

BOROUGH OF RIDGEFIELD

A G E N D A

Work Session, Executive Session, and Regular Meeting of the Mayor and Council

Date: January 26, 2009

Open Public Meetings Statement by Mayor Suarez

Work Session: 5:30 P.M. C.T.O.:  
Adjourn:

- Presentation Proposed Development Broad and Grand Avenue Property
- Discussion Overpeck Creek Redevelopment

Mayor Suarez – Adjournment into closed Executive Session in accordance with the “Open Public Meetings Act”

Executive Session: 6:30 P.M. C.T.O.:  
Adjourn:

Public Session: 7:30 P.M. C.T.O.:  
Adjourn:

Pledge of Allegiance

Invocation: Reverend Len Masquelier  
English Neighborhood Reformed Church

Citizens Comment on Agenda:

Correspondence:

Approval of August 11, 2008 Public Session Meeting Minutes and January 5, 2009 Reorganization Meeting Minutes – APPROVED with comments

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Introduction of Ordinance No. 2075 entitled, “AN ORDINANCE AMENDING ORDINANCE NO. 1661 ENTITLED AN ORDINANCE FOR FIXING FEES OF THE RECREATION AND PARKS DEPARTMENT”

**ROLL CALL-WORK SESSION**

	PRESENT	ABSENT
Mayor Suarez	X	
Lonziserio	X	
Todd	X	
Vincentz	X	
Severino	X	
Castelli	X	
Acosta	X	

**ROLL CALL-EXEC. SESSION**

	PRESENT	ABSENT
Mayor Suarez	X	
Lonziserio	X	
Todd	X	
Vincentz	X	
Severino	X	
Castelli	X	
Acosta	X	

**ROLL CALL-PUBLIC SESSION**

	PRESENT	ABSENT
Mayor Suarez	X	
Lonziserio	X	
Todd	X	
Vincentz	X	
Severino	X	
Castelli	X	
Acosta	X	

First Reading of Ordinance

Roll Call

PROPOSED CONSENT AGENDA:

	Motion:	Second:
65-2009	Councilman Vincentz	Stipulation of Settlement-Plastic Specialities & Tech, Inc.
66-2009	Councilman Vincentz	Reduction in Assessed Valuation-792 Elm Avenue
67-2009	Councilman Vincentz	Senior Deduction-788 Abbott Avenue
68-2009	Councilman Vincentz	Overpayment of Taxes-590 Morse Avenue
69-2009	Councilman Vincentz	Overpayment of Taxes-501 Westview Avenue
70-2009	Councilman Vincentz	Tax Court Judgment-324 Broad Avenue
71-2009	Councilman Vincentz	Erroneous Assessment Collection-324 Broad Avenue
72-2009	Mayor Suarez	Mayors Wellness Campaign
73-2009	Councilman Vincentz	Dedication by Rider-Library Donations
74-2009	Councilman Vincentz	Return of Escrow Monies
75-2009	Mayor Suarez	Proclamation-Radon Action Month
76-2009	Councilman Todd	Authorize Animal Control Contract with Bergen County
77-2009	Councilman Lonziserio	Authorize Automated Emergency Telephone Alerting Service (C3) with Bergen County
78-2009	Councilman Lonziserio	Authorize Part-Time As Needed Hourly Rate for S. Seyr
79-2009	Councilman Lonziserio	Appoint Municipal Court Administrator
80-2009	Councilman Lonziserio	Professional Service Agreement-Borough Attorney-TABLED
81-2009	Councilman Lonziserio	Retainer Agreement with Charles Rabolli, Jr.-TABLED
82-2009	Councilman Lonziserio	Appoint Deputy Borough Administrator-REMOVED FROM CONSENT
83-2009	Councilman Lonziserio	Borough Photographer
84-2009	Councilman Vincentz	Professional Service Agreement-Borough Auditor-TABLED

**COUNCIL VOTE**

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

RESOLUTIONS:

85-2009	Councilman Vincentz	Warrants
86-2009	<i>Mayor Suarez</i>	<i>Professional Service Contract Fee Cuts-</i> <i>TABLED</i>
87-2009	<i>Mayor Suarez</i>	<i>Communication with Borough Professionals-</i> <i>TABLED</i>
88-2009	<i>Mayor Suarez</i>	<i>Appoint Mayor's Planning Board Alternate</i>
89-2009	<i>Mayor Suarez</i>	<i>Authorize Grant Agreement with NJDEP</i>
90-2009	<i>Councilman Vincentz</i>	<i>Appoint Ad Hoc Cell Tower Committee</i>
91-2009	<i>Councilman Lonzisero</i>	<i>Authorize Settlement Agreement Between Grand</i> <i>Summit Association and the Borough</i>
92-2009	<i>Councilman Lonzisero</i>	<i>Authorize to Advertise-Chipper</i>
93-2009	<i>Councilman Lonzisero</i>	<i>Authorize to Advertise-Truck</i>

COMMENTS BY MAYOR:

**Raffles License Applications:**

Special Olympics New Jersey  
50/50

APPROVED

Friday, April 17, 2009 – 5:30-11:00 p.m.  
Community Center, 725 Slocum Avenue

Sts. Vartanantz Armenian Church  
Calendar Raffle  
April 5-June 21, 2009 – 1:00 p.m.  
461 Bergen Boulevard

APPROVED

Unico of Ridgefield  
Casino Night  
February 21, 2009 – 7:00-11:00 p.m.  
Community Center, 725 Slocum Avenue

APPROVED

St. Matthews Church  
50/50  
February 22, 2009 – 1:15 p.m.  
March 29, 2009 – 1:15 p.m.  
555 Prospect Avenue

APPROVED

**Special Permit for Social Affair:**

Unico of Ridgefield  
February 21, 2009 – 7:00-11:00 p.m.  
Community Center, 725 Slocum Avenue

APPROVED

COMMENTS BY COUNCILMEN:

COMMENTS BY ADMINISTRATOR:

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

Agenda subject to change as a result of matters not known at time of printing with the consent of the Mayor and Council.

Respectfully submitted,

Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Mayor Anthony R. Suarez

BE IT RESOLVED, that the regular public meeting be adjourned, and that the Mayor and Council of the Borough of Ridgefield shall meet in a closed Executive Session following a five minute recess at the termination of this meeting. The purpose of the Executive Session shall be to discuss the following matters:

- \_\_\_\_\_ Personnel matters in various departments of the Borough.
- \_\_\_\_\_ Pending and Potential Litigation
- \_\_\_\_\_ Tax Court Litigation.
- \_\_\_\_\_ Potential real estate transactions in which the Borough may engage.

COUNCIL VOTE				
	YES	NO	ABSTAIN	ABSENT
Lonzifero				
Todd				
Vincentz				
Severino				
Castelli				
Acosta				
Mayor Suarez				

BE IT FURTHER RESOLVED, that as soon as practicable discussion concerning

- \_\_\_\_\_ Personnel matters
- \_\_\_\_\_ Potential real estate transactions shall be disclosed to the public.
- \_\_\_\_\_ And that discussions with the Borough Attorney concerning litigation shall be disclosed when said litigation is terminated.

Adjournment to Closed Session. The Mayor and Council reserve the right to reconvene into Public Session, if necessary, to take action on Closed Session items.

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Vincentz

ORDINANCE NO. 2075

BE IT ORDAINED by the Borough Council of the Mayor and Council of the Borough of Ridgefield that an Ordinance entitled

“AN ORDINANCE AMENDING ORDINANCE NO. 1661 ENTITLED AN ORDINANCE FOR FIXING FEES OF THE RECREATION AND PARKS DEPARTMENT”

introduced on the 26<sup>th</sup> day of January, 2009, do now pass a first reading and that said Ordinance be further considered for final passage at a regular meeting to be held on the 9<sup>th</sup> day of February, 2009 at 7:30 PM or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Community Center, 725 Slocum Avenue, in the Borough of Ridgefield, and that at such time and place, all persons interested be given an opportunity to be heard concerning the same, that the Borough Clerk be and he is hereby authorized and directed to publish in The Record, a newspaper circulating in the Borough of Ridgefield said Ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place when and where said Ordinance will be further considered for final passage.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Vincentz

ORDINANCE NO. 2075

BE IT ORDAINED by the Borough Council of the Mayor and Council of the Borough of Ridgefield that an Ordinance entitled

“AN ORDINANCE AMENDING ORDINANCE NO. 1661 ENTITLED, AN ORDINANCE FIXING FEES FOR PROGRAMS OF THE RECREATION AND PARKS DEPARTMENT”

BE IT ORDAINED by the Mayor and Council of the Borough of Ridgefield that the following programs by and within the Borough be added as follows:

Intro to Performing Arts (K-8 <sup>th</sup> grade)	\$40.00
Intro to Scrapbooking (6 <sup>th</sup> -8 <sup>th</sup> grade)	\$50.00

Section II. This ordinance shall take effect upon final passage and publication according to law.

Approved:

Attest:

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Anthony R. Suarez, Mayor

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Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 65-2009

WHEREAS, Plastic Specialties & Tech, Inc. has filed 2005-2008 tax appeals with the New Jersey State Tax Court challenging assessments on property located at 101 Railroad Avenue, Block 4014, Lots 12HM and 15HM;

WHEREAS, the original assessments for the aforesaid property were Seventeen Million One Hundred Eighty Six Thousand Five Hundred (\$17,186,500.00) Dollars in the aggregate, allocated Sixteen Million Seven Hundred Eighteen Thousand Five Hundred (\$16,718,500.00) Dollars for Lot 12HM and Four Hundred Sixty Eight Thousand (\$468,000.00) Dollars for Lot 15HM;

WHEREAS, Borough representatives have entered into extensive discovery and negotiation concerning the merits of the appeal and have further engaged in settlement discussions with the taxpayer's representatives;

WHEREAS, Borough representatives have proposed a settlement which the Borough Tax Assessor concurs in;

WHEREAS, the Governing Body has reviewed the terms of the proposed settlement and finds just cause accordingly;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that it does hereby authorize and approve a settlement as follows:

- (1) Taxpayer to withdraw its appeal for the 2005-2006 tax years which will result in affirming the tax assessment with no reduction in real estate taxes; for the year 2007, an adjusted aggregate assessment for Lots 12HM and 15HM of Sixteen Million (\$16,000,000.00) Dollars, which will be allocated Fifteen Million Five Hundred Thirty Two Thousand (\$15,532,000.00) Dollars for Lot 12HM and Four Hundred Sixty Eight Thousand (\$468,000.00) Dollars for Lot 15HM; for the year 2008, an adjusted aggregate assessment for Lots 12HM and 15HM of Fifteen Million Eight Hundred Sixty Eight Thousand (\$15,868,000.00) Dollars, which will be allocated Fifteen Million Four Hundred Thousand (\$15,400,000.00) Dollars for Lot 12HM and Four Hundred Sixty Eight Thousand (\$468,000.00) Dollars for Lot 15HM;
- (2) That the Special Tax Attorney is hereby authorized to execute the necessary Stipulation of Settlement for filing with the Tax Court;

- (3) That the foregoing settlement is subject to approval thereof by taxpayer;
- (4) That upon receipt of the Tax Court Judgment, the Tax Collector is hereby authorized and directed to calculate the amount of the refund and cause same to be paid to the taxpayer, without statutory interest, within sixty (60) days from the date of the Tax Court Judgment.

