

BOROUGH OF RIDGEFIELD

A G E N D A

Work Session, Executive Session and Regular Meeting of the Mayor and Council

Date: September 27, 2010

Open Public Meetings Statement by Mayor Suarez

Work Session: 5:30 P.M. C.T.O.: Adjourn:

- Amending Ordinance Re: Hours of Operation
- Library HVAC System Presentation by J. Fisher
- Fire House – Company No. 3
- Budget Discussion with Library Board of Trustees

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 Janet Blair Zion Lutheran Church

Citizens Comment on Agenda:

Correspondence:

Approval of Minutes of November 9, 2009 Public Session Meeting, May 27, 2008 Public Session Meeting and May 12, 2008 Public Session Meeting

ROLL CALL-WORK SESSION

	PRESENT	ABSENT
Mayor Suarez		
Lonziserro		
Todd		
Vincenz		
Severino		
Castelli		
Acosta		

ROLL CALL-EXEC. SESSION

	PRESENT	ABSENT
Mayor Suarez		
Lonziserro		
Todd		
Vincenz		
Severino		
Castelli		
Acosta		

ROLL CALL-PUBLIC SESSION

	PRESENT	ABSENT
Mayor Suarez		
Lonziserro		
Todd		
Vincenz		
Severino		
Castelli		
Acosta		

As advertised, hearing will be held on 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”

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. 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"

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. 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"

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

PROPOSED CONSENT AGENDA:

	Motion:	Second:
254-2010	Councilman Vincentz	Appointment to Parks and Recreation Commission
255-2010	Councilman Vincentz	Authorize Sale of Borough Vehicles
256-2010	Councilman Vincentz	Appoint Safety Officer
257-2010	Councilman Vincentz	2010 Bergen County Open Space, Recreation,

258-2010	Mayor Suarez	Farmland & Historic Preservation Trust Fund Application-Tennis Court Rehabilitation
259-2010	Mayor Suarez	Put the Brakes on Fatalities Day
260-2010	Councilman Vincentz	Oppose Plan to Decrease EMT Funding
261-2010	Councilman Severino	2010-2011 Community Development Block Grant Agreement-Slocum Avenue Improvements
262-2010	Councilman Vincentz	Authorize Mayor Suarez to Sign State Local Cooperative Housing Inspection Program Authorization Letter
263-2010	Councilman Vincentz	Cancel Erroneous Billing, Block 711, Lot 23, Qualifier CELL
264-2010	Councilman Vincentz	Refund Erroneous Billing, Block 711, Lot 23
265-2010	Councilman Vincentz	Overpayment of Taxes-Block 401, Lot 11
266-2010	Councilman Vincentz	Settlement Stipulation-Block 2501, Lot 7, Qualifier C0002
267-2010	Councilman Vincentz	Settlement Stipulation-Block 2501, Lot 7, Qualifier C0003 and C0004
268-2010	Councilman Vincentz	Settlement Stipulation-Block 3003, Lot 6
269-2010	Councilman Lonziserio	Settlement Stipulation-Block 1502, Lot 5
270-2010	Councilman Vincentz	Time Owed Payment and Schedule-N. Corbiscello
271-2010	Councilman Vincentz	Endorsing CDBG 2011 Grant Application-Roadway Improvements to Banta Place
		Responsibility and Obligation Training for Elected Officials

COUNCIL VOTE

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

RESOLUTIONS:

272-2010	Mayor Suarez	Appointment to Planning Board
273-2010	Councilman Vincentz	Emergency Temporary Appropriation
274-2010	Councilman Lonziserio	Override Mayor's Veto of Ordinance No. 2139
275-2010	Councilman Vincentz	Warrants
276-2010	Councilman Vincentz	Authorize Amendment to Mediation Agreement with JKG Financing

COMMENTS BY MAYOR:

Permission to Utilize Community Center:

RMHS Project Graduation
Car Wash
Saturday, October 9, 2010

Coin Toss:

RMHS Project Graduation
Saturday, October 16, 2010 - 9:00 am -3:00 pm
Saturday, November 13, 2010 - 9:00 am -3:00 pm
Broad Avenue at Route 5
Edgewater Avenue at Shaler Boulevard
Bergen Boulevard at Washington Avenue

Raffles License Application:

Ridgefield Music Parents Organization
Ridgefield Memorial High School
Super 50/50
January 30, 2011 – 7:30-10:30 pm

Ridgefield Music Parents Organization
Community Center
Tricky Tray
November 19, 2010 – 7:30-11:00 pm

Ridgefield Music Parents Organization
Community Center
50/50
November 19, 2010 – 7:30-11:00 pm

Sts. Vartanantz Armenian Church
461 Bergen Boulevard
Prize Raffle
November 7, 2010 – 2:00 pm

Special Permit for Social Affair:

Sts. Vartanantz Armenian Church
461 Bergen Boulevard
November 5, 2010 – 4:00 pm-Midnight
November 6, 2010 – 4:00 pm-Midnight

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 27, 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 27, 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 day of September, 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 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 but where such placement is not practical in light of the lawfully existing structures on the property than no closer than 5 feet to the right away, 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 signs(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 27, 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 day of September, 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 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 if not covered by the organization or a grant.

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 volunteers/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 27, 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 day of September, 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:

Nicholas P. Lonzisero,
Council President

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:

Nicholas P. Lonzisero,
Council President

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 27, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 254-2010

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that

JIM NEIRA

be appointed to the Parks and Recreation Commission for the remainder of 2010

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 27, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 255-2010

WHEREAS, the Governing Body has been advised that certain vehicles have reached the end of their useful life; and

WHEREAS, the Governing Body has determined that it is appropriate to attempt to sell these vehicles at auction; and

WHEREAS, a resolution authorizing the sale of such personal property is required pursuant to N.J.S.A. 40A:12-13.1; and

WHEREAS, the Borough has historically utilized the Port Authority of New York and New Jersey ("PA/NY-NJ") to notice such sale in accordance with N.J.S.A. 40A:12-13 and convene an auction as required by law; and

WHEREAS, the Governing Body has determined not to fix minimum prices for such vehicles nor has the Borough reserved onto itself the right to reject all bids where the highest bidder is not accepted; and

WHEREAS, such vehicles no longer bear any municipal markings (i.e., police and/or dpw) and have been repainted with white spray paint; and

WHEREAS, all other Borough property and emergency equipment have been removed from such vehicles; and

WHEREAS, the registration plates for such vehicles have been removed; and

WHEREAS, the vehicles have been delivered to the Manhattan Towing Company which vehicles are the subject of public auction by the PA/NY-NJ.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body authorizes and ratifies the sale at public auction of the following vehicles:

Vehicle Make and Model	Year	Vehicle Identification #	Registration	Mileage
Ford Crown	2000	2FAHP71W7YX179559	NJ-MG42733	92,693.0

Victoria				
Chevrolet Suburban	1992	1GNGK26K1NJ353496	NJ-MG18282	101,849.4

BE IT FURTHER RESOLVED that the notice of sale of these vehicles has been completed in accordance with N.J.S.A. 40A:12-13.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 27, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 256-2010

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that

GARY BONACCI

be appointed Safety Officer for the remainder of 2010

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 27, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 257-2010

WHEREAS, the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of municipal recreation facilities; and,

WHEREAS, the Borough of Ridgefield desires to further the public interest by obtaining a 2010 matching grant of \$30,000 from the County Trust Fund to fund the following project: Veterans Park Tennis Court Rehabilitation; and,

WHEREAS, the governing body has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body will hold a public hearing on (October 4, 2010 at 7:00 p.m. to be confirmed and advertised) to receive comments prior to the submission of said application(s); and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project(s).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of October 8, 2010, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the applicant has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the applicant is committed to providing a dollar for dollar cash match for the project; and,

4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,

5. That this resolution shall take effect immediately.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero				
Todd				
Vincenz				
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 27, 2010

Presented by Mayor Suarez

RESOLUTION NO. 258-2010

WHEREAS, across the nation, traffic crashes caused nearly 34,000 fatalities in 2009, and are the leading cause of death for young people ages 15 to 34; and

WHEREAS, in New Jersey, 583 individuals lost their lives in traffic crashes in 2009; and,

WHEREAS, alcohol-related crashes accounted for 31 percent of the State's traffic fatalities, while 16 percent of all fatal crashes involved traveling at unsafe speeds; and

WHEREAS, motorcyclists, bicycle riders and pedestrians face increased risks on New Jersey's roadways, as people opt for alternative modes of transportation; and

WHEREAS, 65 motorcyclists, 14 bicyclists and 157 pedestrians were killed in New Jersey in traffic-related crashes in 2009; and

WHEREAS, safer driving behaviors such as buckling up, every ride; obeying posted speed limits; stopping for pedestrians in crosswalks and using crosswalks when walking; avoiding aggressive driving behaviors; never driving impaired; wearing proper safety gear when riding a motorcycle or bicycle; and, focusing solely on driving by avoiding distractions, can dramatically reduce the number of traffic-related injuries and deaths;

NOW, THEREFORE, I, Anthony R. Suarez, Mayor of the Borough of Ridgefield, do hereby proclaim October 10, 2010, Put The Brakes On Fatalities Day®, and call upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the State.

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 27, 2010

Presented by Mayor Suarez

RESOLUTION NO. 259-2010

WHEREAS, the Mayor and Council of the Borough of Ridgefield value the importance of first-rate pre-hospital emergency care to residents in time of need; and

WHEREAS, the Emergency Medical Technician (“EMT”) Training Fund was created by New Jersey P.L. 1992, chapter 143 (N.J.S.A. 26:2K-54 et seq.) as a dedicated, non-lapsing, revolving fund, established to reimburse any private agency, organization or entity which is certified by the Commissioner of Health and Senior Services to provide training and testing for volunteer ambulance, first aid and rescue squad personnel who are seeking EMT certification and/or recertification; and

WHEREAS, the Fund has allowed thousands of Volunteer EMT’s to earn and maintain their EMT certification without incurring out-of-pocket personal expense and without the need for funding from their volunteer squad or municipality; and

WHEREAS, the EMT Training Fund is not supported through the use of any tax money, but rather is supported by a \$0.50 surcharge on each fine, penalty or forfeiture imposed and collected by the State of New Jersey for motor vehicle or traffic violations and is currently dwindling; and

WHEREAS, the State Treasury has already transferred the funds of \$4 million to a general account to help close a budget gap which prompted the State Health and Human Services Department to cancel reimbursements for half of the credits required to keep certifications current; and

WHEREAS, the balance remaining in the EMT Training Fund is insufficient to meet the annual training needs of Volunteer EMTs of this state and will result in significant cut-backs of state-paid EMT training for New Jersey’s EMS Volunteer Community; and

WHEREAS, this action will considerably harm the recruitment of new members and will deter existing members from continuing their service since many residents will not be able to pay for their training;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ridgefield urges the Governor and the Legislature of the State of New Jersey not to remove any money from the EMT Training Fund and to return any money to the Fund that has already been removed for purposes other than those specified in New Jersey P.L. 1992, chapter 143;

BE IT FURTHER RESOLVED that a copy of this resolution be sent to our state representatives, Governor Chris Christie and the Bergen County Board of Chosen Freeholders.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzisero				
Todd				
Vincenz				
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 27, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 260-2010

BE IT RESOLVED, that the Mayor and Council of the Borough of Ridgefield, wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$100,000.00 in 2010-2011 Community Development Block Grant Funds for Slocum Avenue Improvements; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Joseph Luppino to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorizes Mayor Anthony R. Suarez as signatory on all agreements and documents in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of Ridgefield is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

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 27, 2010

Presented by Councilman Severino

RESOLUTION NO. 261-2010

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that Mayor Suarez be and is hereby authorized and directed to sign the attached authorization letter regarding the State Local Cooperative Housing Inspection Program

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 27, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 262-2010

WHEREAS, Block 711 Lot 23 Qualifier CELL, also known as 712 Bergen Boulevard Cell Tower, assessed to Scheffler Realty Co. had the 2009 cell billing included in the taxes on Block 711 Lot 23 for the year 2009 and was erroneously billed in duplicate on Block 711 Lot 23 Qualifier CELL;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the amount of \$2,086.61 for third quarter 2009 and \$2,086.60 for fourth quarter 2009 be cancelled on Block 711 Lot 23 Qualifier CELL.

BE IT FURTHER RESOLVED that the Tax Collector is authorized to cancel said billing.

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 27, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 263-2010

WHEREAS, Block 711 Lot 23, also known as 712 Bergen Boulevard, assessed to Scheffler Realty Co. was erroneously billed for a cell tower on two Block and Lots for the year 2010, causing an overpayment of taxes in the first half of the year and a refund due for the third and fourth quarters of 2010 on Block 711 Lot 23;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the amount of \$1,457.34 for third quarter 2010 and \$1,457.33 for fourth quarter 2010 be refunded to Scheffler Realty Co.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to issue and sign a check for the total amount of \$2,914.67 made payable to Scheffler Realty Co, Attn: Don Scheffler and mailed to 96 First Street, Hackensack, New Jersey 07601.

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 27, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 264-2010

WHEREAS, an overpayment of taxes in the Borough of Ridgefield was received for the first quarter 2010 taxes on Block 401 Lot 11, further known as 865 Broad Avenue;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that a refund in the amount of \$2,587.09 for the first quarter 2010 be issued to Frank and Anne Pellino;

BE IT FURTHER RESOLVED that the Chief Financial Officer/Treasurer be and he is hereby authorized to issue a check in the total amount of \$2,587.09 made payable to Frank and Anne Pellino and mailed to 865 Broad Avenue, Ridgefield, New Jersey 07657.

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 27, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 265-2010

WHEREAS, the Tax Court of New Jersey has approved the settlement stipulation for an adjusted assessment on Block 2501 Lot 7 Qualifier C0002, also known as 579 Bergen Boulevard Unit 2 for the year 2009;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that Advanced Foot and Ankle Care be issued a refund in the amount of \$2,603.95 for the year 2009.

BE IT FURTHER RESOLVED that the Chief Financial Officer be and he is hereby authorized to issue a check in the total amount of \$2,603.95 made payable to Scarinci Hollenbeck, Attys for Advanced Foot and Ankle Care and mailed to 1100 Valley Brook Avenue, Lyndhurst, New Jersey 07071.

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 27, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 266-2010

WHEREAS, the Tax Court of New Jersey has approved the settlement stipulation for an adjusted assessment on Block 2501 Lot 7 Qualifier C0003 and Qualifier C0004, also known as 579 Bergen Boulevard Units 3 and 4 for the year 2009;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that Bergen Arts Dental be issued a refund in the amount of \$706.47 for Block 2501 Lot 7 Qual C0003 and \$1,794.32 for Block 2501 Lot 7 Qual C0004 for the year 2009.

BE IT FURTHER RESOLVED that the Chief Financial Officer be and he is hereby authorized to issue a check in the total amount of \$2,500.79 made payable to Scarinci Hollenbeck, Attys for Bergen Arts Dental and mailed to 1100 Valley Brook Avenue, PO Box 790, Lyndhurst, New Jersey 07071.

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 27, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 267-2010

WHEREAS, the Tax Court of New Jersey has approved the settlement stipulation for an adjusted assessment on Block 3003 Lot 6, also known as 1126 Hendricks Causeway for the years 2008 and 2009;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that 1125 Realty Assoc, LLC be issued a refund in the amount of \$13,720.62 for the year 2008 and \$6,252.00 for the year 2009.

BE IT FURTHER RESOLVED that the Chief Financial Officer be and he is hereby authorized to issue a check in the total amount of \$19,972.62 made payable to McCarter and English, Esq., Attys for 1125 Realty Assoc, LLC and mailed to Four Gateway Center, 100 Mulberry Street, PO Box 652, Newark, New Jersey 07102.

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 27, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 268-2010

WHEREAS, the Tax Court of New Jersey has approved the settlement stipulation for an adjusted assessment for the year 2009 for Block 1502 Lot 5, also known as 890 Banta Place;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that Christopher Dobson (etal) be issued a refund in the amount of \$1,095.66 for the year 2009;

BE IT FURTHER RESOLVED that the Chief Financial Officer be and he is hereby authorized to issue a check in the total amount of \$1,095.66 made payable to Davenport & Spiotti, Attys for Christopher Dobson and mailed to 219 Changebridge Road, Montville, New Jersey 07045.

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 27, 2010

Presented by Councilman Lonzisero

RESOLUTION NO. 269-2010

WHEREAS, the Lt. Nicholas Corbiscello, will be owed time as per the PBA contract upon his impending December 31, 2010 retirement with the Borough of Ridgefield; and

WHEREAS, said time owed computes to 170.16 days at the daily rate of \$570.80 for a total amount of \$97,127.33; and

WHEREAS, Nicholas Corbiscello has agreed to receive said amount in three increments of \$32,375.78 payable February 2011, February 2012 and February 2013;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough that the above payment and schedule be approved;

BE IT FURTHER RESOLVED that the Chief Financial Officer and Pension Certifying Officer are authorized and directed to take the necessary steps to effectuate this agreement.

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 27, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 270-2010

WHEREAS, a SFY 2011 Bergen County Community Development Block Grant of \$100,000 has been proposed by the Borough of Ridgefield roadway improvements to Banta Place, in the Borough of Ridgefield; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interests of the people of Ridgefield; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD fund.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Ridgefield hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Prina,
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 27, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 271-2010

BE IT RESOLVED by the Governing Body that all elected officials in the Borough of Ridgefield be required to attend basic courses on their responsibilities and obligations in local government; and

BE IT FURTHER RESOLVED, that proof of participation be submitted to the Borough Clerk upon completion.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonzifero				
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 27, 2010

Presented by Mayor Suarez

RESOLUTION NO. 272-2010

BE IT RESOLVED that the Mayor appoints

JOHN QUAREGNA

to the Planning Board to fill the unexpired term of Aldo Adamo, Alternate through December 31, 2011.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 27, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 273-2010

WHEREAS, an emergency has arisen with respect to current fund appropriations; and

WHEREAS, no adequate provision has been made in the fiscal 2011 temporary budget appropriations for the aforesaid purpose, and N.J.S.A. 40A: 4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the fiscal year 2011 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A.40A:4-20) including this resolution total \$3,567,716.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that in accordance with N.J.S.A. 40A:4-20, that an emergency temporary appropriation be and the same is hereby made for:

CURRENT FUND

General Administration	
Salaries & Wages	10,000.00
Other Expenses	7,500.00
Rent Leveling	
Salaries & Wages	1,300.00
Municipal Clerk	
Salaries & Wages	18,000.00
Other Expenses	5,000.00
Financial Administration	
Salaries & Wages	38,000.00
Other Expenses	5,000.00
Assessment of Taxes	
Salaries & Wages	3,000.00
Professional Services	4,000.00
Collection of Taxes	
Salaries & Wages	22,000.00
Other Expenses	5,000.00
Legal Services	
Retainer	10,000.00
Other Expenses	40,000.00
State Controller Investigation	10,000.00

Engineering Services	25,000.00
Planning Board	
Salaries & Wages	1,200.00
Board of Adjustment	
Salaries & Wages	1,200.00
Other Expenses	6,000.00
Construction Code	
Salaries & Wages	40,000.00
Other Expenses	5,400.00
Property Maintenance	
Salaries & Wages	1,500.00
Other Expenses	200.00
Insurance	
Liability	50,000.00
Workers Compensation	50,000.00
Employee Health	540,000.00
Unemployment	9,000.00
Police Dep't	
Salaries & Wages	700,000.00
Other Expenses	20,000.00
Vehicle Purchase	17,000.00
Dispatching: 911	
Salaries & Wages	14,000.00
Emergency Management	
Salaries & Wages	4,000.00
Other Expenses	1,200.00
First Aid Organization	
Clothing Allowance	20,000.00
Other Expenses	2,500.00
Community Service Officers	
Salaries & Wages	22,000.00
Other Expenses	1,300.00
Fire Protection	
Clothing Allowance	72,000.00
Other Expenses	20,000.00
Hydrant Service	23,000.00
Fire Prevention	
Salaries & Wages	15,000.00
Other Expenses	3,200.00
Prosecutor	3,000.00
Dep't Public Works	
Salaries & Wages	310,000.00
Other Expenses	35,000.00
Sanitation	
Salaries & Wages	64,000.00

Other Expenses	22,000.00
Recycling	
Salaries & Wages	3,000.00
Public Buildings & Grounds	34,000.00
Maintenance of Vehicles	
Streets & Roads	14,000.00
Fire	6,500.00
Police	6,500.00
Volunteer Ambulance	900.00
Sanitation	8,000.00
Construction	200.00
Health	100.00
Board of Health	
Salaries & Wages	40,000.00
Other Expenses	18,000.00
Environmental Commission	1,100.00
Animal Control Services	3,500.00
Public Assistance	
Salaries & Wages	5,700.00
Other Expenses	300.00
Parks and Recreation	
Salaries & Wages	20,000.00
Youth Commission	
Salaries & Wages	2,900.00
Public Library	159,000.00
Celebration of Public Events	4,000.00
Utilities:	
Street Lighting	35,000.00
Electric & Gas	60,000.00
Telephone	20,000.00
Water	5,000.00
Bergen County Utilities Sewer	450,000.00
Gasoline	25,000.00
Sanitary Landfill	75,000.00
Sanitary Landfill Recycling Tax	5,000.00
Social Security Taxes	75,000.00
DCRP	5,000.00
Volunteer Fire Pension	12,500.00
NJ Recycling Tonnage Grant	17,964.00
Municipal Alliance: County Share	10,356.00
Drunk Driving Enforcement Fund	2,726.00
Clean Communities Program	14,970.00
Secure our Schools	98,000.00
Municipal Court	
Salaries & Wages	45,000.00
Other Expenses	6,000.00

TOTAL CURRENT FUND

\$ 3,567,716.00

SWIM POOL UTILITY

Operating

Salaries & Wages

\$ 70,000.00

Other Expenses

10,000.00

Social Security Taxes

7,000.00

TOTAL SWIM POOL UTILITY

\$ 87,000.00

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 27, 2010

Presented by Councilman Lonzisero

RESOLUTION NO. 274-2010

WHEREAS, at the September 13, 2010 meeting of the Mayor and Council of the Borough of Ridgefield, the Council gave final approval to Ordinance No. 2139 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 75 "POLICE DEPARTMENT" TO MODIFY THE COMPOSITION AND QUALIFICATION REQUIREMENTS OF THE DEPARTMENT"; and

WHEREAS, following the final passage of said Ordinance, the Ordinance was presented by the Borough Clerk to the Mayor, and the Mayor, in accordance with the provisions of N.J.S.A. 40A:60-5 did veto same and return the Ordinance to the Council; and

WHEREAS, the Council has considered the Ordinance once again following its return and resolves to override the Mayor's veto;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Ridgefield that the Mayor's veto of Ordinance No. 2139 be, and hereby is, overridden by the Council pursuant to the provisions of N.J.S.A. 40A:60-5 (pursuant to the provisions of the statute, the override requires a vote of two-thirds of all the members of the Council, or four votes).

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 27, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 275-2010

BE IT RESOLVED, that warrants totaling \$2,083,773.47
be drawn on the following accounts:

CURRENT	\$2,029,146.73
TRUST	\$14,750.00
CAPITAL	\$19,671.36
POOL	\$19,970.78
DOG LICENSE	\$234.60
TOTAL	\$2,083,773.47

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 27, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 276-2010

WHEREAS, the Borough of Ridgefield (the "Borough") and Ridgefield JKG Development LLC ("RJD") and JKG Financing Inc. ("JKG") were parties to a certain Mediation Agreement entered and so ordered by the Honorable Peter E. Doyne, J.S.C., on or about April 3, 2006; and

WHEREAS, RJD and JKG agreed in the Mediation Agreement to repay the Borough certain sums associated with funds the Borough provided by issuing bonds to remediate and correct a public hazard created by KDC Development LLC ("KDC"), Jeffrey Costa a/k/a Jeff Costa, (the "Remediation") when it built eight (8) residential units on property known as Block 2607, Lots 2, 3 and 4, being also known as Block 2607, Lots 2.01, 3.01, 4.01 and 4.02, (the "Units") more commonly known as Kathleen Court in the Borough of Ridgefield, New Jersey; and

WHEREAS, RJD and JKG are required to pay certain sums to the Borough upon the issuance of all necessary permits, approvals and variances for all four buildings; and

WHEREAS, RJD and JKG are required to pay certain sums to the Borough upon the sale of certain Units; and

WHEREAS, RJD and JKG have tried to sell the Units, but have had no success because of the economy; and

WHEREAS, the Borough believes that certain sums are now due and owing including property taxes; and

WHEREAS, RJD and JKG have agreed to pay certain sums prior to the sale of the Units in order that the Borough may pay off the Bond it issued for the Remediation of the public hazard and in order to avoid the cost, expense and risk of litigation regarding the interpretation of the Mediation Agreement; and

WHEREAS, the Borough and RJD and JKG now desire to amend the Agreement in accordance with terms that have been reviewed by the Borough Attorney and have been deemed acceptable by the Mayor and Council;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Borough Administrator is hereby authorized to execute the Revised Mediation Agreement with Ridgefield JKG Development LLC and JKG Financing Inc.

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