

BOROUGH OF RIDGEFIELD

A G E N D A

Executive Session and Regular Meeting of the Mayor and Council

Date: March 9, 2020

Open Public Meetings Statement by Mayor Suarez

Public Session to Adjourn to Executive Session: C.T.O.: Adjourn:

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

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

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

Pledge of Allegiance

Invocation

Citizens Comment on Agenda:

Correspondence:

ROLL CALL-PUBLIC SESSION

	Adj. to Ex.		Public	
	Pres.	Abs.	Pres.	Abs.
Mayor Suarez				
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				

ROLL CALL-EXEC. SESSION

	PRESENT	ABSENT
	Mayor Suarez	
Castelli		
Penabad		
Shim		
Jimenez		
Kontolios		
Larkin		

As advertised, hearing will be held on Ordinance No. 2383 entitled, "AN ORDINANCE OF THE BOROUGH OF RIDGEFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 2801 LOT 1 (604 BROAD AVENUE) ON THE TAX MAP 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

CONSENT AGENDA:

All items listed are considered to be routine and non-controversial by the Borough Council and will be approved by one motion. There will be no separate discussion on these items unless a Council member(s) so request it, in which case the item(s) will be removed from the Consent Agenda and considered in its normal sequence on the agenda. The one motion signifies the adoption of all resolutions and approval of applications and minutes.

112-2020	Councilman Castelli	Authorize to Advertise-Roadway Improvement Projects
113-2020	Councilwoman Larkin	Appointment to Youth Commission
114-2020	Councilman Kontolios	Authorize Application for New Jersey Library Construction Bond Act Grant Program
115-2020	Councilman Castelli	2019 Recycling Tonnage Grant
116-2020	Councilman Castelli	2019 Recycling Tonnage Grant Tax Reimbursement
117-2020	Councilman Jimenez	Tax Appeal Settlement-676 Shaler Boulevard
118-2020	Councilwoman Larkin	Appoint Pool Maintenance Supervisor-Kelm
119-2020	Councilman Jimenez	Appoint Qualified Purchasing Agent-Elenio
120-2020	Councilman Castelli	Salary Increase-Crossing Guards

Coin Toss Request:

RMHS Track

Saturday, March 28, 2020

Rain Date: Sunday, March 29, 2020

RMHS Soccer

Saturday, April 11, 2020

Rain Date: Sunday, May 3, 2020

New Jersey State Firemen's Association Membership Application:

Nicholas Acquafredda

367 Oak Street

Company No. 2

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

RESOLUTIONS:

121-2020 Councilman Jimenez Warrants

COMMENTS BY MAYOR:

COMMENTS BY COUNCIL:

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. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 9, 2020

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				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
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 March 9, 2020

Presented by Councilman Castelli

ORDINANCE NO. 2383

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

"AN ORDINANCE OF THE BOROUGH OF RIDGEFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 2801 LOT 1 (604 BROAD AVENUE) ON THE TAX MAP OF THE BOROUGH OF RIDGEFIELD"

introduced on the 24th day of February, 2020, 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				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 24, 2020

Presented by Councilman Castelli

ORDINANCE NO. 2383

"AN ORDINANCE OF THE BOROUGH OF RIDGEFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 2801 LOT 1 (604 BROAD AVENUE) ON THE TAX MAP OF THE BOROUGH OF RIDGEFIELD"

WHEREAS, the Borough of Ridgefield, in the County of Bergen, New Jersey (the "Borough"), a public body corporate and politic of the State of New Jersey (the "State"), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law"), to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, the Mayor and Council of the Borough (the "Mayor and Council") identified the Borough's existing Borough Hall property designated as Block 2801, Lot 1, on the Borough's Tax Map (the "Area of Investigation"), to be considered for designation as an area in need of redevelopment ("AINR") under the Redevelopment Law; and

WHEREAS, by Resolution No. 181-2018 adopted on May 16, 2018, the Mayor and Council authorized and directed the Planning Board of the Borough (the "Planning Board") to conduct a preliminary investigation to determine whether the Area of Investigation an AINR according to the criteria set forth in *N.J.S.A. 40A:12A-5*; and

WHEREAS, Resolution No. 181-2018 authorized DMR Architects ("DMR") to assist the Planning Board to perform a preliminary investigation and prepare a preliminary investigation report that details the findings and recommendations relevant to whether the Area of Investigation should be designated as an AINR without the use of condemnation; and

WHEREAS, DMR conducted its preliminary investigation and submitted a report to the Planning Board in January 2019 that concluded that the properties met the criteria to be designated as areas in need of redevelopment; and

WHEREAS, on April 9, 2019, at a duly noticed public Planning Board hearing, and after hearing the expert planning testimony of Francis Reiner of DMR, as well as offering the public an opportunity to be heard, the Planning Board adopted a Resolution recommending that the Mayor and Council designate the Area of Investigation as being non-condemnation AINRs; and

WHEREAS, on April 22, 2019, the Municipal Council adopted Resolution No. 160-2019 designating the AINRs and authorized DMR to prepare the Redevelopment Plan; and

WHEREAS, as required by statute, the Borough Clerk transmitted the executed Resolution No. 160-2019 to the Department of Community Affairs (“DCA”) on April 24, 2019; and

WHEREAS, by response letter dated May 15, 2019, the DCA concluded that the “determination area is situated where development and redevelopment are encouraged pursuant to State law or regulation” and “pursuant to *N.J.S.A.* 40A:12A-6b(5)(c), the Redevelopment Area determination took effect after transmission to the Commissioner of the DCA”; and

WHEREAS, the within Broad Avenue Redevelopment Plan is solely for Block 2801, Lot 1, which is owned by the Borough; and

WHEREAS, the Planning Board considered the Broad Avenue Redevelopment Plan at its February 11, 2020 public hearing and transmitted its report, in the form of a Resolution with the Broad Avenue Redevelopment Plan appended thereto and incorporated therein to the Mayor and Council pursuant to *N.J.S.A.* 40A:12A-7.e; and

WHEREAS, the Mayor and Council believe that the adoption of the Redevelopment Plan is in the best interests of the Borough for the redevelopment of the Property (collectively referred to as the “Redevelopment Area”); and

WHEREAS, The Mayor and Council find that the Broad Avenue Redevelopment Plan is substantially consistent with the Borough’s master Plan or designed to effectuate the said Master Plan.

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

Section I:

The aforementioned recitals are incorporated herein as though fully set forth at length.

Section II:

The Redevelopment Plan titled “Broad Avenue Redevelopment Plan,” dated January 2020, for an Area in Need of Redevelopment, for Block 2801 Lot 1, and appended hereto and incorporated within, is hereby adopted pursuant to the terms of *N.J.S.A.* 40A:12A-7 of the Redevelopment Law.

Section III:

The Redevelopment Plan supersedes applicable provisions of the Development Regulations for the Property in the Redevelopment Area. The delineated Redevelopment Area is for Block 2801, Lot 1.

The Redevelopment Plan supersedes the existing Zone G (Public/Semi-Public) for the subject blocks/lots and portion of the paper street, and the official Zoning Map of the Borough of

Ridgefield dated April 29, 2005 be and hereby is amended with the adoption of the ordinance to reflect the new development regulations.

Section IV:

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section V:

A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the Borough Clerk during regular business hours.

Section VI:

This Ordinance shall take effect in accordance with all applicable laws.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 9, 2020

Presented by Councilman Castelli

RESOLUTION NO. 112-2020

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

“MAPLE AVENUE ROADWAY IMPROVEMENTS (FY2018 CDBG)”

and

“FY2019 NJDOT ROADWAY IMPROVEMENTS (RAY AVENUE & VIRGIL AVENUE)”

and

“FY2020 NJDOT ROADWAY IMPROVEMENTS (STUDIO ROAD)”

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 9, 2020

Presented by Councilwoman Larkin

RESOLUTION NO. 113-2020

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

GLEN VALDEZ

be appointed to the Youth Commission for the remainder of 2020.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 9, 2020

Presented by Councilman Kontolios

RESOLUTION NO. 114-2020

WHEREAS, the Borough of Ridgefield and the Ridgefield Public Library hereby certify that permission has been granted to apply for the project entitled the New Jersey Library Construction Bond Act, in the amount of: \$41,625.88;

NOW, THEREFORE BE IT RESOLVED that the Borough of Ridgefield will take action upon approval of the grant to provide the 50% match for this project to any awarded grant funding through the New Jersey Library Construction Bond Act grant program not to exceed \$20,812.94.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

I hereby certified that the above is a true copy of a resolution adopted by the Mayor and Council at a meeting held on March 9, 2020.

