Councilman Jimenez | Yes |

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| 105-2011 | Councilman Jimenez | Professional Services Agreement-Substitute Public Defender |
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Roll Call

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| Councilman Castelli | Yes |
| Councilman Todd | Yes |
| Councilman Vincentz | Yes |
| Councilman Severino | Yes |
| Councilman Acosta | Yes |
| Councilman Jimenez | Yes |

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| 106-2011 | Councilman Jimenez | Professional Services Agreement-Borough Auditor |
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Roll Call

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| Councilman Castelli | Yes |
| Councilman Todd | No |
| Councilman Vincentz | No |
| Councilman Severino | No |
| Councilman Acosta | Yes |
| Councilman Jimenez | Yes |

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| Mayor Suarez | | Yes |
| 107-2011 | Councilman Jimenez | Engage Special Auditor to Perform Necessary Functions to Convert from Fiscal to Calendar Year |
| Roll Call | | |
| Councilman Castelli | | Yes |
| Councilman Todd | | No |
| Councilman Vincentz | | No |
| Councilman Severino | | No |
| Councilman Acosta | | Yes |
| Councilman Jimenez | | Yes |
| Mayor Suarez | | Yes |
| 109-2011 | Councilman Jimenez | Warrants revised |
| Roll Call | | |
| Councilman Castelli | | Yes |
| Councilman Todd | | Yes |
| Councilman Vincentz | | Yes |
| Councilman Severino | | Yes |
| Councilman Acosta | | Yes |
| Councilman Jimenez | | Yes |
| 110-2011 | Councilman Jimenez | Termination of F. Fuentes |
| Roll Call | | |
| Councilman Castelli | | Yes |
| Councilman Todd | | No |
| Councilman Vincentz | | No |
| Councilman Severino | | No |
| Councilman Acosta | | Yes |
| Councilman Jimenez | | Yes |
| Mayor Suarez | | Yes |
| 111-2011 | Councilman Vincentz | Hire Traffic Engineer for Transfer Station Traffic Study |
| Roll Call | | |
| Councilman Castelli | | Yes |
| Councilman Todd | | Yes |
| Councilman Vincentz | | Yes |

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| Councilman Severino | Yes |
| Councilman Acosta | Yes |
| Councilman Jimenez | Yes |

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| 112-2011 | Councilman Jimenez | Authorize E. Lenander to Review Past Zoning Board Attorney Invoices |
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Roll Call

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| Councilman Castelli | Yes |
| Councilman Todd | No |
| Councilman Vincentz | Yes |
| Councilman Severino | Yes |
| Councilman Acosta | Yes |
| Councilman Jimenez | Yes |

COMMENTS BY MAYOR:

Comment on the loss Frank Quintano, was great volunteer for the town and he will be missed; attended the senior citizens meeting on February 3rd; received a letter from Karen Reide to the Mayor and Council as per the Environmental Commission enabling the statue an annual report needs to be submitted by the Municipal Governing Body

Coin Toss Request:

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| Ridgefield Boro Athletic Organization Saturday, April 9, 2011 - 9:00 am-2:00 pm Saturday, June 4, 2011 – 9:00 am-2:00 pm | APPROVED |
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Special Permit for Social Affair:

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| Ridgefield PBA Local 330 Special Olympics Fundraiser 725 Slocum Avenue Saturday, April 2, 2011 – 7:00-11:00 pm | APPROVED |
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Raffles License Application:

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| Ridgefield Music Parents Organization 50/50 March 4-5, 2011 – 7:30-10:30 pm 555 Walnut Street | APPROVED |
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| Ridgefield Music Parents Organization 50/50 May 4, 2011 – 7:30-10:30 pm 555 Walnut Street | APPROVED |
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Councilman Severino: Commented on an article he noticed regarding the light rail, He would like to know if we could have a representation from New Jersey Transit come and speak regarding the light rail. Stated that he was disappointed with CFO that he didn't get a representative to come in.

Councilman Acosta: wished Michael Greco the best of luck

Councilman Jimenez: Requested that at the next work session they discuss the state comptroller letter regarding over charging by the prior borough attorney; commented on his attendance at the board of health meeting and thanked the DPW for their hard work during past few snow storms.

COMMENTS BY ADMINISTRATOR:

Gary Bonacci: thanked the 2009 Mayor and Council for appointing him as Borough administrator and thanked the many Borough employees whom together as a team accomplished so much in the short amount of time. Thanked the residents for their support, they have help him accomplish so much in the past fifteen months.

COMMENTS BY CITIZENS: (All speakers are limited to five minutes maximum per meeting)

Lisbette Gonzalez: inaudible

Gary Chartoff: requested some information, as many know he was the architect that designed the chair lift at borough hall, he has a contact and it stated that the final payment be made when the certificate of occupancy was issued, he would like to know if the CCO was issued for the chair lift. Gary Bonacci stated that Yes it was. Mayor Suarez stated there were concerns that the lift wasn't working but now it is working Councilmen Vincentz stated that if the council is in agreement, the warrant will be on the next warrant list, Council is in favor.

Gary Chartoff also commented on his work for the past years at borough hall, he would like to know if the certification was giving to Borough hall that complies to barrier free accessible to all . Councilman Castelli sated that No its not, because they have a report from the Building Dept, a checklist that still needs to be done to be ADA compliance

Mayor Suarez stated that there is a memo from the construction officials, and does mention some areas Gary Chartoff work on; "February 9, 2011 it states a comment was made at the January 6, 2011 Mayor and Council Meeting stating that the Building Inspector said Borough Hall was ADA compliance, that comment was in complete contradiction to what I told the mayor. Since then I evaluated ADA compliance at borough hall and enclosed is an ADA checklist with my findings; after your review the following information, you'll have a better understanding of what needs to be done to gain ADA compliance. The major issue is the accessible parking area based on the number of parking spaces, Three ADA parking space are required due to the existing

conditions the Police Department uses eight which would bring the total count done to fifty then only two ADA spaces would be required. Being that code doesn't have an expectations, they have to go with the worst case scenario, The parking spaces need to measure eight feet wide by nineteen feet long with a five foot long axis idle, two spaces can share one axial isle. The parking spaces and axle idle need to be at the same level and not exceed a one Colum 48 cross slope. The landing at the bottom of the ramp exceeds 1 Colum 48 cross slope. Only two issue remain to compile with the code; to level out the ADA parking area to the building, he figures you will have to raise parking area at the building at least eight to twelve inches to bring into the slopes maximum and suggest consulting with the borough engineer o the exact measurements and heights. I have no problem working with the borough engineer” the other main issue is one leaf on the double doors that lead into the court needs to be a minimum of 32 inches wide and the door hardware does not pass the close wrist test. The parking lot and ramp need to work in conjunction with the code; if one does not then you do not have an accessible path into the building”

Gary Chartoff: stated nothing was done with DMR architect regarding the recreation facility.

Nick Lento: Thanked the Borough of Ridgefield for being against Crown Carding.

Meeting Adjourned: 10:00P.M

Respectfully Submitted,

Linda M. Prina
Acting Borough Clerk