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 66-2009

WHEREAS, reductions in assessed valuation for the year 2008 were granted by the Bergen County Board of Taxation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that refunds be issued in accordance with the following schedule:

<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY OWNER</u>	<u>AMOUNT</u>
204	2	In Young Jang 792 Elm Avenue	\$1,836.92

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Chief Financial Officer / Treasurer be and he is hereby authorized to issue checks in accordance with the above schedule.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 67-2009

WHEREAS, the property owner at 788 Abbott Avenue, also known as Block 307 Lot 1 in the Borough of Ridgefield, was to receive a Senior Deduction for the year 2008 which was erroneously removed from the tax bill;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that a refund in the amount of \$250.00 be given to Charles Nietzsche for the year 2008;

BE IT FURTHER RESOLVED that the Chief Financial Officer/Treasurer be and he is hereby authorized to issue a check in the total amount of \$250.00 made payable to Charles Nietzsche and mailed to 788 Abbott Avenue, Ridgefield, New Jersey 07657.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 68-2009

WHEREAS, an overpayment of taxes in the Borough of Ridgefield was received for the fourth quarter 2008 taxes on Block 2103 Lot 10, further known as 590 Morse Avenue;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that a refund in the amount of \$1,913.34 for the fourth quarter 2008 be issued to Robert Siciliano;

BE IT FURTHER RESOLVED that the Chief Financial Officer/Treasurer be and he is hereby authorized to issue a check in the total amount of \$1,913.34 made payable to Wells Fargo Real Estate Tax Services, LLC and mailed to Attn: Financial Support Unit-Region 1, 1 Home Campus, MAC X2302-04D, Des Moines, IA 50328-0001.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 69-2009

WHEREAS, an overpayment of taxes in the Borough of Ridgefield was received for the third and fourth quarter 2008 taxes on Block 2505 Lot 17, further known as 501 Westview Avenue;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that a refund in the amount of \$1,744.37 for the third quarter and \$1,744.37 for the fourth quarter be issued to Faruk and Syzana Xhakli;

BE IT FURTHER RESOLVED that the Chief Financial Officer/Treasurer be and he is hereby authorized to issue a check in the total amount of \$3,488.74 made payable to Citi Mortgage and mailed to Attn: Refunds, PO Box 23689, Rochester NY 14692.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 70-2009

WHEREAS, the Tax Court of New Jersey has approved the settlement stipulation for an adjusted assessment on Block 3704 Lot 4, also known as 324 Broad Avenue for the years 2005, 2006 and 2007;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that William Ackerman be issued a refund in the amount of \$587.34 for the year 2005, \$900.83 for 2006 and \$1,037.09 for the year 2007.

BE IT FURTHER RESOLVED that the Chief Financial Officer be and he is hereby authorized to issue a check in the total amount of \$2,525.26 made payable to Alfred V. Acquaviva, Esq. Trust Account and mailed to Acquaviva, c/o 100 Hamilton Plaza, Suite 12, Paterson New Jersey 07505.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonziserio	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 71-2009

WHEREAS, according to the Bergen County Board of Taxation, the assessment on Block 3704 Lot 4, also known as 324 Broad Avenue, for the year 2008 was \$600,000.00 and should have been \$650,000.00 in our tax records causing a \$745.50 underpayment by the property owner;

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that there is an open balance for the year 2008 on Block 3704 Lot 4 due to an erroneous assessment;

BE IT FURTHER RESOLVED that the property owner pays the Borough of Ridgefield the balance of \$745.50 to cover the 2008 open billing on Block 3704 Lot 4 payable within 30 days of date of resolution.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Mayor Suarez

RESOLUTION NO. 72-2009

WHEREAS, fifty-five percent of New Jersey residents are obese or overweight; and

WHEREAS, medical expenses for treating problems related to obesity in our state total billions annually; and

WHEREAS, New Jersey has reported the highest incidence in the nation in obesity among low-income kids aged 2-5 years; and

WHEREAS, the current generation of children in America may have shorter life expectancies than their parents; and

WHEREAS, the Mayors Wellness Campaign supports Mayors as champions of community health; and

WHEREAS, the goal of the campaign is to improve health, reduce health care costs related to obesity, and make New Jersey a national leader in community-based health interventions; and

WHEREAS, the Mayors Wellness Campaign seeks to foster active living and healthy lifestyles by providing communities the structure and resources to implement healthy community initiatives; and

WHEREAS, the Mayors Wellness Campaign will work to implement a comprehensive program of outreach, education and technical assistance activities to combat obesity and inactivity issues for the Borough of Ridgefield;

WHEREAS, the Borough of Ridgefield cares deeply about all of its citizens and the future health of its children; and

BE IT RESOLVED, that, I, Anthony R. Suarez, Mayor of the Borough of Ridgefield ask that all residents of this community join me in supporting the Mayors Wellness Campaign, and be it further; and

BE IT FURTHER RESOLVED, that I encourage the residents of the Borough of Ridgefield to participate in Mayors Wellness Campaign activities to promote exercise, eating properly and living healthier and better lives.

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

Approved:

Attest:

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Anthony R. Suarez, Mayor

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Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 73-2009

WHEREAS, N.J.S.A. 40A:4-39 provides for the insertion of a "Dedication by Rider" in the Budget of any local unit which dedicates revenues anticipated during the fiscal year, subject to written prior consent of the Director of the Division of Local Government Services, when the revenue is not subject to reasonably accurate estimate in advance; and

WHEREAS, such dedicated revenues shall be appropriated for the purpose to which said revenue is dedicated by statute or other legal requirements:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield, that funds received for Library Donations are hereby dedicated and shall be made available for expenditures for the purpose stated above as and when received in cash during the fiscal year.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Ridgefield that all revenue received by the Borough of Ridgefield be placed in a specific trust fund and such transfer shall be considered a "Dedication by Rider" to the budget of the local unit, pursuant to N.J.S.A. 40A:4-39 for the sole purpose stated above.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Ridgefield that two (2) certified copies of the resolution be filed with the Director of Local Government Services.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 74-2009

WHEREAS, the following applicants have posted legal and engineering fees for development with the Planning Board or Zoning Board of Adjustment;

<u>Block</u>	<u>Lot</u>	<u>Applicant</u>		<u>Amount</u>
3803	15	Mac Brothers Developers	843 Pleasantview Terr	\$ 191.50
0205	10	Mac Brothers Developers	611 Elm Avenue	2,000.00
1906	11	Kim, Nam	574 Stewart Street	80.00
3406	17	Castella, Dr. Frank	404 Abbott Avenue	298.75
2502	10	560 Bergen Blvd, LLC	560 Bergen Boulevard	500.00
3209	4	O’Kane, Hugh	363 Oak Street	40.00
1103	12	Contempo Int’l, Inc.	801 Broad Avenue	730.25
0710	1&2	T-Mobile	4 Sylvan Way	1,130.48
1303	9	Truncellito, Anthony	3 Studio Court #1	290.00
3804	3	Christina Builders, Inc.	367 Morse Avenue	100.00
2801	9	WJB International	502 Broad Avenue	291.25
1801	1	Century Conveyor	1 Bell Drive	904.86

WHEREAS, Borough professionals have determined that all required improvements have been satisfactorily completed and all fees due for services rendered have been received:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Borough Treasurer is and hereby authorized to return the balance of escrow monies to the applicant.

Approved:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

Attest:

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Mayor Suarez

Proclamation  
RESOLUTION NO. 75-2009

WHEREAS, radon is a naturally occurring radioactive gas that is the second leading cause of lung cancer, causing as many as 500 lung cancer deaths annually in New Jersey; and

WHEREAS, elevated radon levels are found in many homes and pose a serious health threat to families residing in these homes; and

WHEREAS, any home may have high levels of radon even if neighboring homes do not; and

WHEREAS, radon testing is easy and inexpensive and elevated levels of radon can be effectively reduced at the cost of a typical home repair; and

WHEREAS, a significant number of homes in Ridgefield have elevated levels of radon;

WHEREAS, by mitigating homes with radon concentrations at or above 4pCi/L in New Jersey, 140-250 lives are saved annually.

NOW, THEREFORE, I, Anthony R. Suarez, Mayor of Ridgefield, on behalf of the Borough of Ridgefield Town Council and residents of Ridgefield, do hereby proclaim

JANUARY 2009  
AS  
RADON ACTION MONTH

in the Borough of Ridgefield and call upon all residents who have not yet tested to test their homes for radon and to reduce radon levels if elevated levels are found, to protect their families from the serious health risk of radon.

Approved:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

Attest:

\_\_\_\_\_  
Martin A. Gobbo, Borough Clerk

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Todd

RESOLUTION NO. 76-2009

WHEREAS, there is a need for animal control services within the Borough of Ridgefield; and

WHEREAS, the County of Bergen has proposed to provide said services to the Borough pursuant to a certain contract, a form of which is attached hereto; and

WHEREAS, said contract has been recommended by the Borough's Health Officer; and

WHEREAS, said contract is exempt from public bidding inasmuch as the contract is with a subdivision of the State of New Jersey, that being the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield as follows:

1. An agreement with the County of Bergen to provide animal control services through the Bergen County Animal Shelter, according to the terms and provisions of a certain contract, the form of which is attached hereto, be and which is approved.
2. The Mayor and the Borough Clerk be and hereby are authorized to execute said contract on behalf of the Borough of Ridgefield.

Approved:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

Attest:

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Lonziserro	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Lonzisero

RESOLUTION NO. 77-2009

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the attached agreement between the County of Bergen and the Borough of Ridgefield to provide automated emergency telephone alerting services is hereby approved; and

BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk be and hereby are authorized to execute said contract on behalf of the Borough of Ridgefield.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Lonzisero

RESOLUTION NO. 78-2009

WHEREAS, Stephanie Seyr, Municipal Court Administrator, has stated her intention to retire from the Borough's employ effective February 1, 2009; and

WHEREAS, Stephanie Seyr is available to work on a part-time, as needed basis during the transition period;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield as follows:

1. Stephanie Seyr is hereby authorized to work on a part-time basis for Municipal Court Administrator coverage and other assistance at the rate of \$25.00 per hour, 5 hours minimum per day on an as needed basis.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Lonzisero

RESOLUTION NO. 79-2009

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that

JASNA GEGA

be appointed Municipal Court Administrator effective February 1, 2009 for the remainder of Calendar Year 2009 at a salary of \$52,000.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Lonzisero

RESOLUTION NO. 80-2009

WHEREAS, the Borough of Ridgefield required the services of a Borough Attorney to undertake certain general legal services for the Borough; and

WHEREAS, the need for such specified professional services to be rendered or performed by a person or persons authorized by law to practice a recognized profession, is regulated by law within the meaning of N.J.S.A. 40A:11-1, et seq., as amended; and

WHEREAS, the performance of such professional services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized training study, as distinguished from general academic instruction or apprenticeship and training; and

WHEREAS, said professional services cannot reasonably be described by written specifications; and

WHEREAS, the Borough of Ridgefield issued Requests for Qualifications for the services of an attorney to serve as Borough Attorney to be appointed as a fair and open contract pursuant to the provisions of N.J.S.A 19:44A-20.1 et seq. and received responses thereto; and

WHEREAS, the Chief Financial Officer of the Borough of Ridgefield determined and certified in writing that the value of the contract may exceed \$17,500.00; and

WHEREAS, funds are available for this purpose and a Certificate of Availability has been filed by the Chief Financial Officer of the Borough of Ridgefield with the Borough Clerk in accordance with the Local Budget Law, N.J.S.A. 40A:4-57 and N.J.A.C: 5:34-5.2; and

WHEREAS, by Resolution No. 1-2009 Douglas F. Doyle, Esq. of DeCotiis FitzPatrick Cole & Wisler, LLP was appointed as Borough Attorney for the calendar year 2009 pursuant to the terms and conditions contained in a professional services agreement which provided for a retainer fee of \$49,500.00 for the drafting of ordinances, resolutions, contracts and for contract review, drafting and review of bid specifications and attendance at Borough Council Meetings and for attendance at Borough Council Meetings and further provided for an hourly fee of \$100.00 for work performed by the Borough Attorney for unique and special services as may be requested by the Borough from time to time; and

WHEREAS, such appointment for Borough Attorney was made as a fair and open contract pursuant to the provisions of N.J.S.A 19:44A-20.1 et seq. by the Borough of Ridgefield; and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A., 40A:11-1, et seq., as amended, Resolution 1-2009 was duly publicly advertised; and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A., 40A:11-1, et seq., as amended, this Resolution must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Ridgefield as follows that:

1. The Borough Council of the Borough of Ridgefield, in accordance with the Local Public Contracts Law, hereby authorizes and approves the Professional Services Contract to Douglas F. Doyle, Esq. of the firm of DeCotiis, FitzPatrick, Cole & Wisler, LLP, which Contract was appointed pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.1 et seq., as Borough Attorney, in accordance with the terms of the Contract for Professional Services attached hereto, which provides for a yearly retainer fee of \$49,500.00 for the drafting of ordinances, resolutions, contracts and for contract review, drafting and review of bid specifications and attendance at Borough Council Meetings and which further provides that the Borough Attorney or any attorney on his staff shall be paid an hourly rate of One Hundred Dollars (\$100.00) for legal services by attorneys and an hourly rate of Sixty-Five Dollars (\$65.00) for services performed by a paralegal or a law clerk for unique or special services as may be requested by the Borough from time to time; and

2. The Mayor and Borough Clerk are hereby authorized and directed to execute, seal and deliver said attached Contract for Professional Services on behalf of and in the name of the Borough of Ridgefield; and

3. That the Determination of Value shall be placed on file with this Resolution; and

4. That a copy a Notice of this Resolution shall be published as required by law within ten (10) days of its passage.

TABLED:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

Attest:

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

**COUNCIL VOTE TO TABLE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

CONTRACT FOR PROFESSIONAL SERVICES WITH  
BOROUGH ATTORNEY

THIS IS A CONTRACT for professional services by and between the Borough of Ridgefield, County of Bergen, State of New Jersey, hereinafter the "BOROUGH", and Douglas F. Doyle, Esq., of DeCotiis, FitzPatrick, Cole & Wisler, LLP, having offices at 500 Frank W. Burr Boulevard, Suite 31, Glenpointe Centre West, Teaneck, New Jersey, hereinafter the "ATTORNEY".

WHEREAS, the Mayor and Council of the Borough of Ridgefield have appointed Douglas F. Doyle, Esq. as Borough Attorney for the calendar year 2009; and

WHEREAS, pursuant to law, the Mayor and Council have authorized the Mayor and Borough Clerk to enter into an Agreement with the ATTORNEY for professional services as Borough Attorney without competitive bid; and

WHEREAS, it is desirable and appropriate that the parties enter into a formal contract to memorialize the rights, duties and obligations of the parties.

NOW, THEREFORE, IT IS AGREED by and between the parties, in consideration for the mutual promises and covenants contained herein, as follows:

1. ENGAGEMENT: The BOROUGH hereby engages the ATTORNEY to serve as Borough Attorney for the calendar year 2009, or until his successor qualifies. The ATTORNEY hereby accepts such engagement and agrees to provide the services required under this Agreement.
2. SCOPE OF SERVICES: The ATTORNEY shall perform all appropriate legal services for the BOROUGH, including all matters which, in the reasonable opinion of the Mayor and Council, should be referred to the ATTORNEY and all matters which, by law, and/or tradition, should be referred to and handled by the ATTORNEY, including but not limited to all litigation and attendance at all regularly scheduled meetings of the Mayor and Council.
3. PAYMENT FOR SERVICES: The BOROUGH agrees to pay to the ATTORNEY for services rendered pursuant to this Agreement, the sum of Forty-Nine Thousand Five Hundred Dollars (\$49,500.00) per annum payable bi-weekly or in other regular installments,.
4. UNIQUE OR SPECIAL SERVICES: Services of a unique or special nature or character, to be rendered by the ATTORNEY, shall require special compensation beyond that specified in Paragraph 3 above. Specifically, the following services which may or may not relate to litigation, including but not limited to litigation in the United States District Court, United States Court of Appeals, United States Supreme Court, Superior Court of the State of New Jersey, Appellate Division of the Superior Court of New Jersey or the New Jersey Supreme

Court, BCUA or Department of Environmental Protection or any other State of Federal Administrative agency, Municipal tax issues, the issues before the Public Employment Relations Commission (PERC), Board of Health, land use issues including redevelopment and any derivative thereof, violation of ordinances, Labor and/or any Contractual issue(s) are deemed to be services of a unique or special nature or character under this Agreement. In the event that unique or special services are to be rendered by the ATTORNEY to the BOROUGH, the ATTORNEY shall be remunerated for these services at an hourly fee of One Hundred Dollars and no/100 (\$100.00) per hour.

5. INCORPORATION OF CERTAIN PROVISIONS:

A. The parties to this Agreement agree to incorporate into same the mandatory language of Subsection 3.4(a) of the Regulations promulgated by the Department of the Treasury, pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time, and the ATTORNEY agrees to fully comply with the terms, provisions and obligations of said regulation, provided that said Subsection shall be applied subject to the terms of Subsection 3.4(d) of said regulations.

B. The parties to this Agreement agree to incorporate into same the mandatory language of Section 5.3 of the Regulations promulgated by the Department of the Treasury pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the ATTORNEY agrees to comply fully with the terms, provisions and obligations of said regulation.

6. Pursuant to P.L. 1975, c. 127 (N.J.A.C. 17:27), during the performance of this contract, the contractor agrees as follows:

A. The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. The contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this non-discrimination clause.

B. The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation.

C. The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract

or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

D. The contractor or subcontractor, where applicable, agrees to comply with the regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the Americans with Disabilities Act.

E. The contractor or subcontractor agrees to attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.

F. The contractor or subcontractor agrees to inform in writing appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

G. The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

H. The contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

I. The contractor and its subcontractors shall furnish such reports or other documents to the Affirmative Action Office as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Affirmative Action Office for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (N.J.A.C. 17:27), as may hereinafter be amended.

IN WITNESS WHEREOF, the parties have set their hands and seals on the day and year affixed next to their respective signatures.

ATTEST:

BOROUGH OF RIDGEFIELD

---

Martin A. Gobbo  
Borough Clerk

---

Anthony R. Suarez  
Mayor

Date:

Date:

WITNESS:

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---

Douglas F. Doyle, Esq.  
DeCotiis, FitzPatrick, Cole & Wisler, LLP

Date:

Date:

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Lonziser

RESOLUTION NO. 81-2009

BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Borough Administrator is hereby authorized to execute the attached Retainer Agreement by and between the Borough of Ridgefield and Charles Rabolli, Jr. of the law firm of Carlet, Garrison, Klein & Zaretsky, LLP for professional services related to the pending appeal between the Borough and Grand Summit Association, Inc.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified the availability of funds for this contract.

COUNCIL VOTE TO TABLE

	YES	NO	ABSTAIN	ABSENT
Lonziser	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

TABLED:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Lonzisero

RESOLUTION NO. 82-2009

WHEREAS, the Governing Body has determined there is a need for a Deputy Administrator; and

WHEREAS, the Former Ridgefield Mayor Stewart Veale has substantial experience in Borough affairs; and

WHEREAS, the Ridgefield Code provides for the position of Deputy Administrator who shall be appointed by the Mayor with the advice and consent of the Borough Council or, upon failure of the Mayor to do so, by the Borough Council; and

WHEREAS, the Ridgefield Code provides that the Deputy Administrator shall receive such compensation as shall be fixed from time to time by the Governing Body and the term of the appointment of the Deputy Municipal Administrator shall be at the pleasure of the Governing Body; and

WHEREAS, the Mayor has failed to appoint a Deputy Administrator; and

WHEREAS, the Governing Body has determined that the appointment of the Deputy Administrator shall be on for one year or until a successor is appointed, whichever is later; and

WHEREAS, the salary for the Deputy Administrator shall be up to and not exceed \$14,750 per year which salary is consistent with Section 92-1 of the Borough Code and shall be paid in a manner consistent with all other Borough employees and Borough Cell Phone privileges.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the appointment of Stewart Veale as Deputy Administrator for one year or until a successor is appointed, at the yearly salary of up to but not to exceed \$14,750, is hereby approved.

Approved:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

Attest:

\_\_\_\_\_  
Martin A. Gobbo, Borough Clerk

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli		X		
Acosta		X		
Mayor Suarez				

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Lonziserio

RESOLUTION NO. 83-2009

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that

STEPHEN PELLINO

and

DAVID PARLIAMENT

be appointed as Borough Photographer at no cost to the Borough.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonziserio	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 84-2009

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield as follows:

1. Jeffrey C. Bliss of Lerch, Vinci & Higgins, LLP is hereby appointed as Borough Auditor for calendar year 2009 according to the terms and conditions of a certain professional services agreement which is attached hereto.
2. The Mayor and the Borough Clerk be and hereby are authorized and directed to execute the attached Professional Services Agreement with Jeffrey C. Bliss of Lerch, Vinci & Higgins, LLP.
3. A notice of this action shall be printed in The Record.
4. A copy of this Resolution and a copy of the attached contract shall be made available for public inspection as required by law.