Linda M. Silvestri, RMC
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 9, 2020

Presented by Councilman Castelli

RESOLUTION NO. 115-2020

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for the calendar year 2019 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Borough of Ridgefield hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Mildred Rojas to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Silvestri, Borough Clerk

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 9, 2020

Presented by Councilman Castelli

RESOLUTION NO. 116-2020

WHEREAS, the Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for its recycling program;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Borough of Ridgefield hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, Chapter 311, in 2019 in the amount of \$13,234.80. Documentation supporting this submission is available at 604 Broad Avenue and shall be maintained for no less than five years from this date.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Silvestri,
Borough Clerk

	COUNCIL VOTE			
	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 9, 2020

Presented by Councilman Jimenez

RESOLUTION NO. 117-2020

WHEREAS, Robert Spiotti, Esq., representing Dekk Realty LLC filed a tax appeal challenging the assessment at 676 Shaler Blvd., Block 907, Lot 1 for tax year 2018; and

WHEREAS, the original assessment in issue for the tax year under appeal was:

LAND:	\$ 307,500
IMPROVEMENTS:	\$ 726,100
TOTAL:	\$ 1,033,600

WHEREAS, the parties having exchanged discovery have entered into settlement discussions resulting in a proposed settlement to which taxpayer has agreed; and

WHEREAS, in light of the inherent risk and expense of Tax Court litigation, it is deemed to be in the best interest of the Borough to enter into a settlement of the pending tax appeal on the terms set forth below;

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

1. For 2018, the assessment shall be adjusted to:

LAND	\$ 307,500
IMPROVEMENTS:	\$ 642,500
TOTAL:	\$ 950,000
2. Taxpayer agrees to waive statutory interest on the refunds due as a consequence of the settlement provided refunds are paid within sixty (60) days of the entry of Tax Court Judgment.
3. Taxpayer agrees to waive the provision of the Freeze Act N.J.S.A. 54:51 A-8
4. Special Tax Attorney is hereby authorized and directed to execute a Stipulation of Settlement for filing with the Tax Court conforming with the terms set forth above.
5. 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.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 9, 2020

Presented by Councilwoman Larkin

RESOLUTION NO. 118-2020

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

ROBERT KELM

be appointed Pool Maintenance Supervisor at the annual salary of \$6,000.00 effective March 12, 2020.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 9, 2020

Presented by Councilman Jimenez

RESOLUTION NO. 119-2020

WHEREAS, Francis J. Elenio was appointed Interim Qualified Purchasing Agent on May 13, 2019 for a one year term; and

WHEREAS, Francis J. Elenio has successfully completed the necessary coursework and licensing protocol;

NOW, THEREFORE, BE IT RESOLVED that Francis J. Elenio be appointed Qualified Purchasing Agent effective February 1, 2020 at the annual salary of \$10,000 to run concurrent with his appointment as Chief Financial Officer through May 12, 2023.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 9, 2020

Presented by Councilman Castelli

RESOLUTION NO. 120-2020

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the hourly rate for current crossing guards be increased by \$0.25 effective March 12, 2020.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
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.

Francis J. Elenio,
Chief Financial Officer

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 9, 2020

Presented by Councilman Jimenez

RESOLUTION NO. 121-2020

BE IT RESOLVED, that warrants totaling **\$3,318,847.39**
be drawn on the following accounts:

CURRENT	\$2,352,718.47
TRUST	\$32,413.52
CAPITAL	\$933,715.40
TOTAL	\$3,318,847.39

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk