

Public Session Meeting of the Mayor and Council of the Borough of Ridgefield was held on June 27, 2011 at 7:30 p.m. Eastern Standard Time. Meeting was held at the Ridgefield Community Center, 725 Slocum Avenue, Ridgefield, New Jersey.

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

Roll Call: Mayor Suarez, Councilmen Castelli, Todd, Vincentz, Severino, Acosta and Jimenez were present

Pledge of Allegiance

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

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

Mayor Suarez commented on Corresponded he received:

Received a thank you letter from the Veale family in regards to the ceremony dedicating the pool complex honoring former Mayor Veale; received the May monthly report from the Court total disbursement \$68, 047; received a report from William Cody Assoc. regarding borough hall ADA compliance inspection report; request from UNICO for a three day event which will be discussed at a later time;

Approval of Minutes of November 22, 2010 Work Session Meeting, March 14, 2011 Public Session Meeting, and March 28, 2011 Public Session Meeting – APPROVED (H. Jimenez abstained from 2010 minutes)

As advertised, hearing will be held to consider the application of Time Warner Entertainment Company, LP for the renewal of its municipal consent to own, operate, extend, and maintain a cable television and cable communications system in the Borough of Ridgefield

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

Public Hearing

Stephen Pellino stated that in the state of New Jersey municipalities are in charge of granting franchise, cable TV operated on a non elusive basis and our current franchise holder is Time Warner Cable who is set to expire in October of this year. Accordingly Time Warner has made the timely application for renewal and according to law we must conduct a hearing in connection with that application. Dennis Lincoln the attorney for

Time Warner Cable is present and addressed the counsel. Dennis Lincoln stated that the process starts approximately 3 years prior to the expiration of the existing franchise, the cable franchise, Time Warner must notify the municipality of the intended expiration date. This gives the municipality time to engage in what is called an “estraining hearing”. Following the notice the municipality must conducted a hearing on the applicant’s application for a renewal of municipal consent. That application was submitted to the borough a short while ago and is pending for the boroughs approval now. At the hearing they will present Marion Dwighmen, the Director of Governmental Affairs from Time Warner Cable and is in charge of the New Jersey Operations.

Marion Dwighmen stated that their system in the State of New Jersey is a small system but the service they provide is as technically advanced as anywhere else. They offer services as far as programming, technological advantages such as hundreds of HD channels; the “Triple Play” involves their digital phone, voice over IP, internet service and cable services.

Mayor Suarez stated that in the past one issue was the duration of the franchise, which has always been an issue. Mayor Suarez stated that we would like to see shorter period of time in which we have agreed to in the past. Another issue is the public programming channel in the Borough of Ridgefield; he would like to know what we could do in terms of providing a channel to be use for alerts.

Marion Dwighmen stated public access does exist, you can access public access in a facility located in Palisades Park New Jersey, they provide training for the service. He stated that it typically works by the borough shooting their own events and Time Warner will provide avenues of two showings, which one option would be on VOD, video on demand.

Marion Dwightmen stated that he has had a conversation with Stephen Pellino which advised him that following the hearing which occurred this evening the borough will appoint a person or a committee that will sit down and negotiate contracts with Time Warner Cable. Stephen Pellino stated that the borough has previously appointed a Cable and TV advisory committee to serve that function, Phil Ganci and Sy Andrew. Stephen Pellino stated that he heard there is a way for two way interaction. Marion stated that there is some type of two way interactivity, for instance if you want to vote that the playground be open after 6 o’clock, residents may vote.

Stephen Pellino suggested that we adjourn this meeting until the next council meeting dated July 11th 2011 .

Hearing adjourned until July 11, 2011 Public Session Meeting

Roll Call

Councilman Castelli	Yes
Councilman Todd	Yes

Councilman Vincentz	Yes
Councilman Severino	Yes
Councilman Acosta	Yes
Councilman Jimenez	Yes

As advertised, hearing will be held on Ordinance No. 2176 entitled, "AN ORDINANCE AMENDING SECTION 390-127 ENTITLED "EXCEPTIONS" OF THE CODE OF THE BOROUGH OF RIDGEFIELD"

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

Public Hearing

Councilman Vincentz asked if the changes were reviewed and approved by the Planning Board?

