

**BOROUGH OF RIDGEFIELD**

**A G E N D A**

Executive Session and Regular Meeting of the Mayor and Council

Date: November 26, 2012

Open Public Meetings Statement by Mayor Suarez

Public Session to Adjourn to Executive Session: C.T.O.: 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

Citizens Comment on Agenda:

Correspondence:

**ROLL CALL-PUBLIC SESSION**

|              | Adj. to Ex. |      | Public |      |
|--------------|-------------|------|--------|------|
|              | Pres.       | Abs. | Pres.  | Abs. |
| Mayor Suarez |             |      |        |      |
| Castelli     |             |      |        |      |
| Todd         |             |      |        |      |
| Vincentz     |             |      |        |      |
| Severino     |             |      |        |      |
| Acosta       |             |      |        |      |
| Jimenez      |             |      |        |      |

**ROLL CALL-EXEC. SESSION**

|              | PRESENT | ABSENT |
|--------------|---------|--------|
| Mayor Suarez |         |        |
| Castelli     |         |        |
| Todd         |         |        |
| Vincentz     |         |        |
| Severino     |         |        |
| Acosta       |         |        |
| Jimenez      |         |        |

**PROPOSED CONSENT AGENDA:**

- |          |                     |   |
|----------|---------------------|---|
| 280-2012 | Councilman Jimenez  | Authorize to Advertise-Variou Projects  |
| 281-2012 | Councilman Jimenez  | Cancel Capital Ordinances               |
| 282-2012 | Councilman Jimenez  | Cancel Capital Grants                   |
| 283-2012 | Councilman Jimenez  | Adjusted Assessment-2010 552 Grand Ave. |
| 284-2012 | Councilman Jimenez  | Adjusted Assessment-2011 552 Grand Ave. |
| 285-2012 | Councilman Jimenez  | Adjusted Assessment-2012 552 Grand Ave. |
| 286-2012 | Councilman Castelli | Community Forestry Plan                 |

**COUNCIL VOTE**

|              | YES | NO | ABSTAIN | ABSENT |
|--------------|-----|----|---------|--------|
| Castelli     |     |    |         |        |
| Todd         |     |    |         |        |
| Vincentz     |     |    |         |        |
| Severino     |     |    |         |        |
| Acosta       |     |    |         |        |
| Jimenez      |     |    |         |        |
| Mayor Suarez |     |    |         |        |

RESOLUTIONS:

287-2012      Councilman Jimenez      Warrants

COMMENTS BY MAYOR:

COMMENTS BY COUNCILMEN:

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,

Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting November 26, 2012

Presented by Mayor 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.

| <b>COUNCIL VOTE</b> |            |           |                |               |
|---------------------|------------|-----------|----------------|---------------|
|                     | <b>YES</b> | <b>NO</b> | <b>ABSTAIN</b> | <b>ABSENT</b> |
| Castelli            |            |           |                |               |
| Todd                |            |           |                |               |
| Vincentz            |            |           |                |               |
| Severino            |            |           |                |               |
| Acosta              |            |           |                |               |
| Jimenez             |            |           |                |               |
| 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

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting November 26, 2012

Presented by Councilman Jimenez

RESOLUTION NO. 280-2012

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Borough Clerk be and she is hereby authorized to advertise for bids for:

ELM AVENUE ROADWAY IMPROVEMENTS  
BANTA PLACE IMPROVEMENTS  
VETERAN'S PARK TENNIS COURT REFURBISHING

**COUNCIL VOTE**

|              | <b>YES</b> | <b>NO</b> | <b>ABSTAIN</b> | <b>ABSENT</b> |
|--------------|------------|-----------|----------------|---------------|
| Castelli     |            |           |                |               |
| Todd         |            |           |                |               |
| Vincentz     |            |           |                |               |
| Severino     |            |           |                |               |
| Acosta       |            |           |                |               |
| Jimenez      |            |           |                |               |
| Mayor Suarez |            |           |                |               |

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting November 26, 2012

Presented by Councilman Jimenez

RESOLUTION NO. 281-2012

WHEREAS, there appears open of record unexpended balances on certain ordinance appropriations in the General Capital Fund; and

WHEREAS, the capital projects have been completed or are no longer active:

NOW, THEREFOE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield, County of Bergen, New Jersey, that the following funded ordinance appropriation balances in the General Capital Fund be cancelled to Fund Balance.

| <u>Ord. No.</u> | <u>Improvement Description</u>       | <u>Funded</u>    |
|-----------------|--------------------------------------|------------------|
| 1842            | Construction of New Library          | \$ 1,021         |
| 1899            | Stormwater Pollution Prevention Plan | 19               |
| 1918            | Improvements to Veterans Field       | 2,040            |
| 1924            | Resurfacing of Prospect Avenue       | 435              |
| 1928            | Various Road Improvements            | 6,715            |
| 1930            | Construction of New Library          | 189              |
| 2065/2069       | Construction of a Salt Barn          | <u>287</u>       |
|                 |                                      | <u>\$ 10,706</u> |

**COUNCIL VOTE**

|              | YES | NO | ABSTAIN | ABSENT |
|--------------|-----|----|---------|--------|
| Castelli     |     |    |         |        |
| Todd         |     |    |         |        |
| Vincentz     |     |    |         |        |
| Severino     |     |    |         |        |
| Acosta       |     |    |         |        |
| Jimenez      |     |    |         |        |
| Mayor Suarez |     |    |         |        |

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting November 26, 2012

Presented by Councilman Jimenez

RESOLUTION NO. 282-2012

WHEREAS, certain General Capital Grant Receivable balances remain uncollected for projects which have 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 balances against unexpended ordinance appropriation balances and any remaining amounts from General Capital Fund Balance:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the following balances be cancelled of record as follows:

| <u>Ord.No.</u> | <u>Grant Description</u>     | <u>Grant<br/>Receivable<br/>Balance</u> | <u>Improvement<br/>Authorization<br/>Balance</u> | <u>General<br/>Capital<br/>Fund Balance</u> |
|----------------|------------------------------|---|--|---|
| 1931           | NJ MC Wolf Creek Study       | \$ 1,805                                | \$ (1,805)                                       | \$ 0  |
| 1932           | NJ MC Stormwater Management  | 14,812                                  | (14,315)   | (497)                                       |
| 2062           | NJ DOT Art Lane Improvements | <u>34,037</u>                           | <u>(27,387)</u>                                  | <u>(6,650)</u>                              |
|                |                              | <u>\$ 50,654</u>                        | <u>\$ (43,507)</u>                               | <u>\$ (7,147)</u>                           |

**COUNCIL VOTE**

|              | <b>YES</b> | <b>NO</b> | <b>ABSTAIN</b> | <b>ABSENT</b> |
|--------------|------------|-----------|----------------|---------------|
| Castelli     |            |           |                |               |
| Todd         |            |           |                |               |
| Vincentz     |            |           |                |               |
| Severino     |            |           |                |               |
| Acosta       |            |           |                |               |
| Jimenez      |            |           |                |               |
| Mayor Suarez |            |           |                |               |

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting November 26, 2012

Presented by Councilman Jimenez

RESOLUTION NO. 283-2012

WHEREAS, Lee W. Turner, Esq., representing Safeguard Capital Fund, L.P., have filed a tax appeal challenging assessments at 552 Grand Avenue, Block 2304, Lots 1, 8, 9 and 10 for 2010;

WHEREAS, the original assessment in issue is:

LAND: Nine Hundred Sixty-Four Thousand Five Hundred (\$964,500.00) Dollars  
IMPROVEMENTS: Five Million Two Hundred Eighty-Four Thousand Three Hundred (\$5,284,300.00) Dollars  
TOTAL: Seven Million (\$7,000,000.00) Dollars

WHEREAS, the parties have exchanged discovery and appraisal reports and have entered into settlement discussions and proposed settlement;

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

1. Adjusted assessment for 2010 at:

LAND: Nine Hundred Sixty-Four Thousand Five Hundred (\$964,500.00) Dollars  
IMPROVEMENTS: Five Million Four Hundred Thirty-Five Thousand Five Hundred (\$5,435,500.00) Dollars  
TOTAL: Six Million Four Hundred Thousand (\$6,400,000.00) Dollars

2. That the Special Tax Attorney is hereby authorized and directed to execute a Stipulation of Settlement for filing with the Tax Court;
3. That the Tax Collector is hereby authorized and directed, upon receipt of the Tax Court Judgment, 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;
4. That the within settlement is subject to review and approval thereof by the taxpayer.

**COUNCIL VOTE**

|              | <b>YES</b> | <b>NO</b> | <b>ABSTAIN</b> | <b>ABSENT</b> |
|--------------|------------|-----------|----------------|---------------|
| Castelli     |            |           |                |               |
| Todd         |            |           |                |               |
| Vincentz     |            |           |                |               |
| Severino     |            |           |                |               |
| Acosta       |            |           |                |               |
| Jimenez      |            |           |                |               |
| Mayor Suarez |            |           |                |               |

Approved:

Attest:

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Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting November 26, 2012

Presented by Councilman Jimenez

RESOLUTION NO. 284-2012

WHEREAS, Lee W. Turner, Esq., representing Safeguard Capital Fund, L.P., have filed a tax appeal challenging assessments at 552 Grand Avenue, Block 2304, Lots 1, 8, 9 and 10 for 2011;

WHEREAS, the original assessment in issue is:

LAND: Nine Hundred Sixty-Four Thousand Five Hundred (\$964,500.00) Dollars  
IMPROVEMENTS: Five Million Two Hundred Eighty-Four Thousand Three Hundred (\$5,284,300.00) Dollars  
TOTAL: Seven Million (\$7,000,000.00) Dollars

WHEREAS, the parties have exchanged discovery and appraisal reports and have entered into settlement discussions and proposed settlement;

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

1. Adjusted assessment for 2011 at:

LAND: Nine Hundred Sixty-Four Thousand Five Hundred (\$964,500.00) Dollars  
IMPROVEMENTS: Five Million Two Hundred Eighty-Five Thousand Five Hundred (5,285,500.00) Dollars  
TOTAL: Six Million Two Hundred Fifty Thousand (\$6,250,000.00) Dollars

2. That the Special Tax Attorney is hereby authorized and directed to execute a Stipulation of Settlement for filing with the Tax Court;
3. That the Tax Collector is hereby authorized and directed, upon receipt of the Tax Court Judgment, 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;
4. That the within settlement is subject to review and approval thereof by the taxpayer.

**COUNCIL VOTE**

|              | <b>YES</b> | <b>NO</b> | <b>ABSTAIN</b> | <b>ABSENT</b> |
|--------------|------------|-----------|----------------|---------------|
| Castelli     |            |           |                |               |
| Todd         |            |           |                |               |
| Vincentz     |            |           |                |               |
| Severino     |            |           |                |               |
| Acosta       |            |           |                |               |
| Jimenez      |            |           |                |               |
| Mayor Suarez |            |           |                |               |

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting November 26, 2012

Presented by Councilman Jimenez

RESOLUTION NO. 285-2012

WHEREAS, Lee W. Turner, Esq., representing Safeguard Capital Fund, L.P., have filed a tax appeal challenging assessments at 552 Grand Avenue, Block 2304, Lots 1, 8, 9 and 10 for 2012;

WHEREAS, the original assessment in issue is:

|               |   |
|---------------|---|
| LAND:         | Eight Hundred Forty-Four Thousand Five Hundred (\$884,500.00) Dollars             |
| IMPROVEMENTS: | Five Million One Hundred Eighty Thousand Five Hundred (\$5,180,500.00) Dollars    |
| TOTAL:        | Six Million Six Hundred Twenty-Four Thousand Two Hundred (\$6,624,200.00) Dollars |

WHEREAS, the parties have exchanged discovery and appraisal reports and have entered into settlement discussions and proposed settlement;

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

1. Adjusted assessment for 2012 at:

|               |  |
|---------------|--|
| LAND:         | Eight Hundred Forty-Four Thousand Five Hundred (\$884,500.00)Dollars                 |
| IMPROVEMENTS: | Four Million Eight Hundred Sixty-Five Thousand Five Hundred (\$4,865,500.00) Dollars |
| TOTAL:        | Five Million Seven Hundred Fifty Thousand (\$5,750,000.00) Dollars                   |

2. That the Special Tax Attorney is hereby authorized and directed to execute a Stipulation of Settlement for filing with the Tax Court;
3. That the Tax Collector is hereby authorized and directed, upon receipt of the Tax Court Judgment, 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;
4. That the within settlement is subject to review and approval thereof by the taxpayer.

**COUNCIL VOTE**

|              | <b>YES</b> | <b>NO</b> | <b>ABSTAIN</b> | <b>ABSENT</b> |
|--------------|------------|-----------|----------------|---------------|
| Castelli     |            |           |                |               |
| Todd         |            |           |                |               |
| Vincentz     |            |           |                |               |
| Severino     |            |           |                |               |
| Acosta       |            |           |                |               |
| Jimenez      |            |           |                |               |
| Mayor Suarez |            |           |                |               |

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting November 26, 2012

Presented by Councilman Castelli

RESOLUTION NO. 286-2012

WHEREAS, there is a need for a five-year community forestry management plan to be adopted by the Borough of Ridgefield; and

WHEREAS, the Environmental Commission has proposed a form of community forestry management plan; and

WHEREAS, the Mayor and Council has reviewed and amended same;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the five-year community forestry management plan in a form as attached hereto be and hereby is adopted.

COUNCIL VOTE

|              | YES | NO | ABSTAIN | ABSENT |
|--------------|-----|----|---------|--------|
| Castelli     |     |    |         |        |
| Todd         |     |    |         |        |
| Vincentz     |     |    |         |        |
| Severino     |     |    |         |        |
| Acosta       |     |    |         |        |
| Jimenez      |     |    |         |        |
| Mayor Suarez |     |    |         |        |

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Silvestri,  
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.

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Joseph Luppino,  
Chief Financial Officer

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting November 26, 2012

Presented by Councilman Jimenez

RESOLUTION NO. 287-2012

BE IT RESOLVED, that warrants totaling \$553,090.58  
Be drawn on the following accounts:

|                   |              |
|-------------------|--------------|
| CURRENT           | \$504,709.73 |
| TRUST             | \$9,240.60   |
| CAPITAL           | \$120.96     |
| POOL              | \$2,828.26   |
| UNEMPLOYMENT FUND | \$36,191.03  |
| TOTAL             | \$553,090.58 |

COUNCIL VOTE

|              | YES | NO | ABSTAIN | ABSENT |
|--------------|-----|----|---------|--------|
| Castelli     |     |    |         |        |
| Todd         |     |    |         |        |
| Vincentz     |     |    |         |        |
| Severino     |     |    |         |        |
| Acosta       |     |    |         |        |
| Jimenez      |     |    |         |        |
| Mayor Suarez |     |    |         |        |

Approved:

Attest:

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Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk