

BOROUGH OF RIDGEFIELD

A G E N D A

Executive Session and Regular Meeting of the Mayor and Council

Date: September 13, 2010

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: Reverend Donald P. Sheehan St. Matthews Roman Catholic Church

Citizens Comment on Agenda:

Correspondence:

Approval of Minutes of February 25, 2008 Work Session Meeting, April 14, 2008 Special Work Session Meeting, April 14, 2008 Public Session Meeting, April 28, 2008 Public Session Meeting and April 28, 2008 Work Session Meeting

As advertised, hearing will be held on Ordinance No. 2139 entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 75 “POLICE DEPARTMENT” TO MODIFY THE COMPOSITION AND QUALIFICATION REQUIREMENTS OF THE DEPARTMENT”

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

Public Hearing

ROLL CALL-PUBLIC SESSION

Table with 4 columns: Name, Adj. to Ex. Pres., Adj. to Ex. Abs., Public Pres., Public Abs. Rows include Mayor Suarez, Lonzifero, Todd, Vincentz, Severino, Castelli, Acosta.

ROLL CALL-EXEC. SESSION

Table with 3 columns: Name, PRESENT, ABSENT Rows include Mayor Suarez, Lonzifero, Todd, Vincentz, Severino, Castelli, Acosta.

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

Roll Call

As advertised, hearing will be held on Ordinance No. 2140 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 375 "VEHICLES AND TRAFFIC" SECTION 375-52 "DESIGNATED AREAS" TO REMOVE CERTAIN HANDICAPPED SPOTS"

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

Roll Call

As advertised, hearing will be held on Ordinance No. 2141 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 208 "GARBAGE AND TRASH" TO CHANGE TITLE TO "GARBAGE, TRASH AND STORAGE" AND ADD ARTICLE V "STORAGE CONTAINERS" SECTIONS 208-20 THROUGH 22"

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

Roll Call

Introduction of Ordinance No. 2142 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE VII "SUPPLEMENTARY REGULATIONS" SECTION 390-18 "SIGNS" OF THE BOROUGH CODE AND ADDING SECTION 390-18.1 "VIOLATIONS AND PENALTIES"

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2143 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 70 "PERSONNEL POLICIES" BY ADDING ARTICLE VII

“BACKGROUND CHECKS” TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR CERTAIN POSITIONS”

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2144 entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 390 “ZONING, DEVELOPMENT AND CONSTRUCTION” SECTION 390-39.1 “O-LR OFFICE LOW-RISE ZONE” AND SECTION 390-46 “WORD USAGE AND DEFINITION” IN ACCORDANCE WITH RECOMMENDATIONS OF BOROUGH PLANNER”

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2145 entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 375 “VEHICLES AND TRAFFIC” SECTION 375-61 “RESIDENT PARKING PROGRAM” TO REQUIRE RESIDENT PARKING STICKERS”

First Reading of Ordinance

PROPOSED CONSENT AGENDA:

	Motion:	Second:
242-2010	Mayor Suarez	Domestic Violence Awareness Month
243-2010	Councilman Vincentz	Correcting Resolution 289-2009 (July 2009)
244-2010	Councilman Vincentz	Authorize Contract with G. Bonacci
245-2010	Councilman Lonziserio	Authorize Borough Administrator to Perform Senior Housing Study
246-2010	Councilman Lonziserio	Appointment of School Crossing Guards
247-2010	Mayor Suarez	Cares Enough to Wear Pink Days
248-2010	Councilman Severino	Authorize to Advertise-Bids for Slocum Avenue Roadway Improvements
249-2010	Councilman Vincentz	Stipulation of Settlement-701 Grand Avenue Realty, LLC
250-2010	Councilman Vincentz	Stipulation of Settlement-Castro

COUNCIL VOTE

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

RESOLUTIONS:

251-2010 Councilman Vincenz Warrants

COMMENTS BY MAYOR:

NJ State Firemen's Association Membership Application:

David Vermeal
1 Elizabeth Street, Apt. 3
Company No. 3

Permission to Utilize Banta Place Parking Lot:

RMHS Alumni Scholarship Fund
Annual Car Show
Sunday, October 17, 2010 - 1:00-5:00 pm
Rain Date: October 24, 2010

Raffles License Application:

St. James Episcopal Church
514 Abbott Avenue
Prize Raffle
Saturday, November 13, 2010 - 6:00-8:00 pm

St. Matthews Roman Catholic Church
555 Prospect Avenue
Feast
September 23, 2010 – 5:00-10:00 pm
September 24, 2010 – 5:00-11:00 pm
September 25, 2010 – 3:00 pm-12:00 am
September 26, 2010 – 2:00-8:00 pm

St. Matthews Roman Catholic Church
555 Prospect Avenue
50/50
September 23, 2010 – 5:00-10:00 pm
September 24, 2010 – 5:00-11:00 pm
September 25, 2010 – 3:00 pm-12:00 am
September 26, 2010 – 2:00-8:00 pm

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,

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

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				
	YES	NO	ABSTAIN	ABSENT
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

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Lonzisero

ORDINANCE NO. 2139

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 75 “POLICE DEPARTMENT” TO MODIFY THE COMPOSITION AND QUALIFICATION REQUIREMENTS OF THE DEPARTMENT”

introduced on the 12th day of July, 2010 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
Lonzisero				
Todd				
Vincentz				
Severino				
Castelli				
Acosta				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting July 12, 2010

Presented by Councilman Lonzisero

ORDINANCE NO. 2139

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 75 “POLICE DEPARTMENT” TO MODIFY THE COMPOSITION AND QUALIFICATION REQUIREMENTS OF THE DEPARTMENT”

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 75 “Police Department”, of the Code of the Borough of Ridgefield be and is hereby amended and supplemented as follows:

§ 75-1 Establishment; composition.

A. Establishment; Composition. The Police Department of the Borough of Ridgefield is hereby established to consist of the following officers (listed in line of authority):

- (1) One Chief of Police.
- (2) One Deputy Chief or one Captain.
- (3) Up to three Lieutenants.
- (4) Up to seven Sergeants
- (5) Up to sixteen patrol officers.

B. Term of office. Each police officer shall be appointed to a term of office consistent and in accordance with relevant state statutes, including but not limited to minimum and maximum age of police officers, appointment requirements and/or prerequisites and/or removal from office.

C. Compensation.

(1) All members of the Ridgefield Police Department shall be compensated at the salary rates established in the collective bargaining agreement between the Borough of Ridgefield and the Ridgefield PBA Local No. 330, as currently in force and as may be amended from time to time.

(2) The remuneration paid to an officer shall also include any other monetary compensation established in said collective bargaining agreement (for example: longevity bonus, vacation pay, clothing allowance, etc.).

(3) Any and all officers who are not subject to the terms of said collective bargaining agreement shall be compensated for their services pursuant to State Statute or any other regulations and/or

ordinances which establish the salaries of police officers who are deemed "outside of the collective bargaining agreement."

D. Funding. The Borough shall annually fund a sum which addresses the Borough's financial responsibility under said collective bargaining agreement.

E. Duties. All police officers shall be required to uphold the Constitution of the United States of America, the Constitution of the State of New Jersey and all statutes, regulations and/or ordinances of the Borough of Ridgefield as they may be promulgated pertaining to police powers and each officer's duties thereunder.

F. Severability. If any sentence, section, clause or other portion of this section or the application thereof to any person or circumstance shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such orders/judgment shall not affect, impair or repeal the remainder of this section.

G. Repealer. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

H. When effective. This section shall take effect immediately upon final passage and publication as required by law.

§ 75-9 Qualification for appointment.

A. Each member and officer of the Police Department, prior to his/her appointment as such, shall be a citizen of the United States of America, and possess a valid New Jersey Drivers license. In addition, all appointees to the Police Department shall be sound in body and mind and in good health sufficient to satisfy the Board of Trustees of the Police and Fireman's Retirement System of New Jersey, that such appointee is eligible for membership in the retirement system. All appointees shall be able to read, write and speak the English language well and intelligently and be of good moral character. No person who has been convicted of any crime or offense involving moral turpitude shall be appointed to the Police Department. No person shall be appointed to the Police Department who is less than 18 or more than 35 years of age at the time of appointment, except as may be modified by law. All appointees shall have satisfied all of the criteria set forth in subsection A, B, C and D of this Chapter 75. Each appointee shall comply with all of the laws of the State of New Jersey pertaining to eligibility requirements for police officers.

B. No person shall be appointed to the Police Department who is not qualified as provided in the New Jersey Statutes. All appointments to the Police department shall be made by majority of the Council, with special reference to fitness of the person or persons appointed. These persons desiring to be appointed shall be required to submit to any testing procedures and examinations as the Council may, from time to time, direct, which examinations shall be of the type as may then be conducted by any county, state or national association of Chiefs of Police, by the State Police, by other local governing units or as designated by the Council. The Mayor and Council shall also require that an applicant for appointment to the Police

Department shall successfully complete a physical, mental and psychological examination. (N.J.S.A. 40A:14-122 and N.J.S.A. 40A:14-127)

C. All persons applying for appointment to the Police Department shall satisfy one of the following criteria prior to sitting for any examination referred:

1. Shall possess a bachelor's degree from a college accredited by the Middle States Association of Schools and Colleges, the North Central Association of Schools and Colleges, the Northwest Association of Colleges and Schools or the Western Association of Schools and Colleges (hereinafter, "Accredited college")
2. Shall have served (3) years in the United States Military Service and have an honorable discharge.
3. Shall have four (4) years experience as a sworn law enforcement officer in the State of New Jersey and possess an associate's degree.

D. TESTING PROCEDURE FOR POLICE OFFICER

- STEP 1 Applications are limited to the first one hundred-fifty (150) returned fully completed. An applicant will be rejected who has intentionally made a false statement or omitted pertinent information required in the application. A non refundable application fee of \$75.00 applies. Money orders only made payable to the Borough of Ridgefield.
- STEP 2 The written examination is administered by the New Jersey State Association of Chiefs of Police.
- STEP 3 The top thirty-five (35) candidates are then invited to attend the physical fitness assessment.
- STEP 4 The top twenty (20) candidates are then invited to return for the oral interview before the Chief of Police, administrative officer and two members of either the police committee or the Mayor and Council.
- STEP 5 The final fifteen (15) candidates are then placed on an employment eligibility list that is good for twenty four (24) months, from the date the list is established. The order of the eligibility list will be based on total score comprised of; Written exam, physical assessment exam and the oral interview. Each portion will count as one third of the total score. Applicants who have served as a Special Police Officer in the Borough of Ridgefield for at least one (1) year immediately prior to the written exam will be awarded an additional five (5) points to their total score. Applicants that have established residency in Ridgefield for at least one (1) year immediately prior to the written exam will receive an additional five (5) points to their final score for a maximum of ten (10) points added to the final score.
- STEP 6 The top five (5) applicants will be sent for a psychological examination. Any applicant that does not pass the psychological examination will be removed from the eligibility list.

E. No person shall be given or accept permanent appointment as a police officer in the Borough unless such person has been given a probationary or temporary appointment to such office for a period of one year after successfully completing a police training course at a school approved and authorized by the Police Training Commission in the Department of Public Safety of the State of New Jersey, pursuant to the provisions of N.J.S.A. 52:17B-66 et seq.

§ 75-18 Reserved.

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:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Lonisero

ORDINANCE NO. 2140

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 375 “VEHICLES AND TRAFFIC” SECTION 375-52 “DESIGNATED AREAS” TO REMOVE CERTAIN HANDICAPPED SPOTS”

introduced on the 9th day of August, 2010 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
Lonisero				
Todd				
Vincentz				
Severino				
Castelli				
Acosta				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting August 9, 2010

Presented by Councilman Lonzisero

ORDINANCE NO. 2140

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 375 “VEHICLES
AND TRAFFIC” SECTION 375-52 “DESIGNATED AREAS” TO REMOVE CERTAIN
HANDICAPPED SPOTS”

WHEREAS, there is no longer a need in the Borough for the following handicapped parking spaces contained in Section 375-52 of the Borough Code:

- (25) A single handicapped parking space at 573 Carpenter Place, Ridgefield, New Jersey;
- (47) A single parking spot adjacent to 581 Stewart Street (on the west side of Stewart Street), beginning at a point 377 feet south of the southwest corner of Stewart Street and Clinton Place and proceeding south a distance of 22 feet;
- (49) A single parking spot adjacent to 1008 Linden Avenue (on the south side of Linden Avenue), beginning at a point 231 feet west of the southwest corner of Broad Avenue and Linden Avenue and proceeding west a distance of 22 feet.

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 375 “Vehicles and Traffic” Section 375-52 “Designated Areas” is hereby amended and supplemented as follows:

§ 375-52 Designated areas.

...

B. There are hereby designated the following handicapped parking spaces which shall be so designated and marked. Such handicapped spaces shall be used only by vehicles bearing appropriate handicapped identification insignia, as approved by the Division of Motor Vehicles of the State of New Jersey:

...

(25) (Reserved)

...

(47) (Reserved)

...

(49) (Reserved)

...

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:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Lonzisero

ORDINANCE NO. 2141

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 208 “GARBAGE AND TRASH” TO CHANGE TITLE TO “GARBAGE, TRASH AND STORAGE” AND ADD ARTICLE V “STORAGE CONTAINERS” SECTIONS 208-20 THROUGH 22”

introduced on the 9th day of August, 2010 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
Lonzisero				
Todd				
Vincentz				
Severino				
Castelli				
Acosta				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting August 9, 2010

Presented by Councilman Lonzisero

ORDINANCE NO. 2141

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 208 “GARBAGE AND TRASH” TO CHANGE TITLE TO “GARBAGE, TRASH AND STORAGE” AND ADD ARTICLE V “STORAGE CONTAINERS” SECTIONS 208-20 THROUGH 22”

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 208 “Garbage and Trash” is hereby amended to read “Garbage, Trash and Storage” and Sections 208-20-22 are hereby added as follows:

§ 208-20 Definition.

Temporary Storage Container. An enclosed box-like structure, without wheels, designed for the outdoor storage of personal property for temporary use, delivered and removed by vehicle. Said container shall only be allowed in association with an active building permit

§ 208-21 Permit required.

No person shall place, or allow to be placed, a Temporary Storage Container upon any private property in the Borough of Ridgefield, without first obtaining a permit. The permit shall be obtained from, and issued by, the Building Department, and shall be subject to the approval of that Department. The Building Department shall develop a form of application for said permit. The fee for a permit to place a Temporary Storage Container on private property shall be \$50. Permit extension fee shall be \$25. for each 30 day period. Under no circumstance shall a Temporary Storage Container be placed on any street or Borough owned land within the Borough of Ridgefield.

§ 208-22 Regulations.

Temporary Storage Containers shall only be allowed subject to the following:

- 1) Location. Temporary Storage Containers shall be placed only in the driveway, allotted parking spaces, or other paved areas of property which are not located in the right-of-way and do not obstruct the sidewalk. The following provisions shall also apply:
 - a. No Temporary Storage Container shall be located within three (3) feet of a property line.

