

BOROUGH OF RIDGEFIELD

A G E N D A

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

Date: February 17, 2016

Open Public Meetings Statement by Mayor Suarez

Work Session: 6:00 P.M. C.T.O.: 6:03 P.M. Adjourn: 6:39 P.M.

- Discussion on Ordinance No. 2297

Mayor Suarez – Adjournment into closed Executive Session in accordance with the “Open Public Meetings Act”

Executive Session: 6:30 P.M. C.T.O.: 6:40 P.M. Adjourn: 7:06 P.M.

Public Session: 7:30 P.M. C.T.O.: 7:32 P.M. Adjourn: 8:24 P.M.

Pledge of Allegiance

Invocation:

Citizens Comment on Agenda:

Correspondence:

Approval of Minutes of November 9, 2015 Public Session, December 21, 2015 Special Public Session, January 6, 2016 Sine Die, January 6, 2016 Reorganization, February 3, 2016 Public Session Meetings - APPROVED

ROLL CALL-WORK SESSION

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

ROLL CALL-EXEC. SESSION

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

ROLL CALL-PUBLIC SESSION

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

Introduction of Ordinance No. 2297 entitled, “AN ORDINANCE AMENDING ARTICLE IX OF CHAPTER 390 OF THE CODE OF THE BOROUGH OF RIDGEFIELD, IMPLEMENTING AN AFFORDABLE HOUSING OVERLAY ZONE”

First Reading of Ordinance

Roll Call

CONSENT AGENDA:

111-2016 Councilman Acosta Authorize Submission of 2017 Municipal Alliance Grant
112-2016 Councilman Acosta Accept FFY15 Homeland Security Emergency Management Performance Grant Program Subgrant
113-2016 Mayor Suarez Appoint Alternate to Insurance Fund Commission

COUNCIL VOTE

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

RESOLUTIONS:

114-2016 Councilman Penabad Transfer of Appropriation Reserves
115-2016 Councilman Penabad Warrants
116-2016 Councilman Shim Developers Agreement-Bell Drive SG, LLC

COMMENTS BY MAYOR:

Coin Toss Request:

RBAO APPROVED
March 12, 2016

RMHS Junior Class APPROVED
May 21, 2016

RMHS Senior Class APPROVED
September 10, 2016

COMMENTS BY COUNCILMEN:

COMMENTS BY CITIZENS: (All speakers are limited to five minutes maximum per meeting)

Agenda subject to change as a result of matters not known at time of printing with the consent of the Mayor and Council.

Respectfully submitted,

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 17, 2016

Presented by Mayor Suarez

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

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

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

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

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 17, 2016

Presented by Councilman Shim

ORDINANCE NO. 2297

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

“AN ORDINANCE AMENDING ARTICLE IX OF CHAPTER 390 OF THE CODE OF THE BOROUGH OF RIDGEFIELD, IMPLEMENTING AN AFFORDABLE HOUSING OVERLAY ZONE”

introduced on the 17th day of February, 2016 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 16th day of March, 2016 at 7:30 P.M. or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council at 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
Castelli	X			
Acosta	X			
Penabad	X			
Shim	X			
Todd	X			
Vincentz	X			
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 17, 2016

Presented by Councilman Shim

ORDINANCE NO. 2297

“AN ORDINANCE AMENDING ARTICLE IX OF CHAPTER 390 OF THE CODE OF
THE BOROUGH OF RIDGEFIELD, IMPLEMENTING AN AFFORDABLE HOUSING
OVERLAY ZONE”

WHEREAS, pursuant to *N.J.S.A. 40:55D-62b*, the Mayor and Council of the Borough of Ridgefield are authorized and empowered to adopt and amend the zoning ordinance of the Borough of Ridgefield; and

WHEREAS, the Borough, consistent with what is commonly known as the “Mt. Laurel Doctrine” as reflected in the “Fair Housing Act,” P.L. 1985, c 222 (N.J.S.A.-52:27D-301 et seq.), is desirous of making zoning changes that will allow the Borough to provide its fair share of affordable housing; and

WHEREAS, the Mayor and Council have deemed it in the best interests of the Borough to amend the zoning ordinance and adopt the regulations set forth herein to address such efforts; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Ridgefield, as follows:

SECTION I

There is hereby created an affordable housing overlay zone in the Borough of Ridgefield as follows:

§390-55 of the Code of the Borough of Ridgefield, entitled “Enumeration of Districts”, be and hereby is amended, adding to the list of districts appearing in that Section the following:

AHO Affordable Housing Overlay Zone

SECTION II

Article IX of Chapter 390 of the Code of the Borough of Ridgefield, entitled “Zoning District Regulations”, be and hereby is amended by adding a new section to be enumerated as Section 390-44A as follows:

§390-44A District AHO Affordable Housing Overlay Zone

A. The AHO Zone is designed to provide a realistic opportunity for Affordable Housing Development by and within the Borough of Ridgefield.

B. Applicability.

1. Residential uses are permitted only where the development contains a 20% affordable residential component set-aside.
2. Residential uses are permitted in either a building used solely for residential purposes, or in a mixed-use building, but as to a mixed-use building, only where the residential uses are above the first floor commercial uses.
3. This is an overlay zone that shall be applicable to Block 503, Lot 1, currently zoned OMH (Office Mid-Rise Hotel), and Block 1801, Lot 1, currently zoned O-7 (Office Mid-Rise, 7 stories).

C. Uses.

1. Permitted uses.
 - a. All uses permitted in the underlying zones.
 - b. Multi-family residential permitted only where a minimum of affordable 20% of the units are set-aside for affordable housing.
 - c. Age-restricted multi-family residential permitted only where a minimum of affordable 20% of the units are set-aside for affordable housing.
2. Conditional uses.
 - a. All conditional uses permitted in the underlying zones.
3. Accessory uses.
 - a. All accessory uses permitted in the underlying zones.

D. Bulk Regulations.

1. The bulk regulations for residential shall follow the regulations for the Inclusionary portion of the MF Medium Density Multi-family zone.

E. Signs.

1. Signage shall be subject to the requirements of §390-18 of this Chapter.

F. Other provisions superseded.

1. In the event of any inconsistency between the provisions of this section and any other section of Chapter 390, the provisions of this section shall prevail.

G. The parcels, identified above, shall be zoned as indicated, and the Borough of Ridgefield Zoning Map, authorized by §390-4, shall be amended as necessary in accordance with this Ordinance.

SECTION III

Planning Board review.

Upon approval of this Ordinance upon First Reading by the Mayor and Council of the Borough of Ridgefield, this Ordinance shall be transmitted to the Planning Board for its review and recommendation.

SECTION IV

Severability.

If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated and shall remain in full force and effect.

SECTION V

Effective Date.

This Ordinance shall take effect immediately upon final publication as required by law.

SECTION VI

Repeal of Inconsistent Ordinances.

All ordinances and parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 17, 2016

Presented by Councilman Acosta

RESOLUTION NO. 111-2016

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Mayor and Council of the Borough of Ridgefield, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Mayor and Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Mayor and Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ridgefield, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Mayor and Council does hereby authorize submission of a strategic plan for the Ridgefield Municipal Alliance grant for fiscal year 2017 in the amount of:

DEDR	\$9876.00
Cash Match	\$2469.00
In-Kind	\$7407.00

2. The Mayor and Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

CERTIFICATION

I, Linda Silvestri, Municipal Clerk of the Borough of Ridgefield, County of Bergen, State of New Jersey, do hereby certify the foregoing to be true and exact copy of a resolution duly authorized by the Borough Council on the 17th day of February, 2016.

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 17, 2016

Presented by Councilman Acosta

RESOLUTION NO. 112-2016

WHEREAS, the Borough of Ridgefield Office of Emergency Management has been awarded State Homeland Security Grant Program Subgrant FY15-EMPG-EMAA-0249 from the New Jersey State Police Office of Emergency Management. The subgrant, consisting of a total amount of up to \$14,000.00, including up to \$7,000.00 Federal Award and up to \$7,000.00 in Local Matching Funds, is for the purpose of enhancing the Borough of Ridgefield's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award; and

WHEREAS, the Borough of Ridgefield Office of Emergency Management, designated by the New Jersey State Police Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Police Office of Emergency Management; and

WHEREAS, the Application for Subgrant Award calls for a match in the amount of up to \$7,000.00 which the Borough of Ridgefield Office of Emergency Management adequately satisfies through the Borough of Ridgefield's approved budget for department salaries and wages and fringe benefits;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Ridgefield accepts the award of the FFY15 Homeland Security Emergency Management Performance Grant Program Subgrant in the amount of up to \$7,000.00 Federal Funds from the New Jersey State Police Office of Emergency Management for the sub award period of July 1, 2015-June 30, 2016; and

BE IT FURTHER RESOLVED that the Director of the Division of Local Government Services is requested to approve the insertion of an item of revenue in the budget in the sum of up to \$7,000.00, which is now available from the New Jersey State Police Office of Emergency Management in the like amount of up to \$7,000.00 from the aforementioned grant; and

BE IT FURTHER RESOLVED that the like sum of up to \$7,000.00 is hereby appropriated under the caption of FFY14 Homeland Security Emergency Management Performance Grant; and

BE IT FURTHER RESOLVED that the Borough Chief Financial Officer and the Borough Director of Emergency Management are authorized to sign the appropriate subgrant award documentation; and

BE IT FURTHER RESOLVED that copies of this resolution shall be forwarded to the New Jersey State Police Office of Emergency Management, the Director of the Division of Local Government Services, the County Division of Emergency Management, and Office of the Treasury.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 17, 2016

Presented by Mayor Suarez

RESOLUTION NO. 113-2016

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

RAY RAMIREZ

be appointed as Alternate to the Insurance Fund Commission for calendar year 2016.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 17, 2016

Presented by Councilman Penabad

RESOLUTION NO. 114-2016

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the following 2015 Appropriation Reserves transfers be made:

	FROM	TO
Police S/W	\$20,000	
Maintenance of Boro Vehicles-Streets/Roads		\$20,000
TOTAL	\$20,000	\$20,000

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

The undersigned, being the Chief Financial Officer of the Borough of Ridgefield, County of Bergen, New Jersey, and the person charged with the responsibility of maintaining financial records of said Borough in accordance with N.J.S.A. 40:4-57 and the rules of the Local Finance Board of the State of New Jersey adopted thereunder, does hereby certify that there are adequate funds available for the payment of the attached list of invoices, duly adopted by said Borough, and which said list indicates the specific line item of said budget to which expenditures shall be charged.

Matthew J. Rutch,
Chief Financial Officer

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 17, 2016

Presented by Councilman Penabad

RESOLUTION NO. 115-2016

BE IT RESOLVED, that warrants totaling **\$628,143.83**
be drawn on the following accounts:

CURRENT	\$601,773.61
TRUST	\$29,093.96
POOL	\$271.46
DOG LICENSE	\$4.80
TOTAL	\$628,143.83

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 17, 2016

Presented by Councilman Shim

RESOLUTION NO. 116-2016

WHEREAS, Bell Drive SG, LLC is the developer of certain property commonly known as Block 2301, Lots 1 and 1.01; Block 2904, Lot 4; and Block 2402, Lot 1; and

WHEREAS, Bell Drive SG, LLC was, by resolution dated September 8, 2015, memorializing a decision of August 11, 2015, granted preliminary and final site plan approval and variances by the Planning Board of the Borough of Ridgefield in connection with that development; and

WHEREAS, as a result of the approving resolution, it is necessary that the developer enter into a Developer's Agreement by and between the Borough of Ridgefield and Bell Drive SG, LLC; and

WHEREAS, the Planning Board Attorney has prepared a form of agreement, which is attached hereto as EXHIBIT A; and

WHEREAS, it is in the best interests of the Borough of Ridgefield that the Developer's Agreement be executed by and between the Borough and Bell Drive SG, LLC;

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

1. The Mayor and the Borough Clerk be and hereby are authorized and directed to execute the attached Developer's Agreement with Bell Drive SG, LLC.
2. A fully executed copy of the Developer's Agreement shall be maintained by the Borough Clerk with a copy forwarded to Bell Drive SG, LLC as well as to the Secretary of the Planning Board and the Ridgefield Building Department.

COUNCIL VOTE – TO TABLE

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

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk