

BOROUGH OF RIDGEFIELD

A G E N D A

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

Date: March 26, 2012

Open Public Meetings Statement by Mayor Suarez

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

- DMR Presentation-Civic Center

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:

Approval of Minutes of January 6, 2012 Sine Die Meeting, January 6, 2012 Reorganization Meeting and January 23, 2012 Public Session Meeting

ROLL CALL-WORK SESSION

	PRESENT	ABSENT
Mayor Suarez		
Castelli		
Todd		
Vincentz		
Severino		
Acosta		
Jimenez		

ROLL CALL-EXEC. SESSION

	PRESENT	ABSENT
Mayor Suarez		
Castelli		
Todd		
Vincentz		
Severino		
Acosta		
Jimenez		

ROLL CALL-PUBLIC SESSION

	PRESENT	ABSENT
Mayor Suarez		
Castelli		
Todd		
Vincentz		
Severino		
Acosta		
Jimenez		

As advertised, hearing will be held on Ordinance No. 2198 entitled, “AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)”

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

Final Reading of Ordinance

Roll Call

As advertised, hearing will be held on Ordinance No. 2199 entitled, "AN ORDINANCE AMENDING CHAPTER 75 OF THE CODE OF THE BOROUGH OF RIDGEFIELD"

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

Final Reading of Ordinance

Roll Call

As advertised, hearing will be held on Ordinance No. 2200 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 375, "VEHICLES AND TRAFFIC", RESIDENT PARKING PROGRAM"

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

Final Reading of Ordinance

Roll Call

As advertised, hearing will be held on Ordinance No. 2201 entitled, "AN ORDINANCE AMENDING CHAPTER 29 OF THE CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED "ENVIRONMENTAL COMMISSION"

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

Final Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2202 entitled, "AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 75 ENTITLED POLICE DEPARTMENT OF THE CODE OF THE BOROUGH OF RIDGEFIELD"

First Reading of Ordinance

Roll Call

PROPOSED CONSENT AGENDA:

129-2012	Councilman Acosta	Hire Per Diem Building Department Clerical Employee
130-2012	Councilman Acosta	Salary Increases
131-2012	Councilman Jimenez	CCH Holdings License Fee Arrears
132-2012	Councilman Jimenez	Adjusted Assessment-399 Morse Avenue
133-2012	Councilman Jimenez	Return of Escrow
134-2012	Councilman Jimenez	Exceed Bid Threshold-Police Vehicles
135-2012	Mayor Suarez	End State Diversion of Municipal Revenues and Demand Compliance with State Laws
136-2012	Councilman Jimenez	Remington, Vernick & Arango Contract Amendment
137-2012	Councilman Jimenez	Emergency Temporary Appropriation

COUNCIL VOTE

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

RESOLUTIONS:

138-2012 Councilman Jimenez Warrants

COMMENTS BY MAYOR:

Coin Toss Request:

Ridgefield Recreation Youth Football Program
Saturday, June 9, 2012; rain date Saturday, June 16, 2012

Application for Raffles License:

Ridgefield Memorial High School PTA
Carnival
April 25, 2012 – April 29, 2012
Veterans Field

Fairview Lions Club
Raffle
June 6, 2012
Café Tivoli, 533 Shaler Boulevard

Knights of Columbus
Sports Night Raffle
June 7, 2012
555 Prospect Avenue

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. Prina,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 26, 2012

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				
Todd				
Vincentz				
Severino				
Acosta				
Jimenez				
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,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 26, 2012

Presented by Councilman Jimenez

ORDINANCE NO. 2198

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

“AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)”

introduced on the 12th day of March, 2012, 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
Castelli				
Todd				
Vincentz				
Severino				
Acosta				
Jimenez				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 12, 2012

Presented by Councilman Jimenez

ORDINANCE NO. 2198

“AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)”

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Ridgefield in the County of Bergen finds its advisable and necessary to increase its 2012 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget of said year, amounting to \$142,087.40 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Ridgefield, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2012 budget year, the final appropriations of the Borough of Ridgefield shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by up to 3.5%, amounting to \$497,305.90, and that the 2012 municipal budget for the Borough of Ridgefield be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 26, 2012

Presented by Councilman Acosta

ORDINANCE NO. 2199

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

“AN ORDINANCE AMENDING CHAPTER 75 OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

introduced on the 12th day of March, 2012, 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
Castelli				
Todd				
Vincentz				
Severino				
Acosta				
Jimenez				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 12, 2012

Presented by Councilman Acosta

ORDINANCE NO. 2199

“AN ORDINANCE AMENDING CHAPTER 75 OF THE CODE OF THE BOROUGH OF
RIDGEFIELD”

BE IT ORDAINED by the Mayor and Council of the Borough of Ridgefield that Chapter 75 of the Code of the Borough of Ridgefield, be, and hereby is amended as follows:

Section I.

Section 75-29, entitled “Charges”, subpart (d) be and hereby is amended by deleting the existing language of subsection (d) and replacing same with the following:

(d) An administrative fee of \$5.80 per hour off-duty police officer employed will be billed regardless if the vehicle is used or not.

Section II.

Section 75-19, entitled “Special law enforcement officers”, be and hereby is amended by replacing the existing language with the following:

The Mayor and Council of the Borough of Ridgefield may appoint from time to time special law enforcement officers in accordance with New Jersey Statutes for terms not exceeding one year. They shall possess and exercise all the powers and duties provided by said statutes during their term in office, but shall not be continued as regular members of the Police Department and shall not be entitled to tenure. The Chief of Police may authorize special law enforcement officers when on duty to exercise the same powers and authority as regular members of the Police Department, including the carrying of firearms, extraneous duty, and the power of arrest. (N.J.S.A. 40A:14-146.8 et seq.)

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

Section IV. This ordinance shall take effect immediately upon passage and publication according to law.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 26, 2012

Presented by Councilman Castelli

ORDINANCE NO. 2200

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

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 375, “VEHICLES AND TRAFFIC”, RESIDENT PARKING PROGRAM”

introduced on the 12th day of March, 2012, 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
Castelli				
Todd				
Vincentz				
Severino				
Acosta				
Jimenez				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 12, 2012

Presented by Councilman Castelli

ORDINANCE NO. 2200

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 375, “VEHICLES
AND TRAFFIC”, RESIDENT PARKING PROGRAM”

BE IT ORDAINED by the Mayor and Council of the Borough of Ridgefield that Chapter 375 of the Code of the Borough of Ridgefield, entitled “Vehicles and Traffic, Resident Parking Program”, be and hereby is amended as follows:

Section I.

Section 375-64, previously deleted in its entirety by Ordinance No. 2174, be and hereby is re-established as a section to be entitled “Churches”, and to read as follows:

§375-64. Churches and Houses of Worship.

Persons attending worship services at church or other houses of worship may park their vehicles on Borough streets in contravention of the provisions of this ordinance, but solely for the purpose of, and only during the times at which, such persons are actually attending church and/or other organized religious worship services. Such church or other house of worship shall register with the Borough Clerk, and shall thereafter be authorized to prepare placards, to be placed on the driver’s side dashboard of a car, with words indicating “IN CHURCH SERVICES”, and stating further the name and address of the church or other house of worship. Parking shall be permitted under this section only with such a placard affixed in the dashboard of the vehicle in question, and is to be utilized only during the time of actual church or other house of worship services. Any deviation from the above procedures shall constitute a violation of the ordinance. The Borough reserves the right to revoke the privileges of any church or other house of worship whose members utilize the placard to park a vehicle for purposes other than attendance at church or other house of worship services.

Section II. Repealer.

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 26, 2012

Presented by Councilman Jimenez

ORDINANCE NO. 2201

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

“AN ORDINANCE AMENDING CHAPTER 29 OF THE CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED “ENVIRONMENTAL COMMISSION”

introduced on the 12th day of March, 2012, 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
Castelli				
Todd				
Vincentz				
Severino				
Acosta				
Jimenez				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 12, 2012

Presented by Councilman Jimenez

ORDINANCE NO. 2201

“AN ORDINANCE AMENDING CHAPTER 29 OF THE CODE OF THE BOROUGH OF
RIDGEFIELD ENTITLED “ENVIRONMENTAL COMMISSION”

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

Section I:

Chapter 29 of the Code of the Borough of Ridgefield, entitled “Environmental
Commission”, be and hereby is amended as follows:

Section 29-4 of Chapter 29 entitled “Powers” be and hereby is amended by adding to the
existing provisions of said paragraph the following: In addition to the other powers set forth
herein, the Environmental Commission shall also be charged with operating the Borough’s
Community Gardens and Nature Center as more particularly set forth below.

Section II:

Chapter 29 of the Code of the Borough of Ridgefield be and hereby is amended by
adding to the existing sections of said chapter two new sections as follows:

29-10: Community Gardens: The Ridgefield Community Gardens are hereby
defined as that area of land behind 5 garages off Shaler Boulevard, between Ray
and Slocum Avenues. The Environmental Commission is hereby authorized to
conduct and control the operation of the Community Gardens and the Commission
is hereby authorized and directed to promulgate and adopt regulations for the
operation of the Community Gardens. A copy of said regulations will be filed
with the Borough Clerk and shall be adopted by reference as part of this Code
after said filing.

29-11: Ridgefield Nature Center: The Ridgefield Nature Center is hereby defined
as that area of land wooded fenced in areas (5.4 acres) to the south of Ray Avenue
between Shaler Boulevard and Abbott Avenue. The Environmental Commission
is hereby authorized to conduct and control the operation of the Ridgefield Nature
Center and the Commission is hereby authorized and directed to promulgate and
adopt regulations for the operation of the Nature Center. A copy of said

regulations will be filed with the Borough Clerk and shall be adopted by reference as part of this Code after said filing.

Section III: In all other respects, the terms, conditions and provisions of Chapter 29 of the Code of the Borough of Ridgefield are hereby ratified and affirmed.

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

Section V: This ordinance shall take effect immediately upon passage and publication according to law

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 26, 2012

Presented by Councilman Acosta

ORDINANCE NO. 2202

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 I OF CHAPTER 75 ENTITLED POLICE DEPARTMENT OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

introduced on the 26th day of March, 2012, 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 23rd day of April, 2012 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				
Todd				
Vincentz				
Severino				
Acosta				
Jimenez				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 26, 2012

Presented by Councilman Acosta

ORDINANCE NO. 2202

“AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 75 ENTITLED POLICE
DEPARTMENT 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 75-9, entitled “Qualification for Appointment” of Article I of Chapter 75 of the Code of the Borough of Ridgefield be and hereby is amended by deleting the existing provisions of subsection C.(3) and replacing same with the following:

(3) Shall have 4 years experience as a law enforcement officer in the State of New Jersey, including service as a special police officer, and possess an associate’s degree.

Section II.

Section 75-9, entitled “Qualification for Appointment” of Article I of Chapter 75 of the Code of the Borough of Ridgefield be and hereby is amended by deleting in their entirety the existing provisions of subsection D.

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. Prina,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 26, 2012

Presented by Councilman Acosta

RESOLUTION NO. 129-2012

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

KAREN RIEDE

be hired as a Per Diem Building Department clerical employee on a fill-in basis only at the rate of \$10.00 per hour.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 26, 2012

Presented by Councilman Acosta

RESOLUTION NO. 130-2012

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the following employees receive a 2% increase on base salary effective April 1, 2012:

JAMES BRIERTY, Fire Official
NICK GAMBARDELLA, DPW Superintendent
JASNA GEGA, Court Administrator
RAY RAMIREZ, Recreation Director
JOE SILVESTRI, Communications Director

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 26, 2012

Presented by Councilman Jimenez

RESOLUTION NO. 131-2012

WHEREAS, the Mayor and Council authorized an agreement with CCH Holdings by Resolution 315-2008 for the Construction of an Electric Transmission Line Within Certain Streets Within the Borough; and

WHEREAS, said Development and License Agreement between the parties was executed on February 9, 2009 requiring a monthly license fee in the amount of \$2,500.00 per month to the Borough of Ridgefield; and

WHEREAS, CCH holdings has not made required payments since July 2010 and repeated attempts to contact the company by the Treasurer and Borough Attorney to cure said default have been unsuccessful; and

WHEREAS, CCH Holdings has \$4,291.22 remaining in a Borough Trust account for legal and engineering expenses for construction that will not take place; and

WHEREAS, it is in the best interest of the Borough of Ridgefield to use the remaining CCH Holdings trust balance to partially satisfy the license fee arrears:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Chief Financial Officer is and hereby authorized to transfer \$4,291.22 from CCH Holdings trust account and deposit said funds in the Current Fund account to partially satisfy the license fee arrears of the February 9, 2009 Agreement.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 26, 2012

Presented by Councilman Jimenez

RESOLUTION NO. 132-2012

WHEREAS, Rubin & Dombeck, LLC has filed a tax appeal challenging assessments at 399 Morse Avenue, Block 3406, Lot 8 for 2011;

WHEREAS, the original assessment in issue is Six Hundred Forty-two Thousand Three Hundred (\$642,300.00) Dollars;

WHEREAS, the parties have exchanged discovery and appraisal reports and have entered into settlement discussions and proposed settlement;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that it does hereby authorize and approve a proposed settlement as follows:

1. Adjusted assessment for 2011 at Five Hundred Sixty Thousand (\$560,000.00) Dollars;
2. That the Special Tax Attorney is hereby authorized and directed to execute a Stipulation of Settlement for filing with the Tax Court;
3. That the Tax Collector is hereby authorized and directed, upon receipt of the Tax Court Judgment, to calculate the amount of the refund and cause same to be paid to the taxpayer, without statutory interest, within sixty (60) days from the date of the Tax Court Judgment;
4. That the within settlement is subject to review and approval thereof by the taxpayer.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 26, 2012

Presented by Councilman Jimenez

RESOLUTION NO. 133-2012

WHEREAS, the following applicants have posted legal and engineering fees for development with the Planning Board or Zoning Board of Adjustment;

<u>Block</u>	<u>Lot</u>	<u>Applicant</u>		<u>Amount</u>
4014	14	Toufayan Bakery	175 Railroad Ave	\$1,930.50
2906	6	Pizzatime	599 Broad Ave	308.75
3003	7	DWS Realty	1116 Edgewater Ave	1,704.50
1908	8	Ranuando, Rose	493 Oakdene Ave	10.00
0203	22	D'Elia, John	645 Elm Ave	308.75

WHEREAS, Borough professionals have determined that all required improvements have been satisfactorily completed and all fees due for services rendered have been received:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Borough Treasurer is and hereby authorized to return the balance of escrow monies to the applicant.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 26, 2012

Presented by Councilman Jimenez

RESOLUTION NO. 134-2012

WHEREAS, the Borough of Ridgefield has entered into a Cooperative Purchasing Agreement with the State of New Jersey, Division of Purchase and Property; and

WHEREAS, Day Chevrolet, Inc., D/B/A Municipal Equipment Enterprises, was awarded a State Contract Number 79010 for Police Vehicles for the period June 10, 2011 through June 10, 2012; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-2) contains a bid threshold of \$36,000.00; and

WHEREAS, this threshold may be exceeded by Resolution for municipalities that are members of Cooperative Purchasing Agreements; and

WHEREAS, the Borough of Ridgefield will exceed \$36,000.00 for the purchase of Police Vehicles in the Calendar Year 2012 budget:

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Chief Financial Officer be authorized to contract for the purchase of Police Vehicles from Municipal Equipment Enterprises through the New Jersey State Contract in excess of \$36,000.00 without public bidding.

BE IT FURTHER RESOLVED, that funds for said purchase are certified from the Police Vehicle Purchase line item in the Calendar Year 2012 budget.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Prina,
Borough Clerk

COUNCIL VOTE

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 26, 2012

Presented by Mayor Suarez

RESOLUTION NO. 135-2012

WHEREAS, there are two main formula-driven general municipal property tax relief programs currently on the books in our Garden State; and

WHEREAS, though often referred to as “State Aid” programs, these are actually revenue replacement programs, intended to replace property tax relief funding that was, formerly, generated through taxes assessed and collected locally; and

WHEREAS, the first is the Energy Tax Receipts Property Tax Relief program - the direct descendant of the Public Utility Gross Receipts and Franchise Tax, which was a tax on regulated public utilities originally assessed and collected at the municipal level; and

WHEREAS, in the early 1980s, at the request and for the convenience of the tax paying utilities, the State became the collection agent for this assessment, and the law that effected this change promised that the proceeds would be distributed back to the municipalities, which provide services to utility facilities and from whence come utility profits; and

WHEREAS, the State of New Jersey never honored that commitment, immediately and annually diverting large and growing portions of the proceeds to its own general fund; and

WHEREAS, modernization and deregulation led to a major reform of utility taxes in the mid-nineties, which validated and, supposedly, capped the State’s annual portion of the tax proceeds; and

WHEREAS, that law also included a ‘poison pill,’ which required the State to annually increase the municipal distribution of Energy Tax proceeds and to cap its skim; and it, further, provided that failure to honor that pledge would result in the forfeiture of the State’s authority to collect the tax; and

WHEREAS, around the same time, for its own convenience, the State decided to ‘consolidate’ a number of previously discrete municipal property tax relief programs; and

WHEREAS, while some may see ‘no rhyme or reason’ to the distribution of Consolidated Municipal Property Tax Receipts Aid (CMPTRA), each of its component parts was distributed according to state established formulas, and many of those parts were, like Energy Taxes, the lineal descendants of taxes that had once been assessed and collected at the municipal level; and

WHEREAS, among its many components, CMPTRA includes the Financial Business Tax, the Business Personal Property Tax Replacement, the Railroad Class II Property Tax, the Insurance Franchise Tax, the Corporation Business Tax on Banking Corporations and State PILOT payments, that had been under-funded for many years, prior to being folded into CMPTRA; and

WHEREAS, these are, or were, all municipal revenue replacement programs - not, properly speaking, State aid, in that they were not meant to make things better for municipal property taxpayers; they were only intended to keep things from getting worse; and

WHEREAS, in the late-nineties, a law was passed that required both the Energy Tax and CMPTRA distributions to be annually increased by the rate of inflation; and

WHEREAS, that law posed a special problem for future State budget makers, but, as those budget makers viewed the matter, the problem was not how to comply with the requirement; the problem was how to avoid compliance without invoking the Energy Tax 'poison pill,' and

WHEREAS, State policy makers found a way to increase Energy Tax distributions by the rate of inflation for five straight years without providing municipalities with one new dollar in property tax relief, which was done by annually reducing the CPMTRA distribution by the same amount that it increased the Energy Tax distribution; and

WHEREAS, thereafter, the State strayed even farther from original legislative intent, when, in 2008 (SFY 2009), CMPTRA was reduced by about \$62 million more than the Energy Tax was increased, and in 2009 (SFY 2010), the net loss equaled about \$32 million; and

WHEREAS, the State's Fiscal Year 2011 budget, in which the total distribution of CMPTRA and ETR was reduced by approximately 17 percent, or \$272 million from \$1.565 billion to \$1.293 billion, honoring neither the letter nor the spirit of applicable State laws.

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey State League of Municipalities, in conference assembled, that we demand an immediate end to the State's reliance on the municipal property tax relief revenues to balance its budget and address other priorities; and

BE IT FURTHER RESOLVED, that we call on the Governor to introduce and the Legislature to adopt an FY 2012 State Budget that provides for the full statutory distribution of Energy Tax and CMPTRA revenue replacement funding, and to continue to honor the letter and spirit of the applicable State statutes, in all years, thereafter; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the members of the New Jersey General Assembly, the New Jersey State Senate, the Lieutenant Governor and the Governor of State of New Jersey.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Prina,
Borough Clerk

COUNCIL VOTE

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 26, 2012

Presented by Councilman Jimenez

RESOLUTION NO. 136-2012

WHEREAS, the Mayor and Council authorized an agreement with Remington, Vernick & Arango, P.E., in the amount of \$18,200.00 by Resolution 296-2011 for LSRP designation and water sampling at the DPW facility, 515 Church Street, to mitigate DEP violations regarding underground storage tanks; and

WHEREAS, Remington, Vernick & Arango, P.E., have submitted a proposal dated February 28, 2012 for Supplemental Environmental Services in the amount of \$12,625.00 to address soil conditions at the site; and

WHEREAS, said proposal is prudent as it would be detrimental to the Borough of Ridgefield to halt and rebid the project, causing delays in its completion; and

WHEREAS, Remington, Vernick & Arango, P.E. has complied with N.J.S.A.19:44A-20.26 by filing a C.271 Political Contribution Disclosure Form; and

WHEREAS, funds for said proposal are available in the General Engineering line item in the introduced Calendar 2012 budget:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield in the County of Bergen and State of New Jersey, that the proposal for Supplemental Environmental Services in the amount of Twelve Thousand, Six Hundred Twenty Five Dollars (\$12,625.00) for Remington Vernick & Arango, P.E. on the project known as DPW Underground Storage Tank Remediation is and hereby approved, amending the contract to Thirty Thousand, Eight Hundred Twenty Five Dollars (\$30,825.00).

BE IT FURTHER RESOLVED, that the Chief Financial Officer certifies funds are available from the General Engineering line item in the introduced Calendar 2012 budget.

BE IT FURTHER RESOLVED, that the Borough Attorney is hereby authorized to amend the contract to reflect the changes in the project.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 26, 2012

Presented by Councilman Jimenez

RESOLUTION NO. 137-2012

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

WHEREAS, no adequate provision has been made in the Calendar Year 2012 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 Calendar Year 2012 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A.40A:4-20) including this resolution total \$4,204,909.00.

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	14,250.00
Other Expenses	5,500.00
Rent Leveling	
Salaries & Wages	1,425.00
Mayor & Council	
Salaries & Wages	10,000.00
Other Expenses	3,275.00
Municipal Clerk	
Salaries & Wages	15,000.00
Other Expenses	10,000.00
Financial Administration	
Salaries & Wages	40,625.00
Other Expenses	5,000.00
Assessment of Taxes	
Salaries & Wages	4,200.00
Other Expenses	700.00
Collection of Taxes	
Salaries & Wages	18,000.00
Other Expenses	5,200.00
Legal Services	
Retainer	33,600.00

Engineering Services	
Other Expenses	10,000.00
Planning Board	
Salaries & Wages	1,425.00
Construction Code	
Salaries & Wages	36,000.00
Other Expenses	3,400.00
Property Maintenance	
Salaries & Wages	1,700.00
Other Expenses	250.00
Insurance	
Liability	125,000.00
Workers Compensation	112,000.00
Employee Health	300,000.00
Police Dep't	
Salaries & Wages	900,000.00
Other Expenses	21,000.00
Vehicle Purchase	60,000.00
Emergency Management	
Salaries & Wages	3,400.00
Other Expenses	1,425.00
Ambulance Corps	
Other Expenses	5,900.00
Community Service Officers	
Salaries & Wages	21,750.00
Fire Protection	
Other Expenses	22,500.00
Hydrant Service	19,550.00
Fire Prevention	
Salaries & Wages	17,500.00
Other Expenses	5,225.00
Prosecutor	2,900.00
Dep't Public Works	
Salaries & Wages	290,000.00
Other Expenses	34,000.00
Sanitation	
Salaries & Wages	60,000.00
Recycling	
Salaries & Wages	3,000.00
Public Buildings & Grounds	30,000.00
Maintenance of Vehicles	
Streets & Roads	15,000.00
Fire	10,500.00
Volunteer Ambulance	1,000.00
Sanitation	5,100.00
Health Department	270.00

Board of Health	
Salaries & Wages	39,000.00
Other Expenses	20,000.00
Parks and Recreation	
Other Expenses	24,000.00
Youth Commission	
Salaries & Wages	3,000.00
Public Library	151,000.00
Utilities:	
Street Lighting	28,000.00
Electric & Gas	30,000.00
Telephone	23,000.00
Bergen County Utilities Sewer	400,000.00
Gasoline	43,000.00
Public Employee Retirement System	340,494.00
Social Security Taxes	80,000.00
Police and Fire Retirement System	704,885.00
Municipal Court	
Salaries & Wages	22,000.00
Other Expenses	8,500.00
Public Defender	1,500.00
TOTAL CURRENT FUND	\$ 4,204,909.00

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
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 March 26, 2012

Presented by Councilman Jimenez

RESOLUTION NO. 138-2012

BE IT RESOLVED, that warrants totaling \$3,011,941.75
Be drawn on the following accounts:

CURRENT	\$2,984,293.31
TRUST	\$25,044.52
CAPITAL	\$806.82
POOL	\$1,797.10
TOTAL	\$3,011,941.75

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Borough Clerk