- b. Temporary Storage Containers shall be off set at least ten (10) feet from the principal building.
 - c. A Temporary Storage Container or containers shall not occupy an area greater than 10% of the area of the front, side or rear yard which it is located.
 - d. Whenever feasible, the applicant shall utilize existing buffers when determining the location for a Temporary Storage Container in order to screen the container from adjoining properties.
 - e. Temporary Storage Containers shall not obstruct circulation for vehicles, particularly emergency vehicles.
 - f. Temporary Storage Containers shall not be placed in an area that would reduce parking to a level inconsistent with the Borough Ordinance and the Residential Site Improvements Standards (RSIS).
 - g. Upon a showing of practical necessity, the Construction Code Official or his/her designee may grant relief from requirements of Section 2 (b) and (c).
 - h. No container shall remain for a period greater than ninety (90) days.
 - i. A 30 day permit extension may be applied for if needed. The Construction Code Official or his/her designee may issue no more than two (2) permit extensions.
- 2) Size. A Temporary Storage Container shall not be larger than eight (8) feet wide or twenty (20) feet long or one hundred fifty (150) feet in total area and no higher than eight (8) feet from grade.
- 3) Use.
- a. The use of any Temporary Storage Container shall be confined to the property owner or legal tenant whose property the container is placed upon. The containers are intended to store common household items.
 - b. The following items are expressly prohibited from being stored or kept within a temporary storage container:
 - i. Hazardous substances, including chemical, flammable or explosive materials;
 - ii. Trash;
 - iii. In addition, Temporary Storage Containers shall not be used for temporary habitation of humans or animals; and
 - iv. Commercial inventory.
 - c. Signage for any Temporary Storage Container shall comply with the following:
 - i. A Temporary Storage Container shall have no signage other than the name, logo, address and telephone number of the person or firm engaged in the business of renting or otherwise placing the Temporary Storage Container; and
 - ii. The sign must be permanently adhered to or painted on the Temporary Storage Container.
- 4) Lighting. There shall be no lighting fixtures attached to a Temporary Storage Container nor shall any lighting fixture be solely utilized to light a container. In

addition, no electrical service shall be attached or brought to the Temporary Storage Container.

5) Maintenance.

- a. Any Temporary Storage Container shall be in good condition, free from evidence of deterioration, weathering, discoloration, rust, ripping, tearing or other holds or breaks.
- b. When not in use, the Temporary Storage Container shall be kept locked.

6) Applicability.

- a. In addition to compliance with all other requirements of the Borough of Ridgefield Building Regulations, the use of Temporary Storage Containers must comply with the standards established by this Section.
- b. Where the requirements of any part of this Section conflict with any other Section of the Borough Regulations, this Section shall prevail.

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:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Severino

ORDINANCE NO. 2142

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 ARTICLE VII
“SUPPLEMENTARY REGULATIONS” SECTION 390-18 “SIGNS” OF THE BOROUGH
CODE AND ADDING SECTION 390-18.1 “VIOLATIONS AND PENALTIES”

introduced on the 13th of September, 2010, 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 27th day of September, 2010 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 she 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

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Severino

ORDINANCE NO. 2142

“AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE VII
“SUPPLEMENTARY REGULATIONS” SECTION 390-18 “SIGNS” OF THE BOROUGH
CODE AND ADDING SECTION 390-18.1 “VIOLATIONS AND PENALTIES”

BE IT ORDAINED, by the Mayor and Council of the Borough of Ridgefield, County of Bergen and State of New Jersey, being the governing body thereof, that Article VII, “Supplementary Regulations”, Section 390-18, “Signs”, be and is hereby deleted in its entirety and replaced with a new Article VII, “Supplementary Regulations”, Section 390-18, “Signs” and Section 390-18.1 “Violations and Penalties” to generally re-codify the Section as follows:

§ 390-18 Signs

The following regulations shall apply to all signs and outdoor advertising and shall be in addition to other regulations for specific uses elsewhere in this chapter. For the protection of property values and the character and stability of the various residential, business and industrial districts and for the protection and enhancement of the Borough as a prospective place of residence, employment and commercial, industrial and civic activity and investment, the following requirements are set forth regulating signs in the Borough of Ridgefield:

The word “sign” shall be defined as follows:

Any object, device, display or structure or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images, but excluding the American flag or other governmental flags, athletic scoreboards on school premises, or official announcements and signs of government.

The following general provisions are applicable to all zones:

- A. Unless otherwise provided for, all signs shall relate to the premises on which they are erected.
- B. Any signs not specifically permitted are hereby prohibited.
- C. No sign shall be located closer than 20 feet to any curb line, except traffic signs and other signs installed by governmental agencies.

D. No sign shall exceed 20 feet in height above ground level, except signs erected against the side of a building, which signs shall not extend above the height of the vertical wall or cornice to which they are attached.

E. Signs may be double-faced, in which case the maximum sign area will apply to only one side.

F. The area of a sign shall include every part of the sign, including moldings, frames, posts, pylons or other supporting members.

G. Where the face of a sign has openings or is of an irregular shape, the area of the sign, exclusive of supporting members, shall be considered as the total area of the smallest rectangle that can enclose the sign.

H. Freestanding signs shall be supported by posts or pylons of durable materials, which may include concrete, steel, treated wood or other suitable material, and shall be set securely in the ground or concrete so that the sign will be capable of withstanding high winds. No other bracing or guy wire shall be permitted.

I. Any sign attached flat against the surface of a building shall be constructed of durable material and attached securely to the building with nonrusting hardware. The use of wood or fiber plugs is prohibited.

J. Advertising or identification of an establishment painted on the surface of a building shall be considered part of the total allowable sign area and shall be subject to the regulation of this Article.

K. Signs attached to the side of the building shall not exceed more than 12 inches from the face of the building.

L. A permit shall be secured from the Construction Official after review and approval of the Zoning Officer for the erection, alteration or reconstruction of any signs, other than nameplate, identification, temporary, sales or rental signs which are less than two square feet in area.

M. Whenever a sign becomes structurally unsafe or endangers the safety of the building or the public, the Zoning Officer shall order such sign to be made safe or removed. Such order shall be complied with within 10 days of the receipt thereof by the person, firm or corporation owning or using the sign or the owner of the building or premises on which such unsafe sign is affixed or erected.

N. Signs shall not be painted on or affixed to water towers, storage tanks, smokestacks or similar structures.

O. The area surrounding ground signs shall be kept neat, clean and landscaped. The owner of the property upon which the sign is located shall be responsible for maintaining the condition of the area.

P. Facade signs and freestanding signs for office, commercial and industrial uses, as permitted in this Article, may be internally illuminated.

Q. Temporary signs advertising public functions, fund-raising events other than a building fund for charitable, nonprofit or religious organizations, or political signs as permitted by this Article shall be subject to the following conditions:

(1) A temporary sign may be placed not more than 40 days prior to the function, event, or election to which it applies; and

(2) A temporary sign must be removed not more than seven days after the function, event, or election to which it applies; and

(3) The owner of the property on which the temporary sign is placed shall be responsible for its removal; and

(4) The temporary sign must comply with all other regulations related to signs; and

(5) The temporary sign advertising a building fund for a charitable nonprofit or religious extension organization may be placed for not more than 10 days from its erection.

R. No person shall erect a sign on or over any public property or public right-of-way other than traffic directional signs or signs erected by a governmental entity.

The following signs are prohibited:

A. Moving or revolving signs and signs using waving, blinking, flashing, vibrating, flickering, tracer or sequential lighting except for a movie theater or Borough property.

B. Signs using words such as "stop," "look" or "danger" or any other sign which in the judgment of the Police Chief of the Borough constitutes a traffic hazard or otherwise interferes with the free flow of traffic.

C. Roof signs.

D. Signs advertising a product or service not sold on the premises, signs advertising or directing attention to another premises and any other sign not related to the premises on which the sign is erected, except for approved signs on Borough property.

E. Signs causing interference with radio or television reception.

F. Signs obstructing doors, fire escapes or stairways or keeping light or air from windows used for living quarters.

- G. Signs placed in awnings, trees, fences, utility poles or signs attached to other signs.
- H. Temporary mobile message signs.

The following signs are permitted in residential districts:

- A. Nonilluminated directional signs identifying parking areas, entrances, loading zones, exits and similar locations and not exceeding three square feet in area.
- B. Name and number plates identifying residences and affixed to a house, apartment or mailbox and not exceeding 50 square inches in area.
- C. Lawn signs identifying residents and not exceeding 1 1/2 square feet in area.
- D. Nonilluminated real estate signs announcing the sale, lease or rental of the premises on which the sign is located. Such signs shall not exceed six (6) square feet in area in a residential zone.
- E. Temporary and permanent traffic signs and signals or other signs installed by a government agency.
- F. Temporary signs advertising public functions or fund raising events for charitable, nonprofit or religious organizations, the combined total area of all such signs not exceeding an area of 32 square feet in total on one premises.
- G. Religious institutions, hospitals, nursing homes, private schools and service organizations may have one freestanding wall not exceeding 20 square feet in area.
- H. Housing developments or garden apartment developments may place one temporary sign at each entrance to the project and at the rental or sales office during the course of the development. One sign shall not exceed 20 square feet in area or six feet in height. Other signs shall not exceed 15 square feet in area or five feet in height.
- I. One nonflashing sign identifying farms, public and private parks and recreation areas, and not exceeding 30 square feet in area on any one side, and further provided that such sign shall not be closer than 5 feet to any street or curb line.
- J. Temporary political signs shall be permitted under this Section, pursuant to the regulations set forth herein:

(1) Temporary Political Signs shall be defined as signs pertaining to federal, state, county or local candidates or questions to be voted upon by the residents of the Township at an upcoming election and shall be subject to the following conditions:

(2) Temporary political signs shall be placed not more than 60 days prior to the function, event or election to which it applies; and

(3) Temporary political signs must be removed not more than 7 days after the function, event, or election to which it applies; and

(4) If any temporary political signs are placed on residential properties, consent of the property owners must be obtained; and

(5) No temporary political signs shall be placed in the Borough right-of-way; and

(6) The combined total area of all such temporary political signs shall not exceed a total of fifty (50) square feet on any one tax lot where such temporary signs are placed and shall not exceed thirty-two (32) square feet for any individual temporary political sign; and

(7) No temporary political sign on private property shall be located or placed closer than within 20 linear feet of any other sign of the same candidate or campaign on any one tax lot; and

(8) On or in the rights-of-way on any State Highway or County Road, temporary political signs shall not be located or placed closer than within 50 linear feet of any other sign of the same candidate or campaign on any one tax lot; and

(9) No temporary political signs shall be permitted on Borough property; and

(10) The owner of the tax lots, and/or the registrant for the signs, on which a temporary political sign is placed shall be responsible for its removal; and

(11) The temporary political sign must comply with all other regulations related to signs.

The following are permitted signs in nonresidential districts:

A. Nonilluminated directional signs identifying parking areas, entrances, loading zones, exits and similar locations and not exceeding three square feet in area.

B. Nonilluminated real estate signs announcing the sale, lease or rental of the premises on which the sign is located. Such signs shall not exceed 20 square feet in area for commercial and office uses and 50 square feet in area for industrial properties.

C. Temporary signs advertising public functions or fund-raising events for charitable, nonprofit or religious organizations or political signs and not exceeding a combined total area of all such signs of 32 square feet in total on one premises.

D. Temporary and permanent traffic signs and signals or other signs installed by a government agency.

E. No person shall erect a sign on or over any public property or public right-of-way other than traffic directional signs or signs erected by a governmental entity.

F. Religious institutions, hospitals, nursing homes, private schools and service organizations may have one freestanding or wall sign not exceeding 20 square feet in area.

G. Each office, commercial use or industry not exceeding two stories in height may have one or more exterior signs identifying or advertising the names of tenants or uses occupying the premises, provided that such sign(s) shall not exceed 10% of the front facade area of the building.

H. Freestanding signs.

(1) Any office, commercial or industrial building over two stories in height having a gross floor area of less than 10,000 square feet shall be permitted one freestanding sign, provided that the area of such sign shall not exceed 40 square feet. Any office, commercial or industrial building having a gross floor area of at least 10,000 square feet shall be permitted one freestanding sign, provided that the area of such sign shall not exceed 50 square feet. Where more than one use is conducted in a building or attached buildings on the same lot, only one freestanding sign shall be permitted.

(2) Freestanding signs for office, commercial and industrial buildings in excess of 10,000 square feet of gross floor area shall be in accordance with the following schedule:

Gross Floor Area (square feet)	Maximum Size of Sign Face (square feet)
10,000 to 15,000	50
15,000 to 30,000	75
30,000 to 50,000	100
Over 50,000	150

(3) Any office, commercial or industrial building having over 100,000 square feet of gross floor area may have two freestanding signs. The total area of both signs shall not exceed the maximum size sign face of 150 square feet.

(4) One nonflashing sign identifying farms, public and private parks and recreation areas and not exceeding 30 square feet in area on any one side, and further provided that such sign shall not be closer than 5 feet to any street or curb line.

§ 390-18.1 Violations and Penalties.

Any violation of Section 390-18 shall, upon conviction thereof, be punishable by a fine of not less than \$100.00 and not to exceed \$2,000.00 or by imprisonment for a term not to exceed 90 days, or both, for each violation committed hereunder. Every day that a violation continues after service of written notice by ordinary mail on the owner of the subject property or the sign registrant or a posting of a copy of said notice on the subject property shall be deemed a separate offense hereunder.

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, This Ordinance shall take effect upon passage and publication in accordance with applicable law.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Vincentz

ORDINANCE NO. 2143

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 70 “PERSONNEL POLICIES” BY ADDING ARTICLE VII “BACKGROUND CHECKS” TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR CERTAIN POSITIONS”

introduced on the 13th of September, 2010, 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 27th day of September, 2010 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 she 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

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Vincentz

ORDINANCE NO. 2143

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 70 “PERSONNEL POLICIES” BY ADDING ARTICLE VII “BACKGROUND CHECKS” TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR CERTAIN POSITIONS”

WHEREAS, the Mayor and Council finds that it is important to provide for the safety of those engaged in youth activities in the Borough of Ridgefield and to provide reasonable assurance that those adults who are responsible for the supervision of minors have been subject to a background check;

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 70 “Personnel Policies” hereby amended and supplement with Article VII “Background Checks” to require criminal background checks for certain positions.

ARTICLE VII – BACKGROUND CHECKS

70-34. Definitions:

As used in this article, the following terms shall have the meanings indicated:

A. CRIMINAL HISTORY RECORD BACKGROUND CHECK means a determination of whether a person has a criminal record by cross-referencing that person’s name with a criminal background check database or outside agency or through checking fingerprints with those on file with the Federal Bureau of Identification in the Division of State Police.

B. DEPARTMENT means the Borough of Ridgefield Police Department.

C. NON-PROFIT YOUTH SERVING ORGANIZATION or ORGANIZATION means a corporation, association or other organization established pursuant to Title 15 of the Revised Statutes, Title 15A of the New Jersey Statutes or other Law of the State, but excluding public and non-public schools, and which provides recreational, cultural, charitable, social or other activities or services for persons younger than eighteen (18) years of age, and is exempt from Federal Income Taxes.

D. VOLUNTEER shall mean any person involved with a non-profit youth serving organization who has unsupervised direct access to minors as a result of their involvement with the organization.

E. REVIEW COMMITTEE or COMMITTEE shall mean a three member Committee consisting of the Police Administration, Recreation Administration and Borough Administrative Offices. The Committee shall be charged with the review of all appeals by any employee or volunteer whose criminal history background check reveals a disqualifying criminal conviction.

70-35. Requests for Criminal Background Checks; costs.

A. The Borough of Ridgefield requires that all employees and volunteers of a non-profit youth serving organization request through the Organization or the Borough of Ridgefield Police Department that the organization conduct a criminal history record background check on each prospective and current employee or volunteer of the Organization.

B. The Borough shall conduct a criminal history record background check only upon receipt of the written consent for the check from the prospective or current person with direct unsupervised access to minors.

C. The employee or volunteer shall bear the costs associated with conducting their criminal history background check.

70-36. Conditions under which a person is disqualified from service.

