

BOROUGH OF RIDGEFIELD

A G E N D A

Executive Session and Regular Meeting of the Mayor and Council

Date: October 13, 2009

Open Public Meetings Statement by Mayor Suarez

Public Session to Adjourn to 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 Donald Sheehan,  
St. Matthew’s Church

Citizens Comment on Agenda:

Correspondence:

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As advertised, hearing will be held on SFY 2009/2010 Municipal Budget

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

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**ROLL CALL-EXEC. SESSION**

	<b>PRESENT</b>	<b>ABSENT</b>
Mayor Suarez		
Lonzisero		
Todd		
Vincenz		
Severino		
Castelli		
Acosta		

**ROLL CALL-PUBLIC SESSION**

	<b>PRESENT</b>	<b>ABSENT</b>
Mayor Suarez		
Lonzisero		
Todd		
Vincenz		
Severino		
Castelli		
Acosta		

Introduction of Ordinance No. 2113 entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 35 “FIRE DEPARTMENT”, SECTION 10, “CLASSIFICATION OF FIREFIGHTER EMERITUS”, SECTION 11 “INACTIVE MEMBERS PENSION”, SECTION 12.1, “CLOTHING ALLOWANCE” and SECTION 13, “REQUIREMENTS FOR ACTIVE MEMBERSHIP”

First Reading of Ordinance

Roll Call

**PROPOSED CONSENT AGENDA:**

	Motion:	Second:
366-2009	Councilman Vincentz	Authorize License Agreement with SST Trade & Development Inc. for Parking
367-2009	Councilman Vincentz	Authorize Borough Attorney to File Suit to Collect Relocation Costs from Owner of Illegal Boarding House
368-2009	Councilman Vincentz	Return of Escrow for Road Opening Permit
369-2009	Councilman Vincentz	Authorize Replacement and Upgrade of Streetlights
370-2009	Councilman Severino	Authorize Additional Roof Repairs at Library

**COUNCIL VOTE**

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

**RESOLUTIONS:**

\_\_\_\_-2009 Councilman Vincentz Warrants

COMMENTS BY MAYOR:

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

Alexander J. Acosta  
779 Norman Road  
Company No. 3

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,

Martin A. Gobbo,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 13, 2009

Presented by Mayor Anthony R. Suarez

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

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

**COUNCIL VOTE**

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

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

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

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 13, 2009

Presented by Councilman Todd

ORDINANCE NO. 2113

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

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 35 “FIRE DEPARTMENT”, SECTION 10, “CLASSIFICATION OF FIREFIGHTER EMERITUS”, SECTION 11 “INACTIVE MEMBERS PENSION”, SECTION 12.1, “CLOTHING ALLOWANCE” and SECTION 13, “REQUIREMENTS FOR ACTIVE MEMBERSHIP”

introduced on the 13<sup>th</sup> day of October, 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 26<sup>th</sup> day of October, 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**

	<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 October 13, 2009

Presented by Councilman Todd

ORDINANCE NO. 2113

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 35 “FIRE DEPARTMENT”, SECTION 10, “CLASSIFICATION OF FIREFIGHTER EMERITUS”, SECTION 11, “INACTIVE MEMBERS PENSION”, SECTION 12.1 “CLOTHING ALLOWANCE” AND SECTION 13, “REQUIREMENTS FOR ACTIVE MEMBERSHIP”

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Ridgefield, County of Bergen, State of New Jersey, being the governing body thereof, that Chapter 35 “Fire Department”, Section 10 “Classification of Firefighter Emeritus”, Section 11 “Inactive Members Pension”, Section 12.1 “Clothing Allowance”, and Section 13 “Requirements for Active Membership”, of the Code of the Borough of Ridgefield be and is hereby amended and supplemented as follows:

Chapter 35-10 Classification of Firefighter Emeritus (DELETED IN ITS ENTIRETY)

Chapter 35-11 Inactive Members Pension

- A. The status of “firefighter emeritus” shall be granted to any person who has completed and retired after 20 years of service as a full member of the Ridgefield Volunteer Fire Department and who has attained the age of 55 years. As a measure of the Borough’s gratitude for his or her service, a firefighter emeritus shall be entitled to receive a yearly pension payment equal in amount to what firefighters receive as an annual clothing allowance. the Fire Chief shall certify the eligibility of all firefighter’s emeritus to the chief financial officer with documented date of birth on October 31, of each year . The right of a firefighter emeritus to receive the payment set forth in this section shall cease upon the firefighter’s death.
- B. (RESERVED)
- C. Every member of the Ridgefield Fire Department who has become an inactive member of said Fire Department and who has served 20 years as an active fireman and who has reached the age of 65 years shall receive an additional pension of \$150 per year. This pension is payable only to the former fireman and not to any survivors, relatives, or heirs. This pension payment eligibility is determined on October 31, of each year. The Fire Chief shall certify the eligibility of qualified inactive firefighters to the chief financial officer with documented date of birth. A pensioner, who dies before October 31, shall be ineligible for a pension payment for that year.

- D. Any fireman forced to become inactive due to fire-service-connected disability as determined by the Fire Department surgeon and who has completed at least 10 years of active service shall be entitled to said pension referred to in Subsection C above, in full, from the date of said fire-service-connected disability.
- E. Any fireman forced to become inactive due to fire-service-connected disability as determined by the Fire Department surgeon, who has completed less than 10 years of active service, shall be entitled to a pension of 50% of the above-mentioned pension from the date of disability.
- F. Any fireman forced to become inactive due to a disability which is not fire service connected as determined by the Fire Department surgeon, who has completed 15 years of service and who has reached the age of 60 years shall be entitled to receive a full pension in that amount set forth in Subsection C above.
- G. The first payment of this pension shall commence on October 31, 1979. Thereafter, the amount of the pension shall be reviewed annually by the Mayor and Council to consider its sufficiency and adequacy in light of the economic conditions existing at the time.

Chapter 35-12.1 Clothing Allowance

- A. The Ridgefield Fire Department members are to receive Annual Clothing Allowances in accord with the following schedule November 1 to October 31. Amounts listed are based on full checks. Percentages must be used to determine actual payout to each firefighter.

	30% or higher	Full check	Firefighter	\$750 per year
	25% to 29%	3/4 check	2nd Lieutenant	\$875 per year
	21% to 24%	1/2 check	1st Lieutenant	\$900 per year
	15% to 20%	1/4 check	Captain	\$1,000 per year
	0 to 14%	No check	Battalion Chief	\$2,700 per year
			Deputy Chief	\$3,000 per year
			Chief	\$3,804 per year

- B. In addition, fire department members will receive a monthly clothing allowance, paid quarterly, in the amount of \$316.67 per month, if eligible according to the following criteria:
  - (1) Each firefighter must answer at least 35% of the calls for each month of the quarter, or 35% of the calls for the entire quarter.

- (2) Firefighters may qualify on a monthly or quarterly basis, as set forth in Subsection B1 above. A firefighter who qualifies for only one or two months of the quarter shall be paid a clothing allowance only for those months in which the firefighter qualifies. Any firefighter who does not meet either of the criteria set forth in Subsection B1, above will not receive a check for the quarter.
  - (3) All three chiefs will receive full quarterly checks to cover chiefs' alarms, various meetings and responses to other company calls.
- C. The amounts payable to the members under Sections 35-12.1A and 35-12.1B will be reviewed and certified by the Fire Chief to the chief financial officer for the annual and quarterly allowances. Copies will be provided to the Fire Committee and Borough Administrator.
  - D. All "Run Sheets" will be filed at Borough Hall and will be subject to audit.

#### Chapter 35-13 Requirements for active membership

- A. The minimum age at which a person may apply for and be accepted to active membership in any company of the Ridgefield Fire Department is 18 years. The person must either reside within the Borough of Ridgefield, be currently employed in the Borough of Ridgefield, or reside within 1.5 miles from the Ridgefield municipal border line.
- B. Except for active fire fighter transfers from another New Jersey fire department, all those accepted as active members must serve as a probationary fire fighter until the successful completion of the currently accepted basic fire course (Fire Fighter I) from a fire training center recognized by the State of New Jersey. The only exception to this is a person applying for active membership in the Ridgefield Fire Department who already has completed this required basic fire course. The probationary fire fighter must complete this required basic fire course within 24 months of the time that they are accepted. Upon completion of the basic fire course, a member will be considered a full-fledged active fire fighter.
- C. All active members of the Ridgefield Fire Department who have reached the age of 65 years or older must submit to an annual physical examination by the Ridgefield Fire Department surgeon. The Fire Chief can require a physical examination of any active member by the Ridgefield Fire Department surgeon for the safe and efficient operation of the department.

BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable 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 October 13, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 366-2009

WHEREAS, the Borough of Ridgefield desires to enter into a license agreement (the "Agreement") with SST Trade & Development, Inc. with an address of 1101 Slocum Avenue, Ridgefield, New Jersey, 07657 to allow parking at that property during home football games at Willis Field; and

WHEREAS, the SST Trade & Development, Inc. is agreeable to the terms of the Agreement;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Mayor or Borough Administrator is hereby authorized to execute the License Agreement with SST Trade & Development, Inc.

**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

## LICENSE AGREEMENT

This License Agreement ("Agreement"), made and entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 2009 by and between the Borough of Ridgefield, located at 604 Broad Avenue, Ridgefield, New Jersey, 07657 (the "Borough" or "Grantee"); and Mark F. Miao, President of SST Trade & Development Inc. ("SST" or "Grantor"), whose address is 1101 Slocum Avenue, Ridgefield, New Jersey, 07657.

### WITNESSETH

**WHEREAS**, SST owns the property located at 1101 Slocum Avenue, Ridgefield, New Jersey, 07657 (the "Property") in the Borough of Ridgefield; and

**WHEREAS**, the Borough has requested permission to allow residents to park at that property during home football games that are played at nearby Willis Field; and

**WHEREAS**, SST wishes to grant the Borough a revocable license to allow residents to park in the parking lot of the Property; and

**NOW, THEREFORE**, for One Dollar (\$1.00) and other good and valuable consideration the sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. The Property. SST hereby grants a revocable license (the "License") to the Borough to allow residents of the Borough to park at the Property for home football games that are played at Willis Field.

2. Parking. The Borough will permit residents to park in the designated parking spaces. Parking may begin at the Property one (1) hour prior to the start of a home football game. The Borough shall perform its reasonably best efforts to clear the Property of vehicles in a timely manner following the football games.



7. No Waiver. Each of the parties acknowledges and agrees that the failure by either to invoke or enforce any right or obligation granted or imposed by the operation of this Agreement shall not constitute a waiver thereof.

8. Authority to Execute. Each of the undersigned warrants that he/she is duly authorized to execute this Agreement.

9. Applicable Law. This Agreement and the rights and duties of the parties hereunder shall be subject to and construed in accordance with the laws of the State of New Jersey without regard to its conflict of laws rules.

10. Enforcement. In the event that vehicles are parked at the Property at such times that are not permitted under this Agreement, the Grantor agrees to notify the Ridgefield Police Department first to address the issue.

11. Record. This Agreement may be recorded by either party.

12. Complete Agreement. This Agreement sets forth the complete agreement between the parties hereto and shall not be amended, modified or changed in any way except by written agreement executed by all parties hereto.

**IN WITNESS WHEREOF,** the parties hereto hereby execute this Agreement as of the date first above written, intending themselves to be bound by the terms and conditions herein.

ATTEST:

**Borough of Ridgefield**

\_\_\_\_\_

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

ATTEST:

**President of SST Trade & Development Inc.**

\_\_\_\_\_

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

Mark F. Miao

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 13, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 367-2009

WHEREAS, in May of 2009, an illegal boarding house was discovered in the Borough of Ridgefield at 1027 Pleasantview Terrace Ridgefield, NJ, 07657; and

WHEREAS, pursuant to N.J.S.A. 2A:18-61.1g, the Borough Welfare Department relocated those tenants and expended certain funds; and

WHEREAS, the Borough Attorney as well as the Welfare Department contact the owner of the premises to arrange a repayment plan for the relocation costs; and

WHEREAS, no relocation expenses have been recovered from the property owner; and

WHEREAS, pursuant to N.J.S.A. 20:4-4.2 the Borough is permitted to commence a civil action against the property owner to recover all relocation expenses as well as interest, attorney's fees, and costs for filing suit;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Borough Attorney is hereby authorized to file a civil action against the property owner of the illegal boarding house to recover all relocation expenses, interest, attorney's fees, and costs for filing.

**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 October 13, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 368-2009

WHEREAS, George Arvanitakis posted \$2,500.00 cash escrow on October 2, 2009 as a requirement of a Road Opening Permit(Chapter 350-13 et seq) in front of Block 1503, Lot 7.02, 616 Abbott Avenue; and

WHEREAS, said road opening has been inspected and certified acceptable by the Department of Public Works on October 7, 2009 along with a recommendation for the release of escrow funds:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Chief Financial Officer is and hereby authorized to release \$2,500.00 cash escrow to George Arvanitakis, 505 Studio Road.

**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 October 13, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 369-2009

WHEREAS, the Borough of Ridgefield has the opportunity to replace 680 mercury vapor streetlights with a more efficient and environmentally friendly induction florescent lighting at no upfront cost to the Borough; and

WHEREAS, these induction lamps will use 30-40% less electricity, will provide more light with less glare than the lamps they are replacing, and provide estimated annual savings to the Borough of Ridgefield of \$5,855.16; and

WHEREAS, this upgrade program offered by Public Service Electric & Gas has been reviewed by the Finance Committee who have determined that this upgrade is in the best interests of the Borough of Ridgefield:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Borough Administrator is and hereby authorized to enter into a consent agreement with Public Service Electric and Gas for the replacement and upgrade of 680 mercury vapor streetlights within the Borough.

**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 October 13, 2009

Presented by Councilman Severino

RESOLUTION NO. 370-2009

WHEREAS, S & S Roofing has previously reported approximately four leaks in the Ridgefield Library roof in an area outside their previous repair area; and

WHEREAS, in order to properly protect the building and repair the existing leaks, the Borough proposes to retain S & S roofing on a time and material basis of \$80.00 per hour not to exceed \$2,000.00;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Purchasing Agent is and hereby authorized to hire S & S Roofing on a time and materials basis at \$80.00 per hour not to exceed \$2,000.00 .

BE IT FURTHER RESOLVED, that the Chief Financial officer certifies the availability of funds from Capital Ordinance 2059, Supplementary Library Construction and Repairs.

**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

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 October 13, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 371-2009

BE IT RESOLVED, that warrants totaling \$2,213,562.93  
be drawn on the following accounts:

CURRENT	\$2,157,449.24
TRUST	\$43,019.27
CAPITAL	\$8,415.85
POOL	\$4,678.57
TOTAL	\$2,213,562.93

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