

BOROUGH OF RIDGEFIELD

A G E N D A

Executive Session and Regular Meeting of the Mayor and Council

Date: November 2, 2016

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

Invocation

Citizens Comment on Agenda:

Correspondence:

ROLL CALL-PUBLIC SESSION

Table with 4 columns: Adj. to Ex. Pres., Adj. to Ex. Abs., Public Pres., Public Abs. and rows for Mayor Suarez, Castelli, Acosta, Penabad, Shim, Todd, Vincentz.

ROLL CALL-EXEC. SESSION

Table with 2 columns: PRESENT, ABSENT and rows for Mayor Suarez, Castelli, Acosta, Penabad, Shim, Todd, Vincentz.

As advertised, hearing will be held on Ordinance No. 2313 entitled, “AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY COMMONLY KNOWN AS 747 BANTA PLACE IN THE BOROUGH OF RIDGEFIELD, NEW JERSEY”

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

CONSENT AGENDA:

285-2016	Councilman Penabad	Tax Court Judgment-Block 4014, Lot 12
286-2016	Councilman Penabad	Tax Court Judgment-Block 4014, Lot 11
287-2016	Councilman Penabad	Municipal Charges-Yard Maintenance
288-2016	Councilman Penabad	Lien Redemption #14-06
289-2016	Councilman Penabad	Transfer of Appropriations

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

RESOLUTIONS:

290-2016 Councilman Penabad Warrants

COMMENTS BY MAYOR:

**Coin Toss Request:**

RMHS Girls Softball  
March 25, 2017 changed from March 26, 2017

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 2, 2016

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.

COUNCIL VOTE				
	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
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 2, 2016

Presented by Councilman Penabad

ORDINANCE NO. 2313

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 PURCHASE OF CERTAIN REAL PROPERTY  
COMMONLY KNOWN AS 747 BANTA PLACE IN THE BOROUGH OF RIDGEFIELD,  
NEW JERSEY”

introduced on the 19<sup>th</sup> day of October 2016, do now pass a final reading and be adopted, and that the Borough Clerk be and she 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
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 19, 2016

Presented by Councilman Penabad

ORDINANCE NO. 2313

“AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY  
COMMONLY KNOWN AS 747 BANTA PLACE IN THE BOROUGH OF RIDGEFIELD,  
NEW JERSEY”

WHEREAS, the Borough of Ridgefield became aware that a certain parcel of property commonly known as 747 Banta Place (Lot 2, Block 2001 on the Tax Map) by and within the Borough of Ridgefield was going to be offered for sale; and

WHEREAS, that parcel is contiguous to other Borough owned parcels, and near Veterans Park; and

WHEREAS, the property consists of a one-family residential structure and garage; and

WHEREAS, the property is zoned for public use; and

WHEREAS, the Borough obtained an appraisal to determine the value of the property, and had engineering and other inspections done; and

WHEREAS, the Borough has determined that a purchase price of \$325,000 is reasonable and appropriate under all circumstances; and

WHEREAS, the Chief Financial Officer has certified the availability of these funds in the capital budget; and

WHEREAS, it is in the best interests of the Borough of Ridgefield that this property be acquired by the Borough for future public use, the specifics of which are yet undetermined;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Ridgefield, County of Bergen and State of New Jersey as follows:

Section I.

1. Pursuant to the provisions of *N.J.S.A. 40A:12-11*, the Borough of Ridgefield is hereby authorized to purchase the property commonly known as 747 Banta Place, and also known as Lot 2, Block 2001 on the Tax Map pursuant to the terms of a certain contract of sale previously executed on behalf of the Borough (which contract was subject to final adoption of the within ordinance).

2. Pursuant to this ordinance, the Mayor and Borough Clerk be and hereby are authorized and directed to execute such documents as may be reasonably required in the opinion of the Borough Attorney in order to consummate this sale.

3. The Borough's Chief Financial Officer be and hereby is authorized and directed to make payment in the amount of \$325,000, plus or minus such amounts as may be adjusted between the Borough and the seller including, but not limited to, the payment of real estate taxes.

4. The Borough hereby determines that the proposed use of this property is in conformity with the zoning ordinance and master plan of the municipality, which is for public use, notwithstanding that the specific and immediate intended purpose has not yet been determined.

5. The Borough has adopted a capital budget pursuant to New Jersey statute 40A:-40-43 to 40A:-40-45, which includes a program or project for the expenditure of public funds for capital purposes requiring, or likely requiring, the acquisition of properties such as the within property.

6. The Borough hereby ratifies and affirms a certain contract by and between the Borough of Ridgefield and the owner of the property to be acquired, which was executed subject to final adoption of the within ordinance.

7. The Borough Attorney, Mayor, Borough Clerk and Chief Financial Officer be and hereby authorized and directed to take such other and further action as may be reasonably required to accomplish the acquisition of the subject property as set forth herein.

## Section II. Repealer.

All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflicts.

## Section III. Severability.

If any section, part of any section, or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance, and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section IV. This Ordinance shall take effect immediately upon passage and publication according to law.

Section V: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

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 2, 2016

Presented by Councilman Penabad

RESOLUTION NO. 285-2016

WHEREAS, the Tax Court of New Jersey has approved the settlement stipulation for an adjusted assessment on Block 4014 Lot 12 currently known as Block 4014 Lot 12.01 and further known as 101 Railroad Avenue for the years 2014 and 2015.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that DCT 101 RRNJ, LLC be issued a refund in the amount of \$7,079.93 for the year 2014 and \$7,309.29 for the year 2015.

BE IT FURTHER RESOLVED that the Chief Financial Officer be and she is hereby authorized to issue a check in the total amount of \$14,389.22 made payable to DCT 101 RRNJ, LLC and be mailed to the attorney's office at 66 Park Street, Montclair, New Jersey 07042

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting November 2, 2016

Presented by Councilman Penabad

RESOLUTION NO. 286-2016

WHEREAS, the Tax Court of New Jersey has approved the settlement stipulation for an adjusted assessment on Block 4014 Lot 11, also known as 1125 Pleasantview Terrace for the year 2015.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that Genzyme Biosurgery be issued a refund in the amount of \$31,126.79 for the year 2015.

BE IT FURTHER RESOLVED that the Chief Financial Officer be and she is hereby authorized to issue a check in the total amount of \$31,126.79 made payable to Genzyme Biosurgery and be mailed to 1125 Pleasantview Terrace, Ridgefield, New Jersey 07657.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting November 2, 2016

Presented by Councilman Penabad

RESOLUTION NO. 287-2016

WHEREAS, the Borough of Ridgefield received numerous complaints in regard to the disrepair and/or abandonment of certain properties; and

WHEREAS, the aforesated facts were confirmed upon inspection by the Property Maintenance Department; and

WHEREAS, Property Maintenance notified the owner that the property needed to be cleaned up and maintained and the owner did not respond; and

WHEREAS, in order to preserve the health, safety and welfare of the adjacent neighbors and all municipal residents the Borough of Ridgefield hired vendors for emergency cleanup of said property; and

WHEREAS, the owner of this property was given ample time to respond and pay the clean up fees and has not done so;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council directs Tax Collector Frank Berardo to place Municipal Charges upon the said property for the clean-up costs incurred by the Borough of Ridgefield according to the following schedule:

260 Shaler Blvd                      Block 3705 Lot 29                      \$224.95

Approved:

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

Attest:

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

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting November 2, 2016

Presented by Councilman Penabad

RESOLUTION NO. 288-2016

WHEREAS, Greater NJ Title Agency, on behalf of Omar Miquel, has deposited a check in the amount of \$23,829.88 into the Suspense Account for the redemption and subsequent taxes of Tax Lien # 14-06, Block 3105 Lot 2, further known as 501 Ridgefield Terrace, sold to Isaac Moradi, 520 Elm Street, Kearny, New Jersey 07032 and whereas \$11,100.00 was previously deposited into the Trust Account for the premium at the time of the tax sale;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Chief Financial Officer be and she is hereby authorized to issue and sign a check in the amount of \$23,829.88 from the Suspense Account and a check for \$11,100.00 from the Trust Account.

BE IT FURTHER RESOLVED that the check in the amount of \$23,829.88 be drawn on the Borough of Ridgefield Suspense account and the check for \$11,100.00 be drawn on the Borough of Ridgefield Trust account and be made payable to Isaac Moradi and be mailed to 520 Elm Street, Kearny, New Jersey 07032.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting November 2, 2016

Presented by Councilman Penabad

RESOLUTION NO. 289-2016

Transfer Resolution

WHEREAS, N.J.S.A. 40A:4-58 allows appropriation transfers during the last two months of the calendar year should it become necessary to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefor and there shall an excess in any appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the governing body may, by resolution setting forth the facts, adopted by not less than two thirds vote of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient; no transfers may be made to appropriations for contingent expenses or deferred charges.

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 Calendar Year 2016 budget appropriation transfers:

<u>CURRENT FUND</u>	FROM	TO
Collection of Taxes Salary and Wages	12,000.00	
Police Salary and Wages	150,000.00	
Streets and Roads Salary and Wages	100,000.00	
Tax Assessor Professional Services	1,929.00	
Financial Administration Salaries and Wages		11,600.00
Assessment of Taxes Salaries and Wages		420.00
Planning Board Salaries and Wages		270.00
Property Maintenance		600.00
Workers Compensation Insurance		13,539.00
Insurance Employees Health		97,000.00
First Aid		64,000.00
Fire Prevention Salary and Wages		12,000.00
Water		4,500.00
Telephone		4,000.00
Street Lighting		56,000.00

Interest on Bonds	120,000.00	
Principal on Bonds		120,000.00
 <u>POOL OPERATING</u>		
Pool O & E	7,900.00	
Pool Salary and Wages		7,900.00

**COUNCIL VOTE**

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
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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Diane Sherry,  
Chief Financial Officer

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting November 2, 2016

Presented by Councilman Penabad

RESOLUTION NO. 290-2016

BE IT RESOLVED, that warrants totaling **\$4,591,554.89**  
be drawn on the following accounts:

CURRENT	\$3,781,242.23
TRUST	\$83,514.98
CAPITAL	\$722,962.92
POOL	\$3,834.76
<b>TOTAL</b>	<b>\$4,591,554.89</b>

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

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

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