A. A person may be disqualified from serving as an employee or volunteer of a non-profit youth serving organization if that person's criminal history record background check reveals a record of conviction of any of the following crimes and offenses:

In New Jersey, any crime or disorderly persons offense:

(1) involving danger to the person, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:11-1 et seq., N.J.S.A. 2C:12-1 et seq., N.J.S.A. 2C:13-1 et seq., N.J.S.A. 2C:14-1 et seq. or N.J.S.A. 2C:15-1 et seq.;

(2) against the family, children or incompetents, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:24-1 et seq.;

(3) involving theft as set forth in Chapter 20 of Title 2C of the New Jersey Statutes;

(4) involving any controlled dangerous substance or controlled substance analog as set forth in Chapter 35 of Title 2C of the New Jersey Statutes except paragraph (4) of subsection a. of N.J.S.A. 2C:35-10.

In any other state or jurisdiction, conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly persons offenses described in subsection a. of this section.

B. All league officers and/or those individuals in charge of each recreation program are required to ensure compliance with this chapter for that league or program. The President or leader of

each recreation program shall file an annual roster of individuals that are required to participate in the background check procedures of this chapter. The roster shall be on forms created and supplied by the Organization and shall contain a certification as to the accuracy and completeness of the roster and individual names. The roster shall contain the date on which a background check was performed. Any person who knowingly certifies a background check roster that excludes an individual required to be checked shall be in violation of this chapter and laws regarding false swearing.

70-37. Submission, exchange of background information.

A. Prospective or current employees or volunteers of non-profit youth serving organizations shall upon request, submit their names, address, fingerprints, and written consent to the Organization for the criminal history record background check to be performed. The Organization shall submit this documentation to the Department through the Chief of Police who shall coordinate the background check. The RBAO and the Ridgefield Soccer program shall submit a list of all employees and the background check results to the Chief of Police.

All league officers and/or those individuals in charge of each recreation program are required to ensure compliance with this chapter for that league or program. The President or leader of each recreation program shall file an annual roster of individuals that are required to participate in the background check procedures of this chapter. The roster shall be on forms supplied by the Borough of Ridgefield and shall contain a certification as to the accuracy and completeness of the roster and individual names. Any person who knowingly certifies a background check roster that excludes an individual required to be checked shall be in violation of this chapter and laws regarding false swearing. Copies of all background check reports shall be attached to roster certifications.

B. The Ridgefield Borough Police Department shall act as a clearing house for the collection and dissemination of information obtained as a result of conducting criminal history record background checks pursuant to this Ordinance.

70-38. Limitations on access and use of criminal history record information.

A. Access to criminal history record information for non-criminal justice purposes, including licensing and employment is restricted to the members of the Review Committee, as authorized by Federal or State Statute, Rule or Regulation, Executive Order, Administrative Code, Local Ordinance or Resolution regarding obtaining and disseminating of criminal history record information obtained under this Ordinance.

B. The Review Committee shall limit their use of criminal history record information solely to the authorized person for which it was obtained and criminal history record information furnished shall not be disseminated to persons or organizations not authorized to receive the records for authorized purposes. Use of this record shall be limited solely to the authorized purpose for which it was given and it shall not be disseminated to any unauthorized persons. This record shall be destroyed immediately after it has served its intended and authorized purpose.

Any person violating Federal or State Regulations governing access to criminal history record information may be subject to criminal and/or civil penalties.

70-39. Employee may challenge accuracy of report.

A. If this criminal history record may disqualify an employee or volunteer for any purpose, the Committee's determination shall be provided to the employer or volunteer with an opportunity to complete and challenge the accuracy of the information contained in the criminal history record. The employee or volunteer shall be afforded a reasonable period of time to correct and complete this record. A person is not presumed guilty of any charged or arrests for which there are no final dispositions indicated on the record.

When a background check is performed through the New Jersey State Police, the State Police shall make the initial recommendation to the Review Committee based solely on the NJ State Statutes. They shall advise the Committee whether the volunteer or employee is being recommended or not. The Review Committee will receive a pre-printed form on each individual submitted to the State Police for a background check. One form will be for recommendation and the other will be for rejection. If there is a rejection, the Committee may still allow the employee or volunteer to participate. The New Jersey State Police will make a recommendation based on the record only. It is within the Committee's discretion to overturn the decision of the New Jersey State Police recommendation.

70-40. Appeal process.

A. The Review Committee shall promptly notify a prospective or current employee or volunteer whose criminal history background check reveals a disqualifying conviction. The person shall have 30 days from the receipt of that notice to petition the Committee for a review and cite reasons substantiating the review.

B. Notwithstanding the provisions of § 70-36 of this chapter, no person shall be disqualified from serving as an employee or volunteer of a nonprofit youth-serving organization on the basis of any conviction disclosed by a criminal history record background check; if the person has affirmatively demonstrated to the Committee clear and convincing evidence of the person's rehabilitation, the Review Committee shall consider the following factors:

- (1) The nature and responsibility of the position which the convicted person would hold or has held, as the case may be;
- (2) The nature and seriousness of the offense;
- (3) The circumstance under which the offense occurred;
- (4) The date of the offense;
- (5) The age of the person when the offense was committed;
- (6) Whether the offense was an isolated or repeated incident;
- (7) Any social conditions which may have contributed to the offense; and
- (8) Any evidence of rehabilitation, including good conduct in prison or the community, counseling or psychiatric treatment received, acquisition of additional academic or

vocational schooling, successful participation in correctional work release programs or the recommendation of those who have had the person under their supervision.

D. The Committee shall promptly advise the nonprofit youth-serving organization whether a person is qualified to serve as an employee or volunteer of the organization.

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:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Lonzisero

ORDINANCE NO. 2144

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 390 “ZONING, DEVELOPMENT AND CONSTRUCTION” SECTION 390-39.1 “O-LR OFFICE LOW-RISE ZONE” AND SECTION 390-46 “WORD USAGE AND DEFINITION” IN ACCORDANCE WITH RECOMMENDATIONS OF BOROUGH PLANNER”

introduced on the 13th of September, 2010, 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 27th day of September, 2010 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 she 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

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Lonzisero

ORDINANCE NO. 2144

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 390 “ZONING, DEVELOPMENT AND CONSTRUCTION” SECTION 390-39.1 “O-LR OFFICE LOW-RISE ZONE” AND SECTION 390-46 “WORD USAGE AND DEFINITION” IN ACCORDANCE WITH RECOMMENDATIONS OF BOROUGH PLANNER”

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 390 “Zoning, Development and Construction” Section 390-239.1 “O-LR Office Low-Rise Zone” and Section 390-46 “Word usage and definition” is hereby amended as follows:

§ 390-39.1 O-LR – Office – Low Rise Zone

§390-39.1(E) Conditionally permitted uses

(4) Hotels

(5) Assisted Living

§390-39.1(I) Area and yard requirements - Hotels

(3) Hotel Area and Bulk Requirements:

(a) Minimum lot area: 45,000 square feet

(b) Minimum lot width: 300 feet

(c) Minimum lot depth: 200 feet

(d) Minimum front yard: 25 feet

(e) Minimum building height: 65 feet or 6 stories on Grand Avenue frontage, and 40 feet or 3 stories on Broad Avenue frontage

(f) Minimum building coverage: 50 percent

(g) Maximum impervious coverage: 80 percent

(h) Minimum landscaped area: 20 percent

(i) Minimum parking stall size: 9' x 18'

(4) Assisted Living Area and Bulk Requirements

(a) Minimum lot area: 45,000 square feet

(b) Minimum lot width: 300 feet

(c) Minimum lot depth: 200 feet

(d) Minimum front yard: 25 feet

(e) Minimum building height: 50 feet or 4 stories on Grand Avenue frontage, and 35 feet or 2 stories on Broad Avenue frontage

(f) Minimum building coverage: 40 percent

(g) Maximum impervious coverage: 70 percent

(h) Minimum landscaped area: 30 percent

(ii) Minimum parking stall size: 9' x 18'

§390-39.1(J) Off-street parking requirements

(12) Hotels & Assisted Living / Active Adult Uses:

(a) There shall be 1 parking space per Hotel guest bedroom and 1 space for every 2 hotel employees.

(b) There shall be 0.5 parking space per each Assisted Living residence.

§390-46 Word usage and definitions.

Hotel – A facility offering transient lodging accommodations to the general public and which may include additional facilities and services such as restaurants, meeting rooms, entertainment, personal services, and recreational facilities.

Assisted living facilities – A facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that

assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bedroom, a kitchenette and a lockable door on the unit entrance.

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:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Lonzisero

ORDINANCE NO. 2145

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 375 “VEHICLES AND TRAFFIC” SECTION 375-61 “RESIDENT PARKING PROGRAM” TO REQUIRE RESIDENT PARKING PERMITS”

introduced on the 13th of September, 2010, 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 27th day of September, 2010 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 she 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

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Lonzisero

ORDINANCE NO. 2145

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 375 “VEHICLES
AND TRAFFIC” SECTION 375-61 “RESIDENT PARKING PROGRAM” TO REQUIRE
RESIDENT PARKING PERMITS”

WHEREAS, many residents have expressed a concern over the number of vehicles that are parked on Borough streets that do not belong to Borough residents; and

WHEREAS, upon information and belief, many individuals drive from neighboring communities to park in Ridgefield and take the bus into New York City; and

WHEREAS, it is the desire of the Governing Body to eliminate this practice by providing for Resident-Only Parking during certain reasonable hours; and

WHEREAS, the enforcement of this new program shall begin after the residents have been provided with adequate notice through either a mailing or a posting of appropriate signs in order to allow residents enough time to obtain the require permit;

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 375 “Vehicles and Traffic” Section 375-61 “Resident Parking Program” to require resident parking permits

§ 375-61 Resident parking program.

A. No person shall park a vehicle upon any of the streets within the Borough of Ridgefield during the hours of 2:00 a.m. and 9:00 a.m. unless they have a valid resident or business parking sticker in the window of that vehicle. No person shall park a vehicle upon any restricted street at any time unless they have a valid resident or business parking sticker in the window of that vehicle. The following are restricted streets:

- (a) Maple Avenue from Grand Avenue to Shaler Boulevard.
- (b) Sunset Terrace.
- (c) Ridgefield Terrace.
- (d) Fairview Terrace.
- (e) Monroe Place.
- (f) Art Lane from Bergen Boulevard to Monroe Place.
- (g) Oakdene Avenue from Bergen Boulevard to the Cliffside Park, New Jersey, border.

(h) The exception to the above-named street is 855 Broad Avenue whose residents will be able to park on Maple Avenue.

Any individual can park on any street in the Borough except restricted streets during the hours of 9:00 a.m. and 2:00 a.m. The Borough shall erect signs on those streets informing persons that on-street parking without a permit is limited to one hour. This provision shall not apply to a resident of the Borough properly displaying a valid parking permit issued in accordance with Subsection D herein.

B. All street cleaning ordinances, either currently or subsequently adopted by the Borough, shall remain in full force and effect.

C. This article shall be enforced by the Police Department of the Borough of Ridgefield.

D. Rules and regulations. The following rules and regulations shall apply to the Borough of Ridgefield resident permit parking program:

(1) A resident parking permit of a design specified by the Chief of the Police Department of the Borough of Ridgefield (the Police Department) will be issued to the resident owner of a vehicle. The vehicle must be owned by a person residing in the Borough of Ridgefield on the named streets.

(2) Proof of residency of the owner of a vehicle must be presented when applying for a permit. The following is acceptable proof of residency:

(a) A copy of a valid New Jersey driver's license reflecting his/her address in the Borough of Ridgefield; and

(b) A copy of a valid New Jersey motor vehicle registration for the vehicle for which the permit is sought, showing his/her address on the named street in the Borough of Ridgefield. In the case of a vehicle claimed to be leased and used by a Ridgefield resident, a copy of a valid motor vehicle registration and a copy of the automobile lease shall be presented to the Police Department in lieu of the New Jersey motor vehicle registration.

(3) The resident's sticker is to be placed on the rear window, driver's side, lower left-hand corner of the registered vehicle.

(4) The Police Department shall have the authority to issue temporary resident permit parking stickers to persons claiming to be residents of the Borough but who have not yet changed their license or their motor vehicle registration to reflect the Ridgefield address and to any resident holding a current resident permit but whose car has been stolen or incapacitated and who is driving a temporary vehicle. The temporary sticker shall be valid for a period not to exceed 90 days, at which time the resident must obtain a permanent sticker by presentation of the proofs of residency set forth in Subsection D2

above, in the case of new residents, and the temporary permit shall expire in the case of a temporary vehicle.

(5) Contractors', service and delivery vehicles bearing the name and address of a commercial business may park without a permit during the time they are rendering service to a residence within the permit parking area.

(6) Emergency vehicles and public service, telephone and other public utility vehicles may park within the permit parking area during the time they are rendering service or repairs within the area.

(7) The Board of Education shall request an appropriate number of business permits to be distributed by the Board of Education to employees of Ridgefield schools who may be required to park on Borough streets prior to 9:00 a.m.

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:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Mayor Suarez

RESOLUTION NO. 242-2010

WHEREAS, domestic violence is a serious crime that affects people of all races, ages, gender, and income levels; and

WHEREAS, domestic violence is widespread and affects over 4 million Americans each year; and

WHEREAS, one in three Americans have witnessed an incident of domestic violence; and

WHEREAS, children that grow up in violent homes are believed to be abused and neglected at a rate higher than the national average; and

WHEREAS, domestic violence costs the nation billions of dollars annually in medical expenses, police and court costs, shelters, foster care, sick leave, absenteeism, and non-productivity; and

WHEREAS, only a coordinated community effort will put a stop to this heinous crime; and

WHEREAS, Domestic Violence Awareness Month provides an excellent opportunity for citizens to learn more about preventing domestic violence and to show support for the numerous organizations and individuals who provide critical advocacy, services and assistance to victims;

NOW, THEREFORE, I, Mayor Anthony R. Suarez, do hereby proclaim the month of October as DOMESTIC VIOLENCE AWARENESS MONTH and urge our citizens to work together to eliminate domestic violence from our community.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Prina, Acting Borough Clerk

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 243-2010

WHEREAS, on or around July 13, 2009, Borough employees Joseph Greco and Thomas Siciliano received promotions in the Department of Public Works to Foreman and Assistant Foreman respectively through the passage of Resolution 289-2009; and

WHEREAS, the intention of the Governing Body was to provide a one-time salary increase of \$2,500.00 at the time of the promotion; and

WHEREAS, Resolution 289-2009 incorrectly states that the salary increase is for \$2,500.00 per year;

WHEREAS, the Governing Body would now like to correct this error in order to avoid any confusion going forward.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that Resolution 289-2009 (July 2009) is hereby corrected to read as follows:

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

1. Joseph Greco be promoted to the position of Foreman, Department of Public Works
2. Thomas Siciliano be promoted to the position of Assistant Foreman, Department of Public Works
3. That both Joseph Greco and Thomas Siciliano shall receive a one-time salary increase of \$2,500.00 effective the date of the original resolution (July 2009)

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Prina, Acting Borough Clerk

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 244-2010

WHEREAS, Gary Bonacci has been efficiently serving the Borough in the position of part-time Borough Administrator; and

WHEREAS, the terms of his contract have recently been finalized under terms that are acceptable to the Governing Body and Borough Attorney; and

WHEREAS, a copy of the contract is attached;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Mayor or Council President is hereby authorized to execute a contract with Gary Bonacci for the position of part-time Borough Administrator through November 30, 2012.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

EMPLOYMENT CONTRACT FOR GARY J. BONACCI

THIS AGREEMENT made this ___ day of September 2010 by and between the Borough of Ridgefield, with administrative offices located at 604 Broad Avenue, Ridgefield, New Jersey (hereinafter the "Borough") and Gary J. Bonacci, residing at 660 Hamilton Avenue, Ridgefield, New Jersey (hereinafter "Bonacci"):

WITNESSETH:

WHEREAS, the Borough requires the services of a Borough Administrator for the proper operation of the Borough; and

WHEREAS, it has been determined that Bonacci has the requisite management experience, background and knowledge, and is capable of handling the responsibilities of the position of Borough Administrator; and

WHEREAS, the Borough has determined it is in the best interests of the Borough to maintain continuity in the Borough Administrator's position;

WHEREAS, the Borough desires to retain the services of Bonacci as Borough Administrator for the Borough; and

WHEREAS, the Borough and Bonacci wish to memorialize in writing the terms and conditions of their Agreement:

NOW, THEREFORE, in consideration of the mutual promises, covenants and conditions contained herein, and for other good and valuable consideration, receipt of which is hereby acknowledged, the Borough and Bonacci hereby agree as follows:

ARTICLE I EMPLOYMENT

1. The Borough hereby agrees to employ Bonacci as Borough Administrator for a term beginning on November 9, 2009 and ending on November 30, 2012. Bonacci hereby accepts that employment. The Borough ratifies and confirms the appointment of Gary J Bonacci as the Borough Administrator for the Borough of Ridgefield in accordance with the terms and conditions of this agreement.

2. In the event that the Borough increases the number of hours and/or combines job titles and/or changes the job description for the position of Borough Administrator the parties agree that Bonacci shall be deemed to be appointed to such newly modified or created position, subject to Bonacci's right to opt out of the newly modified or created position within thirty (30) days of such modification or creation.

ARTICLE II
COMPENSATION

1. Salary. The Borough shall provide the following salary as part of the Borough Administrator's compensation:

- A. Initial Salary. The Borough shall pay Bonacci an initial annual salary of fifty five thousand dollars (\$55,000.00) in a part time capacity of 19.5 hours per week from the effective date of his appointment through October 31, 2010, paid bi-weekly as per the existing Borough payroll schedule.
- B. Minimum Salary Increase. On November 1, 2010 and November 1, 2011 the Borough will grant Bonacci a minimum salary increase of a 2% over the prior year's salary.

2. Bonacci shall be reimbursed for his automobile mileage incurred in the usage of his personal automobile for travel outside of the Borough related to his duties as Borough Administrator and in accordance with IRS approved mileage reimbursement schedules. Bonacci shall also be reimbursed for other reasonable expenses incurred by him in connection with the performance of his duties under this agreement, subject to compliance with Borough policies and procedures governing the reimbursement of such expenses.

3. Bonacci shall be reimbursed the reasonable expense of tuition for any course that directly relates to the position of Borough Administrator. In addition, Bonacci shall be reimbursed for membership dues to any professional organization that is directly related to the position of Borough Administrator or his duties thereunder.

In the event that the Borough increases the number of hours and/or combines job titles and/or changes the job description for the position of Borough Administrator Bonacci's annual salary shall be increased and determined, calculating the current hourly rate then in effect times the number of hours added to the position of Borough Administrator.

4. In the event that the Borough elects to expand Bonacci's hours in the capacity of Borough Administrator to a full time position (which shall mean not less than 35 hours per week), Bonacci shall receive, in addition to his salary, the following:

- a. Full family coverage in the State Health Benefits Plan for medical and prescription coverage or an equivalent coverage plan.
- b. Full family dental insurance coverage.
- c. Life insurance 1½ of his annual salary.
- d. Twenty (20) vacation days annually.

- e. Paid holidays for all holidays which the Borough observes and for which the Borough is closed.
- f. Three (3) personal days to be awarded at the beginning of each year of his contract.
- g. Twelve (12) "earned" sick leave days to be awarded at the beginning of each year of his contract.

5. During the term of this Employment Contract, including any extension thereof the Borough Administrator shall not be reduced in compensation, including salary and benefits. Any adjustment in salary made during the life of this Employment Contract shall be in the form of an amendment and shall become part of this Employment Contract, but it shall not be deemed that the Borough and the Borough Administrator have entered into a new employment contract.

ARTICLE III

TERM

1. The term of this Employment Contract shall be from the date Bonacci commences work for the Borough on or about November 9, 2009 to November 30, 2012. The parties acknowledge that Bonacci will be working for the Borough on a part time basis. Accordingly, he will be permitted to maintain outside employment so long as such employment does not conflict with or unreasonably interfere with his duties as Borough Administrator. The parties are cognizant of the provisions of N.J.S.A. 40A:9-138 and intend that by this agreement, Bonacci will be appointed to a term as set forth herein.

2. Bonacci agrees that he will devote his time to the duties of Administrator in a part time capacity for the performance of not less than 19.5 hours per week. The parties stipulate and agree that it is anticipated that Bonacci may, from time to time, devote more than 19.5 hours per week working for the Borough at no additional compensation. Notwithstanding the foregoing, Bonacci shall be available via telephone or electronic communication 24 hours a day / 7 days a week. Further, nothing in this agreement shall be construed to require Bonacci to perform more than 19.5 hours per week.

ARTICLE IV

DUTIES

1. The parties further acknowledge and agree that the position of Administrator is equivalent to a position of COO of a company in private industry, and that the Administrator does not have a fixed schedule. Further, the Administrator is expected to perform such services as may be required to properly perform the services of part-time Borough Administrator.

2. As Administrator, Bonacci will have such duties, powers and responsibilities as set forth in the Borough Ordinance No. 1390, subsection 66-15 of the Code of the Borough of Ridgefield, as may be amended from time to time, which is incorporated herein.

3. Bonacci shall, in addition to maintaining flexible office hours, attend all Mayor and Council meetings, and such other meetings of Boards, committees, agencies and departments as may be deemed to be important for the proper functioning of the Borough. Time spent at such meetings shall be credited to the minimum hours Bonacci is required to work.

ARTICLE V
COMPUTER & CELLULAR PHONE

The Borough shall provide the Borough Administrator with a laptop computer for his use while working at home. The Borough shall be responsible for maintaining said computer.

The Borough shall provide the Borough Administrator with a cellular telephone and shall pay the monthly charges.

The computer and cellular phone shall be and remain the property of the Borough.

ARTICLE VI
TERMINATION

1. Notwithstanding N.J.S.A. 40A:9-138, if Bonacci's employment as Borough Administrator is terminated prior to the expiration of the term hereof for any reason, except for gross misconduct or other good cause, Bonacci shall be entitled to recover from the Borough as damages the value of the salary and benefits he would have earned under this agreement, for the balance of the term of the agreement which shall be offset by and subject to Mr. Boncacci's duty to mitigate damages by seeking other employment. For purposes of this agreement, good cause shall mean a substantial breach or violation of this agreement or the Borough's personnel policies. For purposes of this agreement, Bonacci's duty to mitigate shall mean that he must seek employment in form of positions comparable to his management position with the Borough, and for a number of hours comparable to his work for the Borough under this contract.

2. In the event of Bonacci's death during the term of this agreement, the Borough shall pay to Bonacci's estate any unpaid salary to which Bonacci was entitled at the time of his death, together with any other death benefits to which Bonacci may be entitled to by reason of his employment with the Borough pursuant to any ordinance applicable to other employees of the Borough generally up and through the date of his death.

ARTICLE VII
ATTORNEY'S FEES

1. Should either party be compelled to bring suit to enforce the provisions of this agreement, the prevailing party in connection with any such litigation shall be entitled to recover, in addition to any damages at law, the reasonable attorney's fees incurred by that prevailing party in connection with any such litigation.

ARTICLE VII
ENTIRE AGREEMENT

1. This Agreement represents and incorporates the complete and final understanding and settlement by the parties of all negotiable issues, which were or could have been subject to negotiations.

2. The terms and conditions of the contract shall not be modified, except by the written consent of both parties hereto, provided further that the consent of the Borough can only be given by means of a lawfully adopted resolution.

ARTICLE X
NEW JERSEY LAW

This Agreement shall be controlled, construed and enforced in accordance with the provisions of the laws of the State of New Jersey.

ARTICLE XI
SEPARABILITY

In the event that any provision of this Contract is deemed to be illegal or unenforceable by a court or agency of competent jurisdiction then the remaining provisions shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals or caused these present to be signed by their proper corporate officers and the corporate seal affixed hereto the day and year first above written.

ATTEST:

BOROUGH OF RIDGEFIELD

By: _____
Mayor Anthony R. Suarez

Attest: _____
Linda Prina, Borough Clerk

By: _____
Gary J. Bonacci

Witness: _____

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Lonisero

RESOLUTION NO. 245-2010

WHEREAS, market conditions have caused the cost of senior housing to grow significantly over the past few years; and

WHEREAS, the Governing Body believes it is important to look into the availability of affordable senior housing for residents of Ridgefield; and

WHEREAS, the Governing Body believes that senior housing in the Borough may benefit the residents and the community at large; and

WHEREAS, the current availability of senior housing appears very limited; and

WHEREAS, the Governing Body desires to have the Borough Administrator investigate the feasibility of creating senior housing in Ridgefield;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Borough Administrator is hereby authorized to perform the following with the welfare of the senior citizens of Ridgefield in mind:

1. Arrange for a feasibility study with the possibility of building over 55 housing within the Borough.
2. Form a representative committee of his choice and number to assist him and offer advice.
3. Contact as many responsible builders as necessary and of sufficient size to be able to build and provide financing for such a project.
4. Keep the Mayor and Council updated on progress as may be required.
5. Spend no Borough money on this long over due endeavor.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Prina,
Acting Borough Clerk

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Lonzisero

RESOLUTION NO. 246-2010

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the following be appointed as School Crossing Guards for the 2010-2011 school year:

John Scannavino - \$13.90 per hr.
Louis Tosoni - \$13.90 per hr.
Domenica Blum - \$13.90 per hr.
Robert Williams - \$13.90 per hr.
Canan Yildirim - \$13.90 per hr.
Marie Novembre - \$15.50 per hr.
Thomas Gallagher - \$13.40 per hr. * (1/8/11)
Barbara Humphrey - \$13.90 per hr.
John Freeland - \$13.90 per hr.
Kathy O'Brien - \$13.90 per hr.
Amanda Romano - \$13.40 per hr.
Lawrence Bruno - \$13.40 per hr.

Bryan Kim - \$13.65 per hr.
Philomena Treus - \$13.90 per hr.
MaryAnn Gentile - \$13.90 per hr.
Reinaldo Bozan - \$13.90 per hr.
Claudio Ciciliano - \$13.40 per hr. * (3/11/11)
Natale Buro - \$13.90 per hr.
Martha Campos - \$13.90 per hr.
Dorene Grasso - \$13.40 per hr. * (11/5/10)
Hialita Larino - \$13.15 per hour* (11/10/10)
Jennie Lilenthal - \$13.15 per hour* (1/5/11)
Madeline Kulhan-\$13.15 per hour* (9/29/10)

*Shall receive a .25 increase on their anniversary date as indicated

BE IT FURTHER RESOLVED that any new hire School Crossing Guards shall be paid at the hourly rate of \$12.90.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Prina,
Acting Borough Clerk

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Mayor Suarez

RESOLUTION NO. 247-2010

WHEREAS, Guardians of the Ribbon – Northern New Jersey Chapter is a New Jersey non-profit organization consisting of firefighters, police officers, EMS workers, community leaders and concerned citizens whose sole purpose is raising awareness for the fight against cancer; and

WHEREAS, in September 2007 the “Pink Heals Tour” began, encouraging public safety professionals, local leaders and citizens throughout the community to wear pink in honor of all women and to join forces to help them in their fight against cancer; and

WHEREAS, the spirit of this campaign is to fight for those who have lost the ability to fight for themselves; asking for public support and raising understanding and awareness to all citizens; and

WHEREAS, anything is possible when good people devote themselves to a cause that does so much good and benefits so many; and

WHEREAS, the “Cares Enough to Wear Pink” campaign honors all women and recognizes the need to come together as a collective group and help with the fight against cancer, reminding future generations that people who are not affected by an illness can come together for those who are;

NOW, THEREFORE, I, Anthony R. Suarez, Mayor of the Borough of Ridgefield, do hereby proclaim October 25-27, 2010 as

CARES ENOUGH TO WEAR PINK DAYS

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Prina,
Acting Borough Clerk

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Severino

RESOLUTION NO. 248-2010

BE IT RESOLVED by the Mayor and Council that the Borough Clerk be and is hereby authorized and directed to advertise for

“BIDS FOR SLOCUM AVENUE ROADWAY IMPROVEMENTS 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

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 249-2010

WHEREAS, 701 Grand Avenue Realty, LLC has filed a tax appeal, challenging the assessment for 2009 on the property known as 701 Grand Avenue, Block: 1104, Lot: 8;

WHEREAS, the assessment in contest is Nine Hundred Thousand (\$900,000) Dollars;

WHEREAS, the parties have exchanged discovery information, have investigated the merits of the appeal and have engaged in settlement discussions recommending a proposed settlement;

WHEREAS, the Governing Body has reviewed the proposed settlement and concurs in same;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that it does hereby authorize and approve a settlement in the above referenced tax appeal as follows:

- (1) There will be an adjusted assessment of Seven Hundred Twenty Six Thousand (\$726,000) Dollars for the year 2009;
- (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, upon receipt of the Tax Court Judgment, is authorized and directed 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.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Prina,
Acting Borough Clerk

COUNCIL VOTE

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 250-2010

WHEREAS, Manuel and Maria Castro are the owners of real estate commonly known as Block 1503, Lot 4, also known as 800 Banta Place, Ridgefield, New Jersey; and

WHEREAS, the owners, Manuel and Maria Castro have filed a tax appeals challenging the tax assessment for the year 2008; and

WHEREAS, Block 1503, Lot 4 was assessed for the tax year in dispute in the amount of \$1,425,000; and

WHEREAS, the taxpayer is seeking a reduction in the total assessment for the year in question; and

WHEREAS, the Borough has completed full discovery with respect to this matter, has consulted with the Borough's Tax Assessor, George Reggo and has conducted exhaustive negotiations with counsel for the taxpayer; and

WHEREAS, the parties have been able to arrive upon a settlement agreement for the 2008 assessment so there would be a revised assessment of \$1,300,000 with the Freeze Act to apply for 2009-10; and

WHEREAS, the parties have agreed that prejudgment interest shall be waived as a condition of the settlement; and

WHEREAS, the Borough's Tax Assessor, George Reggo, is in agreement with the terms of the settlement and believe that it would be in the best interest of the Borough to settle this particular case in accordance with the terms as set forth above.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Ridgefield that it agrees to authorize its Special Tax Counsel to execute a stipulation of settlement on behalf of the Borough of Ridgefield with respect to the Manuel and Maria Castro v. Ridgefield tax appeal with respect to Block 1503, Lot 4 pending in the Tax Court of New Jersey for the tax years 2008, under docket number 005349-2008 at the new assessment set forth above; and

BE IT FURTHER RESOLVED that upon receipt of the Tax Court Judgment, the Tax Collector is hereby authorized 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; and

BE IT FURTHER RESOLVED that this settlement is subject to agreement and acceptance thereof by the taxpayer; and

BE IT FURTHER RESOLVED that copies of this Resolution are to be provided to the Municipal Clerk, Chief Financial Officer, Borough Tax Assessor and Special Tax Counsel, David B. Bole, Esq.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting 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.

Joseph Luppino,
Chief Financial Officer

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 13, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 251-2010

BE IT RESOLVED, that warrants totaling \$3,437,926.10
be drawn on the following accounts:

CURRENT	\$3,284,412.08
TRUST	\$63,804.05
CAPITAL	\$4,152.00
POOL	\$85,557.97
TOTAL	\$3,437,926.10

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk