

BOROUGH OF RIDGEFIELD

A G E N D A

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

Date: June 22, 2009

Open Public Meetings Statement by  
Mayor Suarez

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

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:

**ROLL CALL-WORK SESSION**

	PRESENT	ABSENT
Mayor Suarez		
Lonziserio		
Todd		
Vincentz		
Severino		
Castelli		
Acosta		

**ROLL CALL-EXEC. SESSION**

	PRESENT	ABSENT
Mayor Suarez		
Lonziserio		
Todd		
Vincentz		
Severino		
Castelli		
Acosta		

**ROLL CALL-PUBLIC SESSION**

	PRESENT	ABSENT
Mayor Suarez		
Lonziserio		
Todd		
Vincentz		
Severino		
Castelli		
Acosta		

As advertised, hearing will be held on Ordinance No. 2103 entitled, “AN ORDINANCE AMENDING CHAPTER 390 OF THE CODE OF THE BOROUGH OF RIDGEFIELD PERTAINING TO RETAINING WALLS”

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

Public Hearing

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

Final Reading of Ordinance

Roll Call

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As advertised, hearing will be held on Ordinance No. 2104 entitled, "AN ORDINANCE AMENDING CHAPTER 390 OF THE CODE OF THE BOROUGH OF RIDGEFIELD SETTING REGULATIONS REGARDING STEEP SLOPES"

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

Public Hearing

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

Final Reading of Ordinance

Roll Call

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As advertised, hearing will be held on Ordinance No. 2105 entitled, "A CAPITAL ORDINANCE SUPPLEMENTING AND AMENDING CAPITAL ORDINANCE NO. 1928 ADOPTED ON MAY 23, 2005, PROVIDING FOR AN ADDITIONAL SUM OF \$35,000 FOR THE RESURFACING OF AND IMPROVEMENTS TO VETERANS MEMORIAL PARK AND EDISON STREET AND TO APPROPRIATE AN ADDITIONAL \$35,000 FROM THE CAPITAL IMPROVEMENT FUND"

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

Public Hearing

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

Final Reading of Ordinance

Roll Call

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As advertised, hearing will be held on Ordinance No. 2106 entitled, "AN ORDINANCE AUTHORIZING THE SALE OF BOROUGH PROPERTY BLOCK 907, LOT 3.2"

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

Public Hearing

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

Final Reading of Ordinance

Roll Call

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Introduction of Ordinance No. 2107 entitled, "AN ORDINANCE AMENDING CHAPTER 293, PARKS, SUBSECTION 293-5, RULES AND REGULATIONS, OF THE CODE OF THE BOROUGH OF RIDGEFIELD"

First Reading of Ordinance

Roll Call

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PROPOSED CONSENT AGENDA:

	Motion:	Second:
241-2009	Councilman Vincentz	Authorize Councilman Severino to Sign Resolution Nos. 195-2009, 196-2009, 197-2009, 198-2009 and 199-2009
242-2009	Councilman Vincentz	Cancel Current Fund Grant
243-2009	Councilman Vincentz	Cancel General Capital Other Receivable Balances
244-2009	Councilman Vincentz	Cancel General Capital Grant Receivable Balances
245-2009	Councilman Vincentz	Cancel Current Appropriated Grant Reserves
246-2009	Councilman Severino	Change Order #2-FY2006 CDBG Roadway Improvement Program
247-2009	Councilman Todd	2009-2010 Fire Department Line Officers
248-2009	Councilman Vincentz	Clear Outstanding Checks of Record
249-2009	Councilman Vincentz	Overpayment of Taxes-774 Ravenhill Place
250-2009	Councilman Vincentz	Overpayment of Taxes-202 Grand Ridge Drive
251-2009	Councilman Vincentz	Approve Submission of Grant Application and Execution of Agreement DOT FY2010 for Elm Avenue Roadway Improvements
252-2009	Councilman Lonziserio	Approve Memorandum of Understanding- Chief Stoltenborg
253-2009	Councilman Severino	Change Order-Art Lane Roadway Improvement Program
254-2009	Councilman Lonziserio	Liquor License Renewals
255-2009	Mayor Suarez	Proclamation-Lena Rega
256-2009	Councilman Vincentz	Authorize Jenne Associates to Develop Layout Plan-Willis Park
257-2009	Councilman Vincentz	Authorize Jenne Associates to Develop Specifications-Purchase and Installation of Electronic Community Message Board

258-2009 Councilman Lonzisero Appoint Acting Deputy Court Administrator-  
A Novak  
259-2009 Councilman Vincentz Offset Summer Camp Pool Usage Fee

**COUNCIL VOTE**

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

**RESOLUTIONS:**

260-2009 Councilman Lonzisero Override Mayor’s Veto of Ordinance No. 2102  
261-2009 Councilman Vincentz Transfer of Appropriations  
262-2009 Councilman Vincentz Warrants

**COMMENTS BY MAYOR:**

**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 June 22, 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
  - Fire Truck Bid
- \_\_\_\_\_ Tax Court Litigation.
- \_\_\_\_\_ Potential real estate transactions in which the Borough may engage.

<b>COUNCIL VOTE</b>				
	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Lonziserio				
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 June 22, 2009

Presented by Councilman Severino

ORDINANCE NO. 2103

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

“AN ORDINANCE AMENDING CHAPTER 390 OF THE CODE OF THE BOROUGH OF RIDGEFIELD PERTAINING TO RETAINING WALLS”

introduced on the 8<sup>th</sup> day of June, 2009 do now pass a final reading and be adopted, and that the Borough Clerk be and he is authorized and directed to publish once, the aforesaid title, together with a notice of the date of its passage on final reading and approval thereof in The Record, a newspaper circulating in the Borough of Ridgefield.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero				
Todd				
Vincentz				
Severino				
Castelli				
Acosta				
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 June 8, 2009

Presented by Councilman Severino

ORDINANCE NO. 2103

“AN ORDINANCE AMENDING CHAPTER 390 OF THE CODE OF THE BOROUGH OF  
RIDGEFIELD PERTAINING TO RETAINING WALLS”

An ordinance amending the Borough Zoning Ordinance Chapter 390:

WHEREAS The Borough Planning Board has found that the zoning ordinance lacks any regulations regarding retaining walls;

WHEREAS the Borough Planning Board has made recommendation to the Council to pass an ordinance regarding retaining walls;

WHEREAS the Borough Council has considered that recommendation;

THEREFORE, BE IT ORDAINED, by the Borough Council for the Borough of Ridgefield, as follows:

§ \_\_\_\_\_. **Retaining Walls**

A. Definitions.

**RETAINING WALL HEIGHT.** The height of a wall shall be measured from the toe of the wall to the top of the wall.

**TOP OF THE WALL** shall mean the highest elevation of any part of the wall.

**TOE OF THE WALL** shall mean the intersection of the face of a wall and the adjacent ground at the base of the wall.

B. Locations Applicable to all Architectural and Retaining Walls.

1. No fence, architectural wall, landscape retaining wall, or structural retaining wall shall be erected within a public right-of-way.

2. No fence, architectural wall, landscape retaining wall, or structural

retaining wall shall be erected within a sight triangle easement.

C. Architectural Walls.

1. Maximum height.

(a) No architectural wall shall exceed a height of four (4) feet above ground level;

2. The use of barbed wire or wire on which barbs or points are strung is prohibited.

3. Any architectural wall facing on a street or property line shall have the front surface exposed to said street or property line.

D. Retaining Walls. Retaining walls shall be divided into two (2) categories:

1. Landscape Retaining Walls.

(a) Landscape retaining walls shall not be located closer to a property line than twice the height of the wall, provided that if the grade shall be raised, said wall shall be no closer than five (5) feet from the property line.

(b) Landscape retaining walls shall be constructed of durable or preservative treated wood, or other durable materials, and shall be designed to allow replacement of the wall at the end of its useful life.

2. Structural Retaining Walls.

(a) Construction of all structural retaining walls shall require a construction/zoning permit. For structural retaining wall projects otherwise not requiring lot grading plans per subsection 30-96.20, the zoning officer, upon review of the construction/zoning permit application, shall forward the permit and application to the Construction Official who, upon completion of his/her review thereof; has the authority to require that the applicant obtain a lot grading plan approval per the requirements of subsection 30-96.20.

(b) All structural retaining walls shall be designed by a licensed design professional engineer or architect with signed and sealed

plans submitted to the Borough Engineer for review and approval, if a lot grading plan is required, otherwise, if no lot grading plan is required, then same shall be submitted to the Construction Official for verification that the structural retaining wall was designed by the specified professional.

(c) The construction of all structural retaining walls shall be inspected by a licensed design professional engineer or architect, and a signed and sealed certification that the wall has been properly constructed shall be submitted to the Borough Engineer upon completion of the wall.

### 3. Height of retaining walls in any residential district.

(1) The maximum height of any retaining wall, section of retaining wall, or tier of a retaining wall shall be four (4) feet.

(2) Multiple, staggered or tiered walls shall be considered single walls unless there is a minimum horizontal distance between the top of any single section or tier and the base (toe) of the next higher section or tier is not less than one and one-half (1-1/2) times the height of the lower section or tier. If there are more than three (3) single sections or tiers, the minimum distance between the top of any single section or tier and the base (toe) of the next higher section or tier shall be not less than two (2) times the height of the lower section or tier.

### 4. Location of Structural Retaining Walls.

(1) No portion of a structural retaining wall shall be located within ten (10) feet of a dwelling structure, unless the structural retaining wall is an extension of a building foundation wall.

(2) No portion of a structural retaining wall shall be located within fifteen (15) feet of any above ground structure, such as a deck, unless the structural retaining wall is an extension of a building foundation wall.

(3) A structural retaining wall shall be located no closer to a property line than twice the height of the wall or wall segment closest to the property line, and the applicant must demonstrate that a failure of the structural retaining wall will not have an adverse impact on any adjoining property.

### 5. Design of Structural Retaining Walls.

1. The applicant shall demonstrate how all segments of the structural retaining wall, including any bench area located between two (2) tiered wall sections, shall be maintained.
2. The applicant shall demonstrate how the structural retaining wall will be replaced at the end of the wall's useful life,
3. The bench, or area between the top of one tier and the bottom (toe) of the next higher tier, shall be properly graded to facilitate drainage.
4. No landscaping shall be installed in the vicinity of any structural retaining wall with a root system of such magnitude to exert lateral pressure, or otherwise cause damage to the wall assembly.

- E. **Invalid Provisions.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
- F. **Effective Date.** This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.
- G. **Repealer.** All Ordinances of the Borough of Ridgefield that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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 June 22, 2009

Presented by Councilman Severino

ORDINANCE NO. 2104

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

“AN ORDINANCE AMENDING CHAPTER 390 OF THE CODE OF THE BOROUGH OF RIDGEFIELD SETTING REGULATIONS REGARDING STEEP SLOPES”

introduced on the 8<sup>th</sup> day of June, 2009 do now pass a final reading and be adopted, and that the Borough Clerk be and he is authorized and directed to publish once, the aforesaid title, together with a notice of the date of its passage on final reading and approval thereof in The Record, a newspaper circulating in the Borough of Ridgefield.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero				
Todd				
Vincentz				
Severino				
Castelli				
Acosta				
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 June 8, 2009

Presented by Councilman Severino

ORDINANCE NO. 2104

“AN ORDINANCE AMENDING CHAPTER 390 OF THE CODE OF THE BOROUGH OF  
RIDGEFIELD SETTING REGULATIONS REGARDING STEEP SLOPES”

An ordinance amending the Borough Zoning Ordinance Chapter 390:

WHEREAS The Borough Planning Board has found that the zoning ordinance lacks any regulations regarding steep slope disturbance;

WHEREAS the Borough Planning Board has made recommendation to the Council to pass an ordinance regarding steep slopes;

WHEREAS the Borough Council has considered that recommendation;

THEREFORE, BE IT ORDAINED, by the Borough Council for the Borough of Ridgefield, as follows:

**§ \_\_\_\_ . REGULATIONS FOR DEVELOPMENT WITHIN STEEP SLOPE AREAS**

**§ \_\_\_\_ . Purpose.**

The purpose of this section is to provide for reasonable control of development within the steep slope areas of the Borough in order to minimize the adverse impact caused by the development of such areas. This includes, but is not limited to, erosion, siltation, flooding, surface water runoff, and pollution of potable water supplies from point and nonpoint sources.

The removal of vegetation, disturbance of the soil and the construction of buildings and structures in steep slope areas of the Borough may increase surface water runoff, soil erosion and siltation with the resultant pollution of streams, as well as the potential danger of flooding and water drainage, thereby having the potential of endangering public and private property and the public welfare.

The public interest justifies the regulation of property with steep slopes, for the protection of persons and the property of its inhabitants and for the preservation of the public health, safety and general welfare.

**§ \_\_\_\_\_. Applicability.**

- A. Applicants for site plan or subdivision approval shall submit all information required under this section to the appropriate reviewing authority which shall not approve the application unless the approval requirements of this section are met.
- B. Applicants for construction permits including the construction of buildings, walls, driveways or other structures or the clearing of land shall submit an application with the information required in this section, to the Construction Official, where development is proposed in any steep slope area to insure that the proposed development of the lot will respect the natural features of the tract and minimize adverse impacts associated with such clearing and/or construction. This information shall be referred to the Borough Engineer.
- C. Applicants for subdivision or site plan review shall submit information required in this section so the approving authority can render a decision concerning the land's suitability to accommodate the proposed project without negatively impacting the community health or welfare. The Board shall use this information to evaluate the appropriateness of the project.

**§ \_\_\_\_\_. Steep Slope Regulations.**

- A. All applications for subdivision or site plan approval or for permit for construction, grading or clearing of any lot shall be evaluated by the applicant for the presence of steep slopes as defined herein. Each proposed or existing lot shall be evaluated to determine the presence of steep slopes within the following categories, along with the following limitations on disturbance:

<b>Steep Slope Category</b>	<b>Allowable Amount of Disturbance</b>
0 - 9.99%	100%
10 – 14.99%	40%
15 – 19.99%	15%
20 - 24.99%	10%
25% +	0%

- B. Disturbance within the allowed Maximum Disturbance limits as set forth in Section \_\_\_\_\_ may only be permitted where it can be shown to the satisfaction of the applicable board or Planning Department that

- C. Proposed excavation, removal, depositing or disturbance of soil shall be for purposes consistent with the intention of this Section and shall be executed in a manner that will not cause excessive erosion or other unstable conditions
- D. Provision shall be made for the proper disposition of surface water runoff so that it will not create unstable conditions. Appropriate storm drainage facilities shall be constructed as deemed necessary and adequate protective measures shall be provided for downstream properties.
- E. Provision shall be made for any structures or protective measures that may be required for the protection of the public safety including but not limited to retaining walls, headwalls and fences. See Ordinance \_\_\_\_ for regulations for retaining walls.
- F. Proper facilities have been or will be provided for a safe water supply and for the disposal of sanitary sewage as approved by the Ridgefield Borough Board of Health.
- G. Areas of disturbance shall comply with Ordinance #1679, Tree Removal and Protection.
- H. Proposed finished grades shall not exceed 3.1.

**§ \_\_\_\_ . Steep Slope Disturbance Required Documentation.**

Where application for a building permit is being made in conjunction with this Chapter, the following shall be required:

- A. A legibly drawn plan, at a scale no smaller than one inch equals fifty feet (1" = 50') and no larger than one inch equals ten feet (1" = 10') shall be submitted by a New Jersey licensed engineer, land surveyor or architect which provides sufficient on-site detail to evaluate the proposed development.
- B. The Steep Slope Disturbance Plan shall contain, at a minimum, the following items:
  - 1. Existing and proposed topographic information using two foot (2) contour intervals for all steep slopes as defined and categorized above and within all areas contemplated for clearing and/or construction as described above.
  - 2. Existing and proposed drainage patterns within one hundred feet (100') of the proposed lot under development
  - 3. Details concerning architectural design and how the proposed construction will relate to, complement and minimize adverse impacts upon the existing natural features of the lot.

4. Location of trees in excess of eight inches (8') in diameter.
5. Soil types contained on the lot with specific reference to highly erodible soils as defined by the United States Department of Agriculture Soil Conservation Service.
6. All driveway locations, paved areas and details.

**§ \_\_\_\_\_. Steep slope disturbance application procedures.**

- A. Prior to the issuance of a construction permit for any structure or the disturbance of any soil or vegetation within any steep slope area as herein defined, an applicant for building permit shall submit a steep slope disturbance application to the Planning Department for its review and approval.
- B. Applicants for site plan or subdivision approval involving the disturbance of steep slopes shall submit information regarding steep slope conditions to the appropriate reviewing authority as part of the required submission which shall be examined within the appropriate site plan or subdivision review context.

**§ \_\_\_\_\_. Variance required.**

Disturbance of steep slope areas in amounts greater than indicated in Subsection \_\_\_\_\_ 'Limit of Disturbance' shall require a variance.

**§ \_\_\_\_\_. Invalid Provisions.**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**§ \_\_\_\_\_. Effective Date.**

This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

**§ \_\_\_\_\_. Repealer.**

All Ordinances of the Borough of Ridgefield that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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 June 22, 2009

Presented by Councilman Vincentz

ORDINANCE NO. 2105

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

“A CAPITAL ORDINANCE SUPPLEMENTING AND AMENDING CAPITAL ORDINANCE NO. 1928 ADOPTED ON MAY 23, 2005, PROVIDING FOR AN ADDITIONAL SUM OF \$35,000 FOR THE RESURFACING OF AND IMPROVEMENTS TO VETERANS MEMORIAL PARK AND EDISON STREET AND TO APPROPRIATE AN ADDITIONAL \$35,000 FROM THE CAPITAL IMPROVEMENT FUND”

introduced on the 8<sup>th</sup> day of June, 2009 do now pass a final reading and be adopted, and that the Borough Clerk be and he is authorized and directed to publish once, the aforesaid title, together with a notice of the date of its passage on final reading and approval thereof in The Record, a newspaper circulating in the Borough of Ridgefield.

COUNCIL VOTE

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 8, 2009

Presented by Councilman Vincentz

ORDINANCE NO. 2105

“A CAPITAL ORDINANCE SUPPLEMENTING AND AMENDING CAPITAL ORDINANCE NO. 1928 ADOPTED ON MAY 23, 2005, PROVIDING FOR AN ADDITIONAL SUM OF \$35,000 FOR THE RESURFACING OF AND IMPROVEMENTS TO VETERANS MEMORIAL PARK AND EDISON STREET AND TO APPROPRIATE AN ADDITIONAL \$35,000 FROM THE CAPITAL IMPROVEMENT FUND”

BE IT ORDAINED, by the Governing Body of the Borough of Ridgefield in the County of Bergen, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

SECTION 1. The improvement described in Section 2 of this Ordinance is hereby respectively authorized as a general improvement to be made by the Borough of Ridgefield, New Jersey, for the said improvements or purposes stated in Section 2, there are hereby appropriated the sum of money therein stated as the appropriation made for said improvement or purpose, said sum being inclusive of all appropriations herefore made thereof and amounting in the aggregate to \$35,000 which is now available in the Capital Improvement Fund.

SECTION 2. The Borough of Ridgefield, in the County of Bergen, State of New Jersey, is hereby authorized to provide for the following:

The Resurfacing of and Improvements to Veterans Memorial Park and Edison Street Including all Work and Appurtenances Necessary Thereto	<u>\$35,000</u>
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SECTION 3. It is hereby determined and stated:

- (a) That said purpose is not a current expense. That the same is an improvement which the municipality may lawfully make and that no part of the cost of said improvement has been or shall be specifically be assessed on properties specifically benefited.
- (b) It is not necessary to finance said appropriation by the issuance of obligations by the Borough of Ridgefield pursuant to the Local Bond Law of the State of New Jersey, for the reason that monies sufficient to cover the appropriation thereof shall be available from the Capital Improvement Fund in the amount of \$35,000.

SECTION 4. The Capital Budget of the Borough of Ridgefield is hereby amended or established to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing all detail of the amended or temporary Capital Budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and is available for public inspection.

SECTION 5. The sum of \$35,000 is hereby appropriated for the aforementioned purpose.

SECTION 6. It is hereby determined and stated that no supplemental debt statement is required to be made and signed in connection with said appropriation, since the gross debt of the municipality, as defined under the Local Bond Law, is not increased by this Ordinance and no obligations in the matter of notes or bonds are authorized by this Ordinance.

SECTION 7. This Ordinance shall take effect after publication thereof and final passage as required by 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 June 22, 2009

Presented by Councilman Vincentz

ORDINANCE NO. 2106

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

“AN ORDINANCE AUTHORIZING THE SALE OF BOROUGH PROPERTY  
BLOCK 907, LOT 3.2”

introduced on the 8<sup>th</sup> day of June, 2009 do now pass a final reading and be adopted, and that the Borough Clerk be and he is authorized and directed to publish once, the aforesaid title, together with a notice of the date of its passage on final reading and approval thereof in The Record, a newspaper circulating in the Borough of Ridgefield.

COUNCIL VOTE

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 8, 2009

Presented by Councilman Vincentz

ORDINANCE NO. 2106

“AN ORDINANCE AUTHORIZING THE SALE OF BOROUGH PROPERTY  
BLOCK 907, LOT 3.2”

WHEREAS, the Governing Body has determined that the below described Borough Property is no longer needed for public use.

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

SECTION I

The proposed Borough Property to be sold is Block 907, Lot 3.2, and is further described on Exhibit A attached hereto.

SECTION II

The Borough shall sell the above described Property by offering same to the adjoining land owners at such price as it may deem fair and just or if a price cannot be agreed upon by public sale at an auction pursuant to N.J.S.A. 40A:12-13.

SECTION III

The Borough Clerk shall at least one week prior to the time fixed for further consideration for final passage of this Ordinance, mail to every person whose land may be affected by this Ordinance a copy of the Ordinance together with a notice of the introduction and the time and place where the Ordinance will be considered a final passage. The notice shall be sent to the owners of Lot 4 in Block 907 and Lot 1 in Block 1401.

SECTION IV

The Clerk shall publish the notice of introduction of this Ordinance and the date for final passage at least once not less than ten (10) days prior to the time fixed for further consideration.

SECTION V

The Borough Clerk shall within sixty (60) days after the passage of this Ordinance file a copy of this Ordinance certified by him under the seal of the municipality to be a true copy of

such Ordinance together with a copy of the proof of publication in the office of the Clerk of the County of Bergen, which Ordinance shall be filed with a proper index to the book of “vacations”.

SECTION VI – Invalid Provisions

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION VII

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies only.

SECTION VIII – Effective Date

This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Castelli

ORDINANCE NO. 2107

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

“AN ORDINANCE AMENDING CHAPTER 293, PARKS, SUBSECTION 293-5, RULES AND REGULATIONS, OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

introduced on the 22<sup>nd</sup> day of June, 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 13<sup>th</sup> day of July, 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				
Todd				
Vincentz				
Severino				
Castelli				
Acosta				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Castelli

ORDINANCE NO. 2107

“AN ORDINANCE AMENDING CHAPTER 293, PARKS, SUBSECTION 293-5, RULES  
AND REGULATIONS, OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

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

SECTION I:

Subsection 293-5. Rules and Regulations.

L. Shall be amended to read as follows:

Bicycles may be ridden in Veteran’s Memorial Park. Bicycles will not be operated in a reckless manner. Bicycles may not be ridden in other parks or recreational facilities. They must be walked through the parks and recreational facilities, except in specially designated areas. Motorized scooters, gopeds, and the like, are prohibited in all parks or recreational facilities.

M. Shall be amended to read as follows:

Tennis Registration & Court Regulations

Hours and Location:

The tennis courts are located in Veterans’ Memorial Park and will be open from (weather permitting) 7:00 AM to 10:00 PM, 7 days per week.

Registration Procedure:

All players are required to have a Tennis Badge I.D. which can be obtained at the Recreation Department during operating hours. Proof of Ridgefield residency is required each year, prior to the issuance of the new I.D. NO EXCEPTIONS! Only the following items will be accepted as proof of residency: a lease, deed, tax bill, maintenance agreement, or most recent cancelled rent check. All persons must be present at time of registration: at which time they will receive a copy of the rules and regulations. Tennis Badge I.D.’s are not transferable.

Tennis Badge Fees:

Residents 18yrs or older.....\$5.00  
Residents under 18 yrs.....No Charge

Tennis Court Regulations:

1. General
  - Tennis courts are reserved exclusively for the enjoyment of members who are Ridgefield residents and their guests.
2. Guest Procedures
  - Guests will be permitted on tennis courts, provided that they are accompanied by a Ridgefield resident possessing a current Tennis Badge I.D.
3. Tennis Court Rules
  - When Others are waiting...
    - All play is restricted to one hour for singles and 1½ hours for doubles, when other players are waiting to play.
    - A court must be occupied by a minimum of two players and no more than four players (doubles), with the exception of Recreation Department sponsored activities.
4. General Rules
  - Members must have their Tennis Badge I.D.'s with them at all times to use courts.
  - Adults 18 years of age and older have priority of court use on weekends and holidays before 1:00 PM.
  - Mixed adult-youth play is permitted at all times.
  - Shirts and proper attire must be worn at all times.
  - Tennis shoes or sneakers are required on courts at all times.
  - Borough sponsored programs, whether tennis or otherwise, take precedence over all other play.
  - Food and drink are prohibited on courts.
  - Bicycles, carriages, skateboards, rollerblades, etc are not permitted on courts.
  - No animals are allowed in any part of the park, including the tennis court enclosures.
  - All injuries must be reported immediately to the Recreation & Parks Department.
  - No paid or unpaid group lessons will be permitted on courts except those sponsored by the Recreation & Parks Department and listed in the Department's brochure.
  - No paid or unpaid private lessons will be permitted on the tennis courts. Violators (teacher and student) will lose court privileges.
  - The Recreation & Parks Department has the right to revoke any Tennis Badge I.D. or eject any player for failure to comply with the aforementioned rules.

SECTION II: All remaining provisions of Section 293-5 will remain in full force and effect.

SECTION III: This Ordinance shall take effect upon final passage and publication in the manner provided by law.

Approved:

---

Anthony R. Suarez, Mayor

Attest:

---

Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 241-2009

WHEREAS, the Borough of Ridgefield passed resolutions relating to Tax Appeals by the sitting Council President; and

WHEREAS, the Mayor has determined that he has a conflict on that issue and therefore, will not sign the resolutions.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield, that the Governing Body hereby authorized Councilman Severino to sign Resolutions 195-2009, 196-2009, 197-2009, 198-2009 and 199-2009.

**COUNCIL VOTE**

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 242-2009

WHEREAS, the Click It or Ticket grant was anticipated in the SFY 2009 municipal budget in the amount of \$4,000, and;

WHEREAS, the grant program period has ended with the Borough expending \$3,646, and;

WHEREAS, the Borough desires to cancel the remaining revenue and appropriation balance in the amount of \$354.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the above revenue and appropriation balance in the SFY 2009 municipal budget be cancelled.

**COUNCIL VOTE**

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 243-2009

WHEREAS, a certain General Capital Receivable balance remains uncollected for a project which has been completed; and

WHEREAS, it has been determined that the Borough will not receive the funds and desires to cancel the balance;

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Ridgefield, that the following balance be cancelled of record:

Other Receivables – Overpayment to Vendor \$78,461

**COUNCIL VOTE**

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 244-2009

WHEREAS, a certain General Capital Grant Receivable balance remains uncollected for a project which has been completed; and

WHEREAS, it has been determined that the Borough has received all the funds eligible to be received and desires to cancel the remaining balance;

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Ridgefield, that the following balance be cancelled of record:

<u>Ordinance Number</u>	<u>Description</u>	<u>Grant Receivable Balance</u>
1845	NJ Smart Growth	\$ 12,500

**COUNCIL VOTE**

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 245-2009

WHEREAS, the following Current Fund appropriated grant reserve balances remain on the balance sheet of the Borough:

<u>Appropriated Grant</u>	<u>Amount</u>
Drunk Driving Enforcement Fund	\$19,301
Hazardous Material Emergency	797
Special Legislative Grant	58,697
NJ Transportation Trust	35,927
COPS Universal Hiring Program	
Federal Share	2,183
Local Share	4,770
Click It or Ticket	<u>8,779</u>
	<u>\$130,454</u>

and;

WHEREAS, the Borough believes that these monies were previously expended and charged incorrectly to other appropriation line items within the Borough's operating budget, and;

WHEREAS, it is necessary to formally cancel said balance so that the balances may be credited to surplus;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the above listed balances of the Current Fund be cancelled and credited to surplus.

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				
Todd				
Vincentz				
Severino				
Castelli				
Acosta				
Mayor Suarez				

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Severino

RESOLUTION NO. 246-2009

WHEREAS, the project known as FY2006 CDBG Roadway Improvement Program Veterans Memorial Park and Edison Street, in the Borough of Ridgefield, Borough of Ridgefield, Bergen County, has been changed to reflect the Contractor agreed-to-as-built quantities of the the items of work completed since Change Order #1; and

WHEREAS, the above mentioned changes will cause a decrease in the contract price of .16%.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Mayor and Council of the Borough of Ridgefield in the County of Bergen and State of New Jersey that Change Order No. 2, in the amount of ONE HUNDRED FORTY FOUR DOLLARS AND 75/100THS (\$144.75) for DLS Contracting Inc., 633 Franklin Avenue, Suite 170, Nutley, New Jersey, on the project known as " FY2006 CDBG Roadway Improvement Program Veterans Memorial Park and Edison Street, Borough of Ridgefield, Bergen County, New Jersey", be approved, amending the contract amount from \$119,848.23 to \$119,703.48.

BE IT FURTHER RESOLVED that the Borough Attorney is hereby authorized to amend the contract to reflect the changes in the project.

Approved:

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

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Todd

RESOLUTION NO. 247-2009

BE IT RESOLVED that the Mayor, by and with the consent of the Council, appoints to the Ridgefield Fire Department:

	CHIEF	John Hoffman
	DEPUTY CHIEF	Joseph Greco
	BATTALION CHIEF	Michael Kees
CO. #1	CAPTAIN	Charles John Turro
	1 <sup>st</sup> LIEUTENANT	Jeff DeSimone
	2 <sup>nd</sup> LIEUTENANT	Danny Berger
CO. #2	CAPTAIN	Frank Tripodi
	1 <sup>st</sup> LIEUTENANT	Paul Chaderjian
	2 <sup>nd</sup> LIEUTENANT	Daniel Fugnitti
CO. #3	CAPTAIN	Brian Kettler
	1 <sup>st</sup> LIEUTENANT	Anthony Santangelo
	2 <sup>nd</sup> LIEUTENANT	Michael LaFalce

effective July 1, 2009 through June 30, 2010.

Approved:

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

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 248-2009

WHEREAS, certain checks have remained outstanding for an extended period of time:  
and

WHEREAS, the Borough's Chief Financial Officer and Treasurer have exhausted all alternatives in contacting the respective payees; and

WHEREAS, they are recommending that these checks be cleared of record.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the following outstanding checks be cleared of record.

BE IT FURTHER RESOLVED, that these funds in the amount of \$4,181.27 be transferred to the Borough's operating account.

PAYROLL ACCOUNT

Check	Date	Amount	Check	Date	Amount
182046	1/17/2007	\$866.23	185498	12/5/2007	\$ 90.42
182804	4/11/2007	753.84	185511	12/5/2007	158.24
182842	4/11/2007	707.82	185600	12/19/2007	10.20
183574	7/3/2007	325.91	185678	1/2/2008	55.77
184329	8/15/2007	77.59	187575	7/16/2008	90.42

CURRENT ACCOUNT

67567	12/10/2007	\$ 44.83	68043	2/11/2008	200.00
68032	02/11/2008	200.00	69079	06/23/2008	600.00

Approved:

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

Attest:

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

**COUNCIL VOTE**

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 249-2009

WHEREAS, an overpayment of taxes in the Borough of Ridgefield was received for the first, second and third quarter 2008 taxes on Block 207 Lot 19, further known as 774 Ravenhill Place;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that a refund in the amount of \$1,583.39 for the first quarter, \$1,583.39 for the second quarter and \$1,690.10 for the third quarter be issued to John Kang and Nam Hyeon Choi;

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 \$4,856.88 made payable to First American Real Estate Tax Service and mailed to 1 First American Way, West Lake, TX 76262.

**COUNCIL VOTE**

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 250-2009

WHEREAS, an overpayment of taxes in the Borough of Ridgefield was received for the first quarter 2008 taxes on Block 2504 Lot 202, further known as 202 Grand Ridge Drive;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that a refund in the amount of \$1,505.34 for the first quarter be issued to Eunjin Lee and Kyoung Chun;

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 \$1,505.34 made payable to American Home Mortgage Servicing, Inc and mailed to PO Box 13922, Durham, North Carolina, 27709.

COUNCIL VOTE

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Severino

RESOLUTION NO. 251-2009

WHEREAS, the Department of Transportation FY2010 grants are available for road improvements and the Borough of Ridgefield proposes improvements to Elm Avenue;

WHEREAS, the aforesaid project is in the best interests of the residents of Ridgefield;  
and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ridgefield formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as MA-2010-Ridgefield Borough-00750 to the New Jersey Department of Transportation on behalf of the Borough of Ridgefield.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Ridgefield and that their signature constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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>
Lonzifero				
Todd				
Vincentz				
Severino				
Castelli				
Acosta				
Mayor Suarez				

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Lonzisero

RESOLUTION NO. 252-2009

WHEREAS, the Mayor and Council has determined that a Memorandum of Understanding be entered between the Borough of Ridgefield and Richard J. Stoltenborg, Chief of the Ridgefield Police Department; and

WHEREAS, this Memorandum of Understanding will govern the relationship of the parties for the period of time of January 1, 2009 through December 31, 2011; and

WHEREAS, the Mayor and Council have considered this matter and approve the terms and conditions set forth in the Memorandum of Understanding attached hereto.

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

1. The Memorandum of Understanding by and between the Borough of Ridgefield and Chief Richard J. Stoltenborg in the form as attached to this Resolution be and hereby is approved by the Mayor and Council of the Borough of Ridgefield.
2. The Mayor is hereby authorized and directed to execute the attached Memorandum of Understanding on behalf of the Borough.

**COUNCIL VOTE**

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

Approved:

Attest:

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

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

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE BOROUGH OF RIDGEFIELD  
AND  
CHIEF RICHARD J. STOLTENBORG**

**THIS MEMORANDUM OF UNDERSTANDING** (“Memorandum”) is made this \_\_\_\_ day of \_\_\_\_\_, 2009, between the **BOROUGH OF RIDGEFIELD** (“Borough”) and **RICHARD J. STOLTENBORG**, Chief of the Ridgefield Police Department (“Chief”).

1. **Term of Understanding:** This Memorandum will govern the relationship of the parties for the period of time of January 1, 2009, through December 31, 2011.

2. **Other Benefits of the PBA Contract:** The Borough recognizes that the other benefits received by PBA members in the latest PBA contract, including longevity, sick time, health benefits, dental benefits and eyeglass benefits, will be applicable to the Chief. The PBA Contract shall not entitle the Chief to any overtime pay. The Chief is entitled to accrue return time. All return time accumulated as Chief must be used prior to retirement as per past and present practice on an hour per hour basis, and may not be turned in for monetary compensation.

3. **Sick Time Accumulations:** Chief Stoltenborg will be entitled to the same sick time accumulations and cash in percentage as applicable to the PBA under the Collective Bargaining Agreement as it may be amended or renegotiated from time to time. (Upon retirement, the Chief shall be paid for fifty percent (50%) of accumulated sick time as per current PBA Contract.) The Borough recognizes that 394.25 hours of return time that was accumulated prior to becoming Chief of Police would be paid or taken as time off at a rate of 100% (one date/hour off/paid for every one date/hour accumulated, which time may be taken or turned in for monetary compensation at the Chief’s rate of pay at such time as the Chief applies for the monetary compensation). The Borough shall reasonably negotiate the manner and method of the

payment of monetary compensation with the Chief (e.g., lump sum payment vs. multi year payout). (This provision is covered in the PBA Contract which is in effect as of the execution of this Agreement.)

4. **Car Washes:** For so long as the Chief continues to use his personal automobiles as his work vehicle on a regular and consistent basis, he will be permitted to have one car wash per week at Borough expense. A regular and consistent basis shall mean taking his vehicle to and from the Borough on no less than four (4) days out of each work week.

5. **Work Schedule:** The parties recognize that the position of Chief is a management position. As such, the Chief is not required to work a set number of hours, but rather is expected to put in the time necessary to properly operate his department, consistent with the schedules worked by managers in private industry. Accordingly, the Chief is not entitled to, and shall not receive, overtime or compensatory time. The Chief is expected to devote substantially all of his working time to his duties in connection with the operation of the Ridgefield Police Department. The Borough recognizes that in those instances when the Chief is required to work other than “normal and typical hours”, he may adjust his schedule accordingly in order to compensate for same. The parties agree, however, that the Chief will keep a log of all hours worked, which log will be available for inspection by members of the Mayor and Council and otherwise filed in accordance with Borough rules and regulations as may be adopted from time to time. Notwithstanding the foregoing, it is expected that the Chief shall be available during regular Borough hours of business on a daily and weekly basis.

6. **Base Pay Rate of Increase:** The Mayor and Council believe that the following rates of increase for the base pay for the Chief of police are fair and shall be paid:

A. 4.25% increase on base salary for the period of January 1, 2009 through December 31, 2009

B. 4.40% increase on base salary for the period of January 1, 2010 through December 31, 2010

C. 4.50% increase on base salary for the period of January 1, 2011 through December 31, 2011

And such pay increases as will be negotiated and agreed upon by the parties for the future at the conclusion of this agreement.

7. **Use of Vehicle:** The Borough agrees that the Chief shall have use of an unmarked department vehicle to travel to and from work. While in possession of the vehicle, the Chief shall be allowed to use the vehicle for personal use. The Borough agrees to continue to pay all expenses associated with the vehicle except when the vehicle is used for the Chief of Police's personal use, at which time the Chief of Police shall be responsible for the cost of gasoline. While in possession of the vehicle, it will not be used by anyone other than other members of the Ridgefield Police Department.

8. **Other Terms and Conditions:** Except as otherwise provided herein, the Chief of Police will continue to honor and observe those practices and conventions that have governed the working relationship through this point in time.

9. **Complete Understanding:** The foregoing represents the complete understanding of the Chief of Police and the Mayor and Council of the Borough of Ridgefield.

**BOROUGH OF RIDGEFIELD**

**CHIEF OF POLICE  
RICHARD J. STOLTENBORG**

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

By: \_\_\_\_\_  
Richard J. Stoltenborg, Chief

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Severino

RESOLUTION NO. 253-2009

WHEREAS, the project known as Art Lane Roadway Improvement Program, in the Borough of Ridgefield, Borough of Ridgefield, Bergen County, has been changed to expand net increased quantities and elimination of pipe installation; and

WHEREAS, the above mentioned changes will cause a decrease in the original contract price of 7.8%.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Mayor and Council of the Borough of Ridgefield in the County of Bergen and State of New Jersey that Change Order No. 1, in the amount of SIXTEEN THOUSAND ONE HUNDRED NINETY TWO DOLLARS AND 66/100THS (\$16,192.66) for Joseph M. Sanzari, Inc., 90 West Franklin Street, Hackensack, New Jersey, on the project known as " Art Lane Roadway Improvement Program, Borough of Ridgefield, Bergen County, New Jersey", be approved, amending the contract amount from \$207,500.75 to \$191,308.13.

BE IT FURTHER RESOLVED that the Borough Attorney is hereby authorized to amend the contract to reflect the changes in the project.

Approved:

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

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Lonzisero

RESOLUTION NO. 254-2009

BE IT RESOLVED, that Liquor Licenses be issued to the following applicants pursuant to an Act of Legislature of the State of New Jersey, entitled, "AN ACT CONCERNING ALCOHOLIC BEVERAGES" passed December 6, 1953 and amendments thereto, and the Borough Ordinance 498 entitled, "AN ORDINANCE CONCERNING ALCOHOLIC BEVERAGES" adopted July 2, 1946, and amendments thereto, such licenses to expire June 30, 2009 and paid to June 30, 2010.

<u>NAME OF LICENSEE</u>	<u>ADDRESS</u>	<u>STATE LICENSE</u>
<b><i>PLENARY RETAIL CONSUMPTION</i></b>		
Pellit, Inc. D/B/A Colonial Bar & Liquors	824 Broad Avenue Ridgefield, NJ	024933014004
Pang Pang, Inc.	1155 Hendricks Causeway Ridgefield, NJ	024933008007
The Stancato, Inc. D/B/A Café Tivoli	533 Shaler Boulevard Ridgefield, NJ	024933016004
Chan's Dragon Inn	630 Broad Avenue Ridgefield, NJ	024933002004
Jay Jala Bapa, Inc. D/B/A Ridgefield Liquors	533 Shaler Boulevard Ridgefield, NJ	024932012008
Joan Broderick	566 Bergen Boulevard Ridgefield, NJ	024933007007
Texas Steak House, Inc.	441-445 Broad Avenue Ridgefield, NJ	024933001010
Tom Time and Pat, Inc. D/B/A Jingle Inn	809 Grand Avenue Ridgefield, NJ	024933013001
13 ½ Winners, Inc.	1087 Edgewater Avenue	024933009010

D/B/A The Coffee Shop

Ridgefield, NJ

***CLUB LICENSE***

Ridgefield World War Veterans Assoc.  
American Legion Post 221

540 Shaler Boulevard  
Ridgefield, NJ

024931017001

***PLENARY RETAIL DISTRIBUTION LICENSE***

Best Wine & Liquor

321 Broad Avenue  
Ridgefield, NJ

024944006005

**COUNCIL VOTE**

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Mayor Suarez

RESOLUTION NO. 255-2009  
Proclamation

WHEREAS, Lena Rega, was born on June 28, 1909 in Bronx, New York and grew up in Hoboken, New Jersey; and

WHEREAS, in 1960 Lena Rega and her husband Ralph moved to Lancaster Road in the Borough of Ridgefield; and

WHEREAS, Lena Rega has been blessed with one son, one granddaughter, and one great-grandson; and

WHEREAS, Lena Rega, during her 100 years, has been a most active woman, volunteering at Holy Name Hospital crocheting blankets for premature babies and rolling bandages, as well as being a member of the Senior Citizens Organization in the Borough of Ridgefield, St. Matthew's Church, and the Rosary Society.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Ridgefield, on behalf of itself as the governing body and all the residents of the community, wish to extend sincere best wishes to Lena Rega on the occasion of her 100<sup>th</sup> birthday on June 28, 2009.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Ridgefield issues this Proclamation to Lena Rega in recognition of this milestone, and with the hope that her future will be marked by continued good health, peace, and happiness.

Approved:

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

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 256-2009

WHEREAS, the Borough of Ridgefield requires a layout plan for the proposed replacement of the artificial turf field at Willis Park; and

WHEREAS, the Borough Engineer, Jenne Associates, LLC has proposed to develop the required plan for the amount of \$6,200.00 as outlined in his proposal dated June 18, 2009;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that Jenne Associates is authorized to develop the required layout plan for the replacement of the artificial turf field at Willis Park for an amount not to exceed \$6,200.00.

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

COUNCIL VOTE

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2008

Presented by Councilman Vincentz

RESOLUTION NO. 257-2009

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Borough Engineer be authorized to develop specifications for the purchase and installation of an electronic community message board to fulfill the New Jersey Meadowlands Commission 2008 Downtown Revitalization Grant; and

BE IT FURTHER RESOLVED that said specifications shall be developed under the Borough Engineer's monthly retainer; and

BE IT FURTHER RESOLVED that the Finance Department is authorized to obtain quotes for the electronic community message board; and

BE IT FURTHER RESOLVED that the Borough Clerk be and he is hereby authorized to advertise for bids for the Purchase and Installation of an Electronic Community Message Board in the event the quotes received are over the bid threshold.

COUNCIL VOTE

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Lonzisero

RESOLUTION NO. 258-2009

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

ANDREA NOVAK

be appointed Acting Deputy Court Administrator effective July 1, 2009 through December 31, 2009 at the annual stipend of \$2,700.00.

COUNCIL VOTE

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 259-2009

WHEREAS, the Ridgefield Summer Playground utilizes the swimming pool prior to normal pool hours of operation; and

WHEREAS, additional costs are incurred by the pool to provide these services; and

WHEREAS, the Summer Playground fee collected already includes this pool usage;

NOW, THEREFORE, BE IT RESOLVED that the Recreation/Pool Director shall establish a representative fee to offset the Summer Playground usage of the swimming pool.

**COUNCIL VOTE**

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Lonzisero

RESOLUTION NO. 260-2009

WHEREAS, at the June 8, 2009 meeting of the Mayor and Council of the Borough of Ridgefield, the Council gave final approval to Ordinance No. 2102 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 66 "OFFICERS AND EMPLOYEES", ARTICLE IV "MUNICIPAL ADMINISTRATOR AND DEPUTY", SECTION 66-14 "COMPENSATION," SECTION 66-15 "DUTIES AND RESPONSIBILITIES," AND SECTION 66-17 "QUALIFICATIONS"; and

WHEREAS, following the final passage of said Ordinance, the Ordinance was presented by the Borough Clerk to the Mayor, and the Mayor, in accordance with the provisions of N.J.S.A. 40A:60-5 did veto same and return the Ordinance to the Council; and

WHEREAS, the Council has considered the Ordinance once again following its return and resolves to override the Mayor's veto;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Ridgefield that the Mayor's veto of Ordinance No. 2102 be, and hereby is, overridden by the Council pursuant to the provisions of N.J.S.A. 40A:60-5 (pursuant to the provisions of the statute, the override requires a vote of two-thirds of all the members of the Council, or four votes).

Approved:

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

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 261-2009

WHEREAS, N.J.S.A. 40A:4-58 allows the transfer of budget appropriations during the last 2 months of the fiscal year; and

WHEREAS, the Mayor and Council of the Borough of Ridgefield are desirous of executing such transfers:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Chief Financial Officer is herewith directed to execute the following 2008/2009 budget appropriation transfers:

<u>CURRENT FUND</u>	<u>FROM</u>	<u>TO</u>
Board of Adjustment		
Other Expenses	\$ 5,000	
Sanitation		
Salaries & Wages	10,000	
Utilities: Gasoline	11,000	
Sanitary Landfill	20,000	
Insurance: Employee Health	99,000	
Insurance: Workers Comp	15,300	
Municipal Clerk		
Salaries & Wages		\$ 500
General Administration		
Salaries & Wages		1,600
Assessment of Taxes		
Salaries & Wages		600
Collection of Taxes		
Salaries & Wages		1,600
Police Department		
Salaries & Wages		107,000
Dispatch 911		
Salaries & Wages		1,200
Community Service Officers		
Salaries & Wages		800
Board of Health		
Salaries & Wages		1,000
Department of Public Works		

Salaries & Wages		5,000
Recreation Commission		
Other Expenses		15,000
Department of Public Works		
Other Expenses		6,000
Sanitation		
Other Expenses		10,000
Utilities: Electric & Gas		10,000
	<u>          </u>	<u>          </u>
	\$160,300	\$160,300

POOL OPERATING

	From	To
Operating		
Salaries & Wages	\$ 700	
Operating		
Social Security Taxes		\$ 700
	<u>          </u>	<u>          </u>
	\$ 700	\$ 700

Approved:

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

Attest:

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

**COUNCIL VOTE**

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

The undersigned, being the Chief Financial Officer of the Borough of Ridgfield, 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.

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Joseph Luppino,  
Chief Financial Officer

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 22, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 262-2009

BE IT RESOLVED, that warrants totaling \$721,068.80  
be drawn on the following accounts:

CURRENT	\$645,705.62
TRUST	\$10,782.55
CAPITAL	\$47,163.44
POOL	\$17,417.19
TOTAL	\$721,068.80

COUNCIL VOTE

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

Approved:

Attest:

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

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