COUNCIL VOTE TO TABLE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

TABLED:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

The undersigned, being the Chief Financial Officer of the Borough of Ridgefield, County of Bergen, New Jersey, and the person charged with the responsibility of maintaining financial records of said Borough in accordance with N.J.S.A. 40:4-57 and the rules of the Local Finance Board of the State of New Jersey adopted thereunder, does hereby certify that there are adequate funds available for the payment of the attached list of invoices, duly adopted by said Borough, and which said list indicates the specific line item of said budget to which expenditures shall be charged.

---

Joseph Luppino,  
Chief Financial Officer

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 85-2009

BE IT RESOLVED, that warrants totaling \$1,201,570.91  
be drawn on the following accounts:

CURRENT	\$1,176,223.58
TRUST	\$12,107.40
CAPITAL	\$9,551.04
POOL	\$3,670.89
DOG LICENSE	\$18.00
<b>TOTAL</b>	<b>\$1,201,570.91</b>

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Mayor Suarez

RESOLUTION NO. 86-2009

WHEREAS, the financial crisis that is gripping our country has effected every resident of the Borough of Ridgefield in one way or another; and

WHEREAS, now, more than ever, is the time for the members of the Ridgefield Mayor and Council to work in a bi-partisan manner to do the business for the residents of the Borough of Ridgefield; and

WHEREAS, there are a number of professional services agreements for adoption at the January 26, 2009 meeting of the Ridgefield Mayor and Council involving the Borough's legal and financial professionals; and

WHEREAS, it is in the best interests of the residents of the Borough of Ridgefield to keep taxes as low as possible so that they can afford to pay their expenses in this severe and serious economic situation;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that all professional service fees contained in the within professional service contracts, shall be cut by 20%, and those savings shall provide for taxpayer relief for the residents of the Borough of Ridgefield.

COUNCIL VOTE TO TABLE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

TABLED:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Mayor Suarez

RESOLUTION NO. 87-2009

WHEREAS, in the present economic environment, it is necessary to cut all unnecessary waste out of the municipal budget, and allow the Borough Administrator to conduct all municipal business in as cost efficient a manner as possible; and

WHEREAS, a number of expenses have been accrued by the Borough of Ridgefield which are unnecessary, including, but not limited to, traffic studies that could have been conducted by the Borough's Police Department, and not a professional engineer at additional cost to the Borough; and

WHEREAS, the Borough Administrator should be the only individual to communicate with the town professionals so that work can be done in a cost efficient manner, after the Administrator receives direction from the Mayor and Council, and not just one Councilperson;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that no member of the Mayor and Council is to individually communicate with any town professional without a majority consensus from the Governing Body, and the communication with the professional is to be done through the Borough Administrator;

BE IT ALSO RESOLVED that no more traffic studies are to be conducted by Boswell Engineering as the same are not necessary as our Police Department is fully capable of engaging in such activity.

COUNCIL VOTE TO TABLE

	YES	NO	ABSTAIN	ABSENT
Lonziserio	X			
Todd	X			
Vincentz	X			
Severino		X		
Castelli	X			
Acosta	X			
Mayor Suarez				

TABLED:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Mayor Suarez

RESOLUTION NO. 88-2009

BE IT RESOLVED that the Mayor appoints

WILLIAM WALLISTER

as the Mayor's Alternate on the Planning Board for calendar year 2009.

**MAYOR'S APPOINTMENT – NO COUNCIL VOTE**

Approved:

Attest:

---

Anthony R. Suarez, Mayor

---

Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Todd

RESOLUTION NO. 89-2009

WHEREAS, the New Jersey Department of Environmental Protection has awarded to the Borough of Ridgefield a grant in the amount of \$25,000 under its 2008 Community Stewardship Incentive Program; and

WHEREAS, the above mentioned sum is to be used for implementing projects identified in the Borough's state-approved Community Forestry Management Plan; and

WHEREAS, the aforesaid project is in the best interest of the residents of the Borough of Ridgefield.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Ridgefield hereby confirm endorsement of the aforesaid project.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to sign the Agreement between the Borough of Ridgefield and the Department of Environmental Protection, a copy of which is attached hereto.

BE IT FURTHER RESOLVED that a certified copy of this Resolution and the agreement shall be sent to the New Jersey Department of Environmental Protection.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincenz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 90-2009

BE IT RESOLVED that the Borough Council appoints

GARY CHARTOFF  
STEVEN KEDES  
DAVID PARLIAMENT  
JOSEPH SPADOLA

to the ad hoc Cell Tower Committee for calendar year 2009.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli		X		
Acosta		X		
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A, Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Lonzisero

RESOLUTION NO. 91-2009

WHEREAS, the Borough of Ridgefield has been involved in a certain litigation in the Appellate Division of New Jersey entitled "Borough of Ridgefield vs. Borough of Ridgefield Zoning Board of Adjustment and Grand Summit Association, Inc. Docket No. A-005045-07T1"; and

WHEREAS, said litigation was recently negotiated for settlement by and between Plaintiff and Defendant and a potential settlement has been reached; and

WHEREAS, the terms of that potential settlement are contained in a certain Stipulation of Settlement which is attached hereto; and

WHEREAS, the Borough Attorney and Special Counsel have negotiated and recommended the proposed settlement according to the terms annexed hereto; and

WHEREAS, it is in the best interests of the Borough to settle the litigation on those terms; and

WHEREAS, the Borough Attorney and Special Council prepared the Stipulation of Settlement on behalf of the Borough, subject to the approval of the Mayor and Council;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Stipulation of Settlement in the form as annexed hereto be and hereby is approved; and

BE IT FURTHER RESOLVED that the Council President and Borough Clerk are hereby authorized and directed to execute the Stipulation of Settlement, if required, or such other indicia of approval by the Council President as may be required.

Approved:

\_\_\_\_\_  
Nicholas Lonzisero, Council President

Attest:

\_\_\_\_\_  
Martin A. Gobbo, Borough Clerk

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd		X		
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

## **S E T T L E M E N T   A G R E E M E N T**

**WHEREAS**, plaintiff Borough of Ridgefield (“Ridgefield”) filed an Action in Lieu of Prerogative Writ against defendants Borough of Ridgefield Zoning Board of Adjustment (the “Board”) and Grand Summit Association, Inc. (“Grand Summit”) in the Superior Court of New Jersey, Law Division, Bergen County, under Docket Number BER-L-1731-07 (the “Litigation”);

**WHEREAS**, the Borough contends in the Litigation that a variance granted by the Board to Grand Summit on or about January 18, 2007 with respect to real property located on the Tax Map of the Borough at Block No. 1601, Lot 2 (the “Property”), was improper and should not have been granted because, among other things, the variance is in violation of the governing ordinance, is barred by res judicata, was issued in a proceeding presided over by the Board’s Chairman who Ridgefield contends had a conflict;

**WHEREAS**, the Trial Court in the Litigation issued a Judgment and Opinion in favor of defendants and dismissing the Borough’s Complaint in the Litigation;

**WHEREAS** the Borough has filed a timely Notice of Appeal and initial Brief with the Superior Court of New Jersey, Appellate Division, proceeding under Docket Number A-005045-07T1, appealing the Trial Court’s decision in the Litigation (the “Appeal”);

**WHEREAS**, the parties seek to amicably resolve their differences, the Borough, the Board and Grand Summit hereby enter into the following conditional settlement:

1. The Property shall be developed pursuant to plans dated December 22, 2008 which Grand Summit submitted to the Mayor and Council on January 26, 2009 (the “Plan”).
2. Grand Summit shall make formal application to the Ridgefield Zoning Board of Adjustment (the “Board”) for Use Variance and Site Plan Approval for the Plan.
3. Grand Summit’s application to develop the Property pursuant to the Plan shall be subject to all of the conditions which apply under law to such applications including, but not limited to, proper notice, a public hearing, a public vote, and a written resolution.
4. Any approval of the Plan, including any related issues concerning variances or permits, shall be subject to the challenge pursuant to the law, rules and procedure, and deadlines governing Actions in Lieu of Prerogative Writ.

5. The Board will schedule and hold a special meeting, at Grand Summit's expense, to consider Grand Summit's application for approval of the Plan.

6. This settlement is conditioned upon Grand Summit's application to the Board, the Board's approval of the Plan, and the public's ability to challenge the approval of the Plan by Action in Lieu of Prerogative Writ, subject to the law, rules and procedure, and deadlines governing Actions in Lieu of Prerogative Writ.

7. Pursuant to Whispering Woods At Bamm Hollow, Inc. vs. Township of Middletown Planning Bd., 220 N.J. Super. 161 (Law Div. 1987), the Appellate Division shall retain jurisdiction of the Appeal unless and until the Plan is approved by the Board, and all applicable appeal periods relating to an approval has expired without the filing of an appeal, challenging the approval by the Board. If an appeal is filed challenging the Board's approval, the Appellate Division shall retain jurisdiction of the Appeal until the challenge to the Board's approval of the Plan is affirmed. If the Board denies the application for approval of the Plan or if the Board's approval of the Plan is overturned by any appeal of the Board's decision, then the Appellate Division shall retain jurisdiction of the Appeal, and the Appeal shall continue to ultimate resolution by the Appellate Division.

8. If the Plan is approved by the Board and all time periods to challenge the Board's approval of the Plan have expired, and Grand Summit has obtained the right to construct improvements on the Property in accordance with the Plans, with such modifications as are acceptable to Grand Summit in Grand Summit's sole discretion, then the parties in the Litigation shall promptly execute and file a Stipulation of Dismissal of the Appeal and the Appellate Division shall no longer have jurisdiction of the Appeal or the Litigation.

9. This Settlement Agreement may be executed by facsimile and in counterparts.

BOROUGH OF RIDGEFIELD

By: \_\_\_\_\_

Date: \_\_\_\_\_

COUNSEL FOR DEFENDANT  
GRAND SUMMIT

COUNSEL FOR DEFENDANT  
BOROUGH OF RIDGEFIELD  
ZONING BOARD OF ADJUSTMENT

\_\_\_\_\_  
PATRICK PAPALIA, ESQ.

\_\_\_\_\_  
DAVID S. LAFFERTY, ESQ.

Date: \_\_\_\_\_

Date: \_\_\_\_\_

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Lonziserio

RESOLUTION NO. 92-2009

BE IT RESOLVED that the Borough Clerk be and is hereby authorized and directed to advertise for bids for:

“CHIPPER FOR USE BY THE DEPARTMENT OF PUBLIC WORKS”

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonziserio	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting January 26, 2009

Presented by Councilman Lonzisero

RESOLUTION NO. 93-2009

BE IT RESOLVED that the Borough Clerk be and is hereby authorized and directed to advertise for bids for:

“MASON DUMP TRUCK FOR USE BY THE DEPARTMENT OF PUBLIC WORKS”

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero	X			
Todd	X			
Vincentz	X			
Severino	X			
Castelli	X			
Acosta	X			
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

\_\_\_\_\_  
Martin A. Gobbo,  
Borough Clerk