Councilman Jimenez stated that the changes were reviewed by the Planning Board and approved by the Planning Board.

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

Final Reading of Ordinance

Roll Call

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

As advertised, hearing will be held on Ordinance No. 2177 entitled, "AN ORDINANCE AMENDING SECTION 390-49 ENTITLED "FEES AND ESCROW DEPOSITS" OF THE CODE OF THE BOROUGH OF RIDGEFIELD"

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

Public Hearing

Councilman Jimenez stated that there was change at the last meeting regarding the application of the Cell towers of increases to \$10,000.

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

Final Reading of Ordinance

Roll Call

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

As advertised, hearing will be held on Ordinance No. 2178 entitled, "PAY TO PLAY REFORM ORDINANCE"

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

Public Hearing

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

Final Reading of Ordinance

Roll Call

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

As advertised, hearing will be held on Ordinance No. 2179 entitled, "AN ORDINANCE ESTABLISHING A TRAFFIC CONTROL SIGNAL MONITORING SYSTEM"

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

Public Hearing

Councilman Vincentz questioned if in this ordinance there is reference for a testing period, Councilman Vincentz would like to know the results of that testing period of the trial run of the system and if it's available for everyone to review before moving forward? Councilman Vincentz would like to see the data and the information collected by the system, Councilman Acosta suggested that Councilman Vincentz go see the Chief of Police for he will have that information. Councilman Vincentz would like to know who will be issuing these summons; Councilman Acosta stated that the decision is up to the Chief of Police for which he will be in charge of who will be issuing the summons.

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

Final Reading of Ordinance

Roll Call

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

Introduction of Ordinance No. 2180 entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 2178 ENTITLED PAY TO PLAY REFORM ORDINANCE"

First Reading of Ordinance

Councilman Vincentz proposed an ordinance 2180 amending ordinance 2178 but was advised that it was not the appropriate time and should be done during the Councilman comments.

PROPOSED CONSENT AGENDA:

	Motion:	Second:
209-2011	Councilman Jimenez	Appointment of Seasonal Employee-Borough Hall
210-2011	Councilman Acosta	Appointment of Seasonal Employee-DPW
211-2011	Councilman Jimenez	Notify County of Intent to Continue Participation in Urban County Entitlement Programs
212-2011	Councilman Jimenez	Authorize Release of Performance Bond-D&L Paving Contractors, Inc.
213-2011	Mayor Suarez	Endorse Northern Valley Branch Light Rail Project
214-2011	Councilman Castelli	Approve 2 nd Amendment to Mediation Agreement-Kathleen Court
215-2011	Councilman Jimenez	Tax Appeal Settlement-375 Broad Avenue

216-2011	Councilman Jimenez	Lien Redemption Cert. #10-05
217-2011	Councilman Jimenez	Overpayment of Taxes-514 Oak Street
218-2011	Councilman Jimenez	Change Order-D&L Paving
219-2011	Councilman Jimenez	Exceed Bid Threshold-Beyer Brothers
220-2011	Councilman Jimenez	Exceed Bid Threshold-Chas. S. Winner Ford, Inc.
221-2011	Councilman Acosta	2011/2012 Liquor License Renewals

Roll Call on Consent Agenda

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

RESOLUTIONS:

222-2011	Mayor Suarez	Community Development Representatives
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Roll Call

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

223-2011	Councilman Jimenez	Recommendation for Appointment to Bergen County Flood Advisory Council
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Councilman Vincentz stated that he would like to volunteer on this committee?
 Councilman Vincentz made a motion to amend and allow Councilman Vincentz to serve on this committee.

Roll Call on Motion to allow Councilman Vincentz to serve on this committee.

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

Roll Call on 223-2011

Roll Call

Councilman Castelli	Yes
*Councilman Todd	Yes, but No to Joseph Valente
*Councilman Vincentz	Yes, but No to Joseph Valente
Councilman Severino	Yes
Councilman Acosta	Yes
Councilman Jimenez	Yes

224-2011 Councilman Jimenez Transfer of Appropriations

Councilman Vincentz stated that he notice that Police Department salaries and wages are up \$66,000 and asked Councilman Jimenez why? Councilman Vincentz also questioned why the DPW salary and wages were up an additional \$30,000. Mayor Suarez stated that that the budget was unfunded. Councilman Vincentz stated that the increase of the expenditures is the hiring of additional employees not planned in the budget.

Roll Call

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

225-2011 Councilman Jimenez Warrants

Roll Call

Councilman Castelli	Yes
Councilman Todd	Yes, No to 78573, 78574, 78575, 78601, 78603, 41906, 47907
Councilman Vincentz	Yes, No to 78573, 78574, 78575, 78601, 78603 , 41906, 47907
Councilman Severino	Yes
Councilman Acosta	Yes

Councilman Jimenez Yes

Councilman Jimenez made a motion to reconsider the resolution and pull the following checks, 78658, 78659,41912,41763,41764,41765,77260,77261

Roll Call to reconsider those checks

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

226-2011 Councilman Acosta Authorize Borough Engineer to Conduct Investigation with Respect to Ground Water Remediation at Willis Park

Roll Call

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

227-2011 Councilman Jimenez Authorize Borough Attorney to sign Consent Order on Behalf of the Borough – Pfister Chemical

Roll Call

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

228-2011 Councilman Vincentz Authorize Membership in New Jersey Sustainable Energy Joint Meeting

Roll Call

Councilman Castelli Abstain
Councilman Todd Yes

Councilman Vincentz	Yes
Councilman Severino	Yes
Councilman Acosta	Abstain
Councilman Jimenez	No

COMMENTS BY MAYOR:

Mayor Suarez hoped all Fathers enjoyed Fathers Day; stated that he attended a special meeting on June 20th at the Hackensack Meadowlands and stated that we were concerned on whether we would receive the million dollar revenue, Mayor Suarez stated diplomacy work (Kearny filed a suit in this matter) and resulted in the resolution that we presented which pass unanimously, stated that he was appointed by the various paying municipalities to be in the committee that will be meeting with the governor regarding tax sharing issues; wished all the graduates the best of luck on the future endeavors; received a report from the investigator that investigated Town Hall to see if its ADA accessible, and stated that the building is not ADA compliant yet; Notify the residents that a resolution regarding a matter in which a resident regularly complain regarding that he was a target of a issue pertaining to his political speech on Edgewater Ave and he received a settlement of \$20,000, the man was prosecuted and put thru the criminal system , sued the town and prevail; stated that this Friday will be the Fourth of July Fireworks display;

Request for Use of Community Center:

Ridgefield UNICO - TO BE DISCUSSED FURTHER
 Italian Food Festival
 September 30, 2011 4:00 -11:00 pm
 October 1, 2011 11:00 am – 11:00 pm
 October 2, 2011 11:00 am – 10:00 pm

Ridgefield Hose Company No. 1 - APPROVED
 Wetdown
 Saturday, September 24, 2011 10:00 am-9:00 pm

Request for Use of Veteran’s Field:

Ridgefield Memorial High School Scholarship Fund – TO BE DISCUSSED FURTHER
 2nd Annual Car Show
 October 9, 2011 or October 16, 2011
 Rain Date: October 16, 2011 or October 23, 2011
 1:00 – 5:00 pm

Application for Special Permit for Social Affair:

Ridgefield Fire Department - APPROVED
 Wetdown

Saturday, September 24, 2011 1:00-6:00 pm
Community Center
725 Slocum Avenue

N.J. State Firemen's Association Membership Application:

Michael A. DeCarlo - APPROVED
1024 Linden Avenue
Company No. 3

COMMENTS BY COUNCILMEN:

Councilman Castelli: commented on the reports on Borough hall and not being ADA compliant; stated that even the new lift that was just installed is not ADA compliant;

Councilman Todd: questioned if Borough hall will ever be ADA accessible, then what is our other options, any suggestion on perhaps a new municipal building on an Open Space? Mayor Suarez wanted to know if Councilman Todd is circulating information about a 15 million dollar complex. Councilman Todd stated that no he is not but would like to know if the current borough hall is not repairable what will happen. Councilman Todd also stated that \$4,000 was paid to Stephen Pellino to investigate Mayor Suarez legal bills. Stephen Pellino stated that he didn't receive \$4,000; and it was to investigate the borough interest and this matter will be discussed at a later date;

Councilman Todd would like to propose an introduction to an ordinance "Pay to Play Reform" especially since legal defense funds aren't mention in the current ordinance. Mayor Suarez wanted to know why these concerns weren't brought up at an earlier date, he stated that Councilman Todd only require that Stephen Pellino research this issue in March and since then has not acquire about this issue. Mayor Suarez stated that only when it was on the agenda does Councilman Todd have concerns. Mayor Suarez stated if Councilman Todd wasn't so concern with the recall election then maybe he could have focused on this ordinance which he did not. Mayor Suarez stated that in this reform ordinance under contributions made prior to the effective date in the emended section "to provided for a level playing field going forward , any candidate for Mayor or Council shall account for any disgorgement . Any contributions which would have been in violation of the provision within the ordinance of a period of 3 years preceding the enactment of this ordinance. Any disgorgement shall be by way of contributions to any charity recognizing as such by the eternal rightful service".

Stephen Pellino stated that the 3 years is a major concerned, he stated that when you originally take a donation its perfectly legal under the circumstance then years later deeming them illegally and requiring someone that was a candidate for office weather successful or not, is now in theory responsible to pay that money back. He stated that amendments brought forward tonight by Councilman Todd has nothing to do with "Pay to Play" but is changing a long standing law in New Jersey and determining limits to contributions of campaigns. We would be the only municipality in the state of New

Jersey that would have its own limits to contributions to campaigns. Mayor Suarez stated that their trying to make something illegal that is currently legal.

Councilman Todd then questioned Stephen Pellino if contributions made to Legal Defense Fund are okay? Stephen Pellino stated yes. He stated if their proposed amendment to the ordinance say something to this effect “if a person who made a contribution to what Councilman Todd is calling a “personal fund” or Legal Defense Fund over a certain amount you could prohibited that person from a receiving a borough contract, that would be proper Pay to Play reform.

Introduction of Ordinance No. 2180 entitled, “AN ORDINANCE AMENDING ORDINANCE NO. 2178 ENTITLED PAY TO PLAY REFORM ORDINANCE”

First Reading of Ordinance

Roll Call

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

Councilman Vincentz: would like to re-introduce Ordinance No. 2180 and make additional amendments: in paragraph 2: Contributions made prior to the effective date. To cut out “of the provisions of the within ordinance for a period of three years preceding the enactment of this ordinance” and in paragraph 7 remove: No contributions from those seeking certain Borough approvals: This prohibition shall extend both to those which pending applications and to those who have sought such approvals within the preceding five years.

Roll call on amending Ordinance No. 2180

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

Councilman Vincentz stated that he has a concern with the launching of the Fireworks on the new basketball courts; suggested that we reach out to the architect from Shaler School in addition to help investigated the HVAC system at the library. Since he was the

architect on both projects and since it appears he is helping analysis and fix the HVAC issue at the Shaler project he believes we should consider reaching out to him to help the library HVAC issues.

Councilman Acosta: commented on the fact that he is fed up from hearing from residents that a new multi million dollar new town hall will be built from certain members of the governing body.

Councilman Severino: commented on the report regarding borough hall, stated that eighty percent of repairs could be done by the DPW and stated that we need to get these repairs done and continue to making this building useable.

Councilman Jimenez: stated that the Blood Drive held was a great success even with the bad weather.

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

No comments were made

Meeting adjourned: 9: 35 P.M

Respectfully submitted

Linda M. Prina
Acting Borough Clerk