

BOROUGH OF RIDGEFIELD

A G E N D A

Executive Session and Regular Meeting of the Mayor and Council

Date: July 8, 2013

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

Citizens Comment on Agenda:

Correspondence:

ROLL CALL-PUBLIC SESSION

	Adj. to Ex.		Public	
	Pres.	Abs.	Pres.	Abs.
Mayor Suarez				
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				

ROLL CALL-EXEC. SESSION

	PRESENT	ABSENT
Mayor Suarez		
Castelli		
Severino		
Acosta		
Jimenez		
Penabad		
Shim		

Introduction of Ordinance No. 2231 entitled, “AN ORDINANCE AMENDING SUBSECTION 23-5 OF CHAPTER 23, DEFENSE AND INDEMNIFICATION OF OFFICIALS AND EMPLOYEES, OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

First Reading of Ordinance

Roll Call

PROPOSED CONSENT AGENDA:

210-2013	Mayor Suarez	Appoint Hearing Officer for Disciplinary Hearing
211-2013	Councilman Jimenez	Oppose S-2/A-1171
212-2013	Mayor Suarez	Community Development Representatives
213-2013	Councilman Acosta	Authorize to Advertise for DPW Vehicles

214-2013	Councilman Jimenez	Lien Redemption Cert. #12-03
215-2013	Councilman Jimenez	Tax Court Judgment-Block 709, Lot 1
216-2013	Councilman Jimenez	Tax Court Judgment-Block 3702, Lot 9
217-2013	Councilman Castelli	Hire Substitute Lifeguards
218-2013	Councilman Castelli	Hire Summer Playground Personnel

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

RESOLUTIONS:

219-2013	Mayor Suarez	Planning Board Appointments
220-2013	Councilman Jimenez	Warrants

COMMENTS BY MAYOR:

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 July 8, 2013

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				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
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 July 8, 2013

Presented by Councilman Acosta

ORDINANCE NO. 2231

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

“AN ORDINANCE AMENDING SUBSECTION 23-5 OF CHAPTER 23, DEFENSE AND INDEMNIFICATION OF OFFICIALS AND EMPLOYEES, OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

introduced on the 8th day of July, 2013, 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 12th day of August, 2013 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
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting July 8, 2013

Presented by Councilman Acosta

ORDINANCE NO. 2231

“AN ORDINANCE AMENDING SUBSECTION 23-5 OF CHAPTER 23, DEFENSE AND
INDEMNIFICATION OF OFFICIALS AND EMPLOYEES, OF THE CODE OF THE
BOROUGH OF RIDGEFIELD”

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

Section I.

Section 23-5, entitled Defense of Criminal Prosecutions, of the Code of the Borough of Ridgefield be and hereby is amended by substituting, in the second sentence of that section, the word “shall” in place of the word “may”.

Section II.

In all other respects, the terms and provisions of Section 23-5 and the entirety of Chapter 23 are ratified and affirmed.

Section III. Repealer.

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

Section IV. Severability.

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

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting July 8, 2013

Presented by Mayor Suarez

RESOLUTION NO. 210-2013

BE IT RESOLVED, that the Mayor by and with the consent of the Council appoints

DANIEL MECCA, JSC, RET.

to conduct the disciplinary hearing with respect to the current police matter at the rate of \$400.00 per hour to be split between the parties.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting July 8, 2013

Presented by Councilman Jimenez

RESOLUTION NO. 211-2013

WHEREAS, S-2/A-1171 are meant to promote the more effective operation of local government and sharing of services among local units and

WHEREAS, initially S-2 removed or reduced many of the roadblocks that increase the costs of shared services – things like terminal leave, pay, civil service mandates, employee tenure requirements – many of the original provisions in the bill could reduce the costs and hurdles to shared services and consolidations, produce municipal savings and promote relief for our taxpayers; and

WHEREAS, the recent amendments to S-2 removed many of the labor provisions that would have given municipalities tools to implement a shared service without the time consuming hurdles that diminished the savings and will now discourage shared services from a municipalities' perspective by continuing the hindrances imposed by Civil Service; and

WHEREAS, the amendments removed not only the preamble language that the bill would “supersedes existing Civil Service and tenure provisions” but also removed the suspension of Civil Service rules regarding layoff, transfer, seniority, testing, bumping rights and tenure; and

WHEREAS, the amendments would now require that any non civil service municipality who has a shared service agreement with civil service municipality serving as the Lead Agency be brought into the civil service system, thus expanding the civil service system; and

WHEREAS, the amendments would require that municipalities entering into the shared service agreement be subject to civil service rules and collective bargaining agreements for determining which employee stays, protects the seniority provisions removing management prerogative on retaining the best qualified and most efficient work force; and

WHEREAS, the amendments would require that any contractual provision dispute be settled by mediation, or if necessary, arbitration which will impede the process from moving expeditiously and will not result in cost savings, which will likely result in mediation and arbitration becoming the norm thus leading to delays and additional cost; and

WHEREAS, S-2 would, on the one hand, allow the voters to express their will; but on the other hand, inform those voters that they will lose their State Aid if their will does not comport with that of a majority of the appointed members of the Local Unit, Realignment and Consolidation Commissioner, (LUARCC); and

WHEREAS, while we appreciate the consideration and acceptance of the amendments that would clarify the process, on balance, the benefits of those amendments are outweighed by the loss of the suspension of the Civil Service rules and regulations; and

WHEREAS, S-2/A-1171 is based on the misconception that municipalities do not share services when in fact shared Services are not a new concept to municipalities, dating back well before the Interlocal Services Act of 1973;and

WHEREAS, S-2/A-1171 is also based on the misconception that smaller governments are less efficient and effective than larger ones, an assumption that is not necessarily the case and contrary to lessons learned from recent events in which the municipal elected officials and professionals were very effective in pooling their resources and responding quickly; and

WHEREAS, there is no overnight cure to our property tax crisis and Shared services, consolidation or other cost saving measures are long-term actions where benefits/savings may not be seen for a number of years down the road;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Ridgefield, in the County of Bergen strongly opposes S-2/A-1171 not only on the issue of the voter penalty but on the lose of the Civil Service reform; and

BE IT FURTHER RESOLVED that S-2/A-1171 be reviewed by the Red Tape Review Commission, which has tirelessly worked to remove government hurdles, and the Civil Service Commission before the bill proceeds to ensure that the proposed amendments do not create additional Civil Service burdens and hurdles that further impede shared services and drive up cost; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Governor of the State of New Jersey, our State Legislators and the League of Municipalities.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting July 8, 2013

Presented by Mayor Suarez

RESOLUTION NO. 212-2013

WHEREAS, the Borough of Ridgefield has entered into a Three Year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act (N.J.S.A. 40A:8A-1 et seq.) and Title I of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that one Municipal Representative be appointed by the Mayor and one Representative by appointed by the Governing Body of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1 through June 30;

NOW, THEREFORE, BE IT RESOLVED that the Mayor hereby appoints

DENNIS SHIM

as his representative to participate on the Community Development Committee; and

RAY PENABAD

as the Mayor's alternate on said committee

BE IT FURTHER RESOLVED that the Governing Body hereby appoints

HUGO JIMENEZ

as its representative to participate on the Community Development Committee; and

RUSSELL CASTELLI

as the Governing Body alternate on said committee.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Silvestri, Borough Clerk

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting July 8, 2013

Presented by Councilman Acosta

RESOLUTION NO. 213-2013

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

“BID FOR 4-WHEEL DRIVE TRUCK, SNOWPLOW, TRANSFER OF EQUIPMENT AND TRADE IN”

and

“BID FOR 4-WHEEL DRIVE DUMP TRUCK WITH TRADE IN”

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting July 8, 2013

Presented by Councilman Jimenez

RESOLUTION NO. 214-2013

WHEREAS, Sang Min Ahn has deposited a check on July 3, 2013 in the amount of \$5,581.30 into the Suspense Account for the redemption and subsequent taxes of Tax Lien #12-03, Block 2906.01 Lot 104 Qualifier C0104, further known as 605 Broad Avenue Unit 104, sold to Bellagio Property Management, LLC and whereas \$4,700.00 was previously deposited into the Trust Account at the time of tax sale for the premium.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Chief Financial Officer be and he is hereby authorized to issue and sign a check in the amount of \$5,581.30 from the Suspense Account and a check for \$4,700.00 from the Trust Account for the return of the premium;

BE IT FURTHER RESOLVED that the check in the amount of \$5,581.30 be drawn on the Borough of Ridgefield Suspense Account and the check for \$4,700.00 be drawn on the Borough of Ridgefield Trust account and be made payable to Bellagio Property Management, LLC and mailed to 9 Garwood Road, Fairlawn, NJ 07410.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting July 8, 2013

Presented by Councilman Jimenez

RESOLUTION NO. 215-2013

WHEREAS, the Tax Court of New Jersey has approved the settlement stipulation for an adjusted assessment on Block 709 Lot 1, also known as 713 Bergen Boulevard for the year 2011;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that Lillian Yoo be issued a refund in the amount of \$545.16 for the year 2011.

BE IT FURTHER RESOLVED that the Chief Financial Officer be and he is hereby authorized to issue a check in the total amount of \$545.16 made payable to Lillian Yoo and mailed to 713 Bergen Boulevard, Ridgefield, New Jersey 07657.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting July 8, 2013

Presented by Councilman Jimenez

RESOLUTION NO. 216-2013

WHEREAS, the Tax Court of New Jersey has approved the settlement stipulation for an adjusted assessment on Block 3702 Lot 9, also known as 809 Pleasantview Terrace for the year 2011;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that Carol Diana Petersen be issued a refund in the amount of \$823.50 for the year 2011.

BE IT FURTHER RESOLVED that the Chief Financial Officer be and he is hereby authorized to issue a check in the total amount of \$823.50 made payable to Davenport & Spiotti, Attorneys for Carol Diana Petersen and mailed to 219 Changebridge Road, Montville, New Jersey 07045.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting July 8, 2013

Presented by Councilman Castelli

RESOLUTION NO. 217-2013

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the following individuals be hired as substitute lifeguards at the hourly rates indicated for the remainder of the 2013 pool season:

Santo Guinta	7.50/hr
Frank Pellino	7.50/hr
Janice Concha	7.50/hr
Anthony Cavallo	7.50/hr
Andrew Jaquez	7.50/hr
George Delgado	7.50/hr
Cory Kapu	7.50/hr
Michele Pepe	7.50/hr
Mike Niosi	8.00/hr
John Van Buskirk	8.00/hr

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting July 8, 2013

Presented by Councilman Castelli

RESOLUTION NO. 218-2013

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the following individuals be hired as Summer Playground personnel at the rate of \$7.25 per hour:

NICHOLAS HERNANDEZ
FELIX MORFI

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting July 8, 2013

Presented by Mayor Suarez

RESOLUTION NO. 219-2013

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

JOHN LARKIN

be appointed to the Planning Board as a Class IV Member to fill the unexpired term of Harold Nebbia through December 31, 2014; and

KEVIN SHIM

be appointed to the Planning Board as the Mayor's Alternate to fill the unexpired term of John Larkin through December 31, 2013; and

ROBERT CELEDONIO

be appointed to the Planning Board as an Alternate to fill the unexpired term of Kevin Shim through December 31, 2013.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

MAYOR'S APPOINTMENT, NO COUNCIL VOTE NEEDED

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.

Joseph Luppino,
Chief Financial Officer

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting July 8, 2013

Presented by Councilman Jimenez

RESOLUTION NO. 220-2013

BE IT RESOLVED, that warrants totaling \$2,179,177.75
be drawn on the following accounts:

CURRENT	\$2,033,642.79
TRUST	\$75,539.16
CAPITAL	\$33,358.94
POOL	\$36,636.86
TOTAL	\$2,179,177.75

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk