

BOROUGH OF RIDGEFIELD

A G E N D A

Executive Session and Regular Meeting of the Mayor and Council

Date: May 10, 2010

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: Reverend Donald Sheehan St. Matthews Roman Catholic Church

Citizens Comment on Agenda:

Correspondence:

Approval of Minutes of April 26, 2010 Public Session Meeting, March 23, 2009 Public Session Meeting, April 20, 2009 Special Public Session Meeting, April 3, 2009 Special Public Session Meeting, April 27, 2009 Public Session Meeting, July 13, 2009 Public Session Meeting, February 23, 2009 Public Session Meeting, March 9, 2009 Public Session Meeting

As advertised, hearing will be held on Ordinance No. 2126 entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 203 “GAMES OF CHANCE” TO ADD ARTICLE II “COIN TOSS” TO SET SPECIFIC LOCATIONS AND OTHER RESTRICTIONS”

Entertain motion to declare the time for the public hearing to be declared open

Public Hearing

ROLL CALL-EXEC. SESSION

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

ROLL CALL-PUBLIC SESSION

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

Entertain motion to declare the time for the public hearing to be declared closed

Roll Call

Please note that Ordinance No. 2127 and Ordinance No. 2128 were tabled on introduction

Introduction of Ordinance No. 2129 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 390 "ZONING, DEVELOPMENT AND CONSTRUCTION" SECTION 390-55 "ESTABLISHMENT AND MEMBERSHIP" TO DEFINE A BOROUGH OFFICIAL"

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2130 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 70 "PERSONNEL POLICIES" BY ADDING ARTICLE VII "BACKGROUND CHECKS" TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR CERTAIN POSITIONS"

First Reading of Ordinance

Roll Call

PROPOSED CONSENT AGENDA:

	Motion:	Second:
164-2010	Councilman Vincentz	Award Contract for Sale of Borough Property
165-2010	Councilman Lonziserro	Consent to Lightpath to Install Fiber-optic Cable
166-2010	Councilman Vincentz	Tax Court Judgement-Block 3002, Lot 1, Block 3002, Lot 2, Block 3002, Lot 3 and Block 3002, Lot 9 for 2006
167-2010	Councilman Vincentz	Tax Court Judgement-Block 3002, Lot 1, Block 3002, Lot 2, Block 3002, Lot 3 and Block 3002, Lot 9 for 2008 and 2009
168-2010	Councilman Vincentz	Cancel Outstanding Checks
169-2010	Councilman Lonziserro	Agreement with County of Bergen for Emergency Services Notification System

COUNCIL VOTE

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

RESOLUTIONS:

170-2010 Councilman Vincentz Warrants

COMMENTS BY MAYOR:

COMMENTS BY COUNCILMEN:

COMMENTS BY ADMINISTRATOR:

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

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

Respectfully submitted,

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2010

Presented by Mayor Anthony R. Suarez

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

		COUNCIL VOTE			
		YES	NO	ABSTAIN	ABSENT
_____	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.				

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

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2010

Presented by Councilman Lonzisero

ORDINANCE NO. 2126

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 203 “GAMES OF CHANCE” TO ADD ARTICLE II “COIN TOSS” TO SET SPECIFIC LOCATIONS AND OTHER RESTRICTIONS”

introduced on the 26th day of April, 2010 do now pass a final reading and be adopted, and that the Borough Clerk be and she is authorized and directed to publish once, the aforesaid title, together with a notice of the date of its passage on final reading and approval thereof in The Record, a newspaper circulating in the Borough of Ridgefield.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 26, 2010

Presented by Councilman Lonzisero

ORDINANCE NO. 2126

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 203 “GAMES OF CHANCE” TO ADD ARTICLE II “COIN TOSS” TO SET SPECIFIC LOCATIONS AND OTHER RESTRICTIONS”

WHEREAS, each year many organizations request to hold a “coin toss” fundraiser in the Borough; and

WHEREAS, these fundraisers are important to the organizations and bring a sense of “community” to the Borough; and

WHEREAS, Police Department has prepared a memorandum with suggested locations and other important restrictions to these coin toss events for the safety and welfare of the Borough; and

WHEREAS, the Governing Body now desires to address these issues.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Ridgefield, County of Bergen, State of New Jersey, being the governing body thereof, that Chapter 203 “Games of Chance” is hereby amended and supplemented as follows:

ARTICLE II - Coin Toss (§203-3 – §203-4)

§203-3 Location

All requests to hold a coin toss event are subject to the approval of the Mayor and Council and may only be held at the following locations:

1. Broad Avenue at Route 5
2. Edgewater Avenue at Shaler Boulevard; and
3. Bergen Boulevard at Washington Avenue

§203-4 Restrictions

Coin toss events shall be limited to two (2) per calendar year per organization and may only be held during the hours of 9:00 a.m. and 3:00 p.m.

BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2010

Presented by Councilman Vincentz

ORDINANCE NO. 2129

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

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 390 “ZONING, DEVELOPMENT AND CONSTRUCTION” SECTION 390-55 “ESTABLISHMENT AND MEMBERSHIP” TO DEFINE A BOROUGH OFFICIAL”

introduced on the 10th of May, 2010, 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 24th day of May, 2010 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
Lonzisero				
Todd				
Vincentz				
Severino				
Castelli				
Acosta				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2010

Presented by Councilman Vincentz

ORDINANCE NO. 2129

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 390 “ZONING, DEVELOPMENT AND CONSTRUCTION” SECTION 390-55 “ESTABLISHMENT AND MEMBERSHIP” TO DEFINE A BOROUGH OFFICIAL”

WHEREAS, N.J.S.A. 40:55D-23 establishes that Class II members of the Planning Board must consist of an official of the municipality with some exceptions; and

WHEREAS, the term “official” is undefined by the statute; and

WHEREAS, a recent Local Finance Notice issued by the New Jersey Department of Community Affairs – Division of Local Government Services on April 12, 2010 makes clear that Local Government Officials are those that are required to file a Financial Disclosure Statement; and

WHEREAS, the Borough now desire to adopt this definition.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Ridgefield, County of Bergen, State of New Jersey, being the governing body thereof, that Chapter 390 “Zoning, Development and Construction” Section 390-55 “Establishment and Membership” is hereby amended and supplemented as follows:

§390-55 Establishment and membership

There is hereby established pursuant to P.L. 1975, c. 291, in the Borough of Ridgefield a Planning Board of nine members, consisting of the following four classes:

- A. Class I: the Mayor.
- B. Class II: one of the officials of the municipality other than a member of the governing body, to be appointed by the Mayor, provided that, if there is an Environmental Commission, the member of the Environmental Commission who is also a member of the Planning Board as required by N.J.S.A. 40:56A-1 shall be deemed to be the Class II Planning Board member if there are both a member of the Zoning Board of Adjustment and a member of the Board of Education among the Class IV members. For the purposes of this section, the term “official” is defined as the Borough Administrator, any Department Head, or any paid statutorily proscribed position that is required to file a Financial Disclosure Statement pursuant to the Local Government Ethics Law.

- C. Class III: a member of the governing body, to be appointed by it.
- D. Class IV: six other citizens of the municipality, to be appointed by the Mayor. The members of Class IV shall hold no other municipal office, except that one member may be a member of the Zoning Board of Adjustment and one may be a member of the Board of Education. A member of the Environmental Commission who is also a member of the Planning Board as required by N.J.S.A. 40:56A-1 shall be a Class IV Planning Board member unless there are among the Class IV members of the Planning Board both a member of the Zoning Board of Adjustment and a member of the Board of Education, in which case the member of the Environmental Commission shall be deemed to be the Class II member of the Planning Board.
- E. Alternate members.
 - (1) The Mayor shall appoint two alternate members to the Planning Board, which members shall meet the qualifications of Class IV members of the Planning Board. Alternate members shall be designated at the time of appointment by the Mayor as "Alternate No. 1" and "Alternate No. 2." The terms of the alternate members shall be for two years, except that the terms of the alternate members shall be such that the term of not more than one alternate member shall expire in any one year; provided, however, that in no instance shall the terms of the alternate members first appointed exceed two years. A vacancy occurring otherwise than by expiration of term shall be filled by the Mayor for the unexpired term only.
 - (2) Alternate members may participate in the discussions of proceedings but may not vote except in the absence or disqualification of a regular member of any class. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2010

Presented by Councilman Vincentz

ORDINANCE NO. 2130

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

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 70 “PERSONNEL POLICIES” BY ADDING ARTICLE VII “BACKGROUND CHECKS” TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR CERTAIN POSITIONS”

introduced on the 10th of May, 2010, 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 24th day of May, 2010 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
Lonzisero				
Todd				
Vincentz				
Severino				
Castelli				
Acosta				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2010

Presented by Councilman Vincentz

ORDINANCE NO. 2130

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 70 “PERSONNEL POLICIES” BY ADDING ARTICLE VII “BACKGROUND CHECKS” TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR CERTAIN POSITIONS”

WHEREAS, the Mayor and Council finds that it is important to provide for the safety of those engaged in youth activities in the Borough of Ridgefield and to provide reasonable assurance that those adults who are responsible for the supervision of minors have been subject to a background check;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Ridgefield, County of Bergen, State of New Jersey, being the governing body thereof, that Chapter 70 “Personnel Policies” hereby amended and supplement with Article VII “Background Checks” to require criminal background checks for certain positions.

ARTICLE VII – BACKGROUND CHECKS

70-34. Definitions:

As used in this article, the following terms shall have the meanings indicated:

CRIMINAL HISTORY RECORD BACKGROUND CHECK - A determination of whether a person has a criminal record by cross-referencing that person's name and fingerprints with those on file with the Federal Bureau of Investigation, Identification Division and/or the NJ State Bureau of Identification in the Division of State Police.

NON-SPONSORED YOUTH PROGRAMS – Any youth programs not sponsored by the Borough of Ridgefield, but that utilize municipal facilities or have affiliation with a Borough Sponsored Youth Program and having contact with persons under the age of 18 years.

BOROUGH-SPONSORED YOUTH PROGRAMS - Any programs sponsored by the Borough of Ridgefield, including any and all leagues, boards and commissions falling within the purview of or acting for or on behalf of, the Borough of Ridgefield and having contact with persons under the age of 18 years.

YOUTH PROGRAMS – Any programs that allow for participation in activities by those persons under 18 years of age. Activities may include, but are not limited to, sporting activities, passive recreation groups, clubs or camps and trips or other activities whereby some control and

responsibility for children is assigned to some person acting for or on behalf of the Borough other than a parent or caregiver.

70-35. Non-Sponsored Youth Programs - Criminal background checks – Required for use of Borough of Ridgefield facilities.

Prior to any club or organization, not defined as a Borough-sponsored youth program, being authorized to use Borough-owned facilities for functions participated in by children, all adults, those persons 18 years of age or older, in any way assisting in the function, including but not limited to coaches, assistant coaches, or similar positions, must provide the Borough of Ridgefield Recreation Director with findings of a criminal background check obtained from the State Bureau of Identification in the New Jersey State Police.

The submission of background check findings must be based upon a check performed within two years of the start of use of the Borough-owned facility. In the case of coaches performing duties as employees of a school district, the policy of background checks adopted by the individual school district shall be used to establish eligibility for use of Borough owned facilities. In all cases the background check must comply with the provisions of any applicable laws regarding same, but not less detailed than those performed by the Borough for individuals involved in administering Borough Sponsored Youth Programs. The cost of background checks for individuals not administering a Borough-Sponsored program shall be borne by the individual or program with which they are participating.

70-36. Borough Sponsored Youth Programs - Background checks.

A. All adults, those persons 18 years of age or older, including but not limited to coaches, assistant coaches, or similar positions involved in educating, directing or supervising youth, and in any way assisting in a Borough sponsored function participated in by children, shall submit sufficient information on forms supplied by the Borough Recreation Director from the New Jersey State Police, for the purpose of obtaining a criminal history background check with the State Bureau of Identification in the New Jersey State Police. Applications for background checks shall be processed by the Borough Recreation Director. The individual applying for the background check shall authorize the Recreation Director to be the recipient of the affirmative or negative response from the Police organization based upon the findings of the background check. Individuals involved in a Borough sponsored youth function, and who are required to undergo background checks based upon this chapter, shall not be responsible for the costs involved with obtaining the criminal background check. The Borough of Ridgefield shall bear the costs for the background checks for individuals qualified under this section.

B. All league officers and/or those individuals in charge of each recreation program are required to ensure compliance with this chapter for that league or program. The President or leader of each recreation program shall file an annual roster of individuals that are required to participate in the background check procedures of this chapter. The roster shall be on forms supplied by the Borough of Ridgefield and shall contain a certification as to the accuracy and completeness of the roster and individual names. Any person who knowingly certifies a background check roster

that excludes an individual required to be checked shall be in violation of this chapter and laws regarding false swearing.

70-37. Qualification.

A. Individuals engaged in providing recreation opportunities for, or on behalf of, the Borough of Ridgely shall be issued identification cards with appropriate expirations based upon the date of their individual background check. Individuals issued identification cards are required to display their card while in performance of their duty involving youth programs.

70-38. Disqualification.

A. Upon receipt of a completed background check conducted by the State Bureau of Identification in the New Jersey State Police and/or the Federal Bureau of Investigation, Identification Division, the Recreation Director shall notify the applicant and the President or leader of the recreation program of affirmative or negative results. The determination of the Recreation Director is based upon section 70-38B of this chapter. Details in the background check that result in a negative determination by the Police organization are not afforded to the Recreation Director and are only available to the applicant upon making a formal request to the State Bureau of Investigation.

B. In the event the criminal background check reveals any prior convictions for crimes or offenses which negatively impact the health, safety and welfare of children, said person shall not be qualified to participate in any official capacity in any function for persons under the age of 18 years held at any Borough-owned facilities. Such offenses shall include, but not be limited to:

a. In New Jersey, any crime or disorderly persons offense:

(1) involving danger to the person, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:11-1 et seq., N.J.S.A. 2C:12-1 et seq., N.J.S.A. 2C:13-1 et seq., N.J.S.A. 2C:14-1 et seq. or N.J.S.A. 2C:15-1 et seq.;

(2) against the family, children or incompetents, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:24-1 et seq.;

(3) involving theft as set forth in Chapter 20 of Title 2C of the New Jersey Statutes;

(4) involving any controlled dangerous substance or controlled substance analog as set forth in Chapter 35 of Title 2C of the New Jersey Statutes except paragraph (4) of subsection a. of N.J.S.A. 2C:35-10.

b. In any other state or jurisdiction, conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly persons offenses described in subsection a. of this section.

C. The list of crimes and violations contained in this section is for illustrative purposes only and shall not be construed as a limitation on those criminal activities or violations that would be grounds to disqualify a person from assisting with youth-related activities as indicated herein.

D. Refusal by individuals required to submit to background checks will result in an immediate dismissal of the individual from any Borough-sponsored activities requiring background checks. In addition, refusal to comply with this chapter by any individual falling within the scope of requirements for Non-Sponsored Youth Programs will forfeit that individuals ability to participate with the respective program. Refusal of a Non-Borough Sponsored Youth Program to subscribe to the requirements of this chapter shall forfeit that programs ability to use municipal facilities.

70-39. Frequency of background checks.

A. All Non-Sponsored Youth Programs that have individuals subject to this chapter shall supply background checks for all of its participants prior to the individual being able to participate at any function at a Borough-owned facility to the extent covered by this chapter. Thereafter, every two years a new background check shall be submitted to the Recreation Director.

B. 1. All Borough Sponsored Youth Programs that have individuals subject to this chapter shall direct those individuals to the Recreation Director for background checks prior to the individual being able to participate at any function sponsored by the Borough of Ridgefield. Thereafter, every two years a new background check shall be submitted to the Recreation Director.

2. Individuals involved in Borough Sponsored Youth Programs who are required to undergo background checks shall be given an interim approval for participation only after submission to the Police organization for a background check. Interim approvals shall only be valid for the period of time that it takes to receive background checks results. Such interim approval shall not be valid for a period of time exceeding 45 days. Only one interim approval may be granted per individual.

70-40. Privacy.

Any and all criminal background checks supplied to the Recreation Director shall be filed and maintained in a secure and locked cabinet or room and shall not be available to the public. The Recreation Director shall take appropriate steps to safeguard such records. The records shall be exempt from public disclosure under the common law or the New Jersey Right to Know Law. The records shall only be retained for such period of time as is necessary to serve their intended and authorized purpose.

BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 164-2010

WHEREAS, the Borough of Ridgefield owns certain property located at 750 Slocum Avenue, Ridgefield, New Jersey and known on the Borough tax map as Block 907, Lot 3.2 (the "Property"); and

WHEREAS, the Property is less than the minimum size required for development pursuant to the Borough zoning ordinance; and

WHEREAS, the Governing Body authorized the property to be offered for sale to contiguous property owners at the December 14, 2009 regular meeting of the Governing Body through Resolution 419-2009; and

WHEREAS, because no offers were received from contiguous property owners, the Governing Body reconsidered its prior resolution and offered the property for sale to the general public; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13, the Governing Body accepted bids for the Property and opened such bids on March 31, 2010; and

WHEREAS, the Borough received one (1) bid for the Property and said bid was in order and in compliance with the bid specifications;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield, that the Governing Body hereby awards the contract for the sale of the Property to Mourad Elyan in the amount of \$17,000.00.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Prina,
Acting Borough Clerk

COUNCIL VOTE

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2010

Presented by Councilman Lonzisero

RESOLUTION NO. 165-2010

WHEREAS, the general laws of the State of New Jersey grant the Council the authority to review an application made by a certified local telephone exchange carrier to install a telecommunications network that is designed to provide telecommunications services within the municipality; and

WHEREAS, PURSUANT TO N.J.S.A. 48:17-10, The Council may grant its consent to the running of a telecommunications network in, upon, along, over or under any public road, street or highway of the municipality via the passage of a resolution; and

WHEREAS, Cablevision Lightpath-NJ, Inc. and its subsidiary company 4Connections, LLC (collectively referred to herein as "Lightpath") ("Lightpath"), are qualified to do business in New Jersey with offices located at 200 Jericho Quadrangle, Jericho, New York 11753; and

WHEREAS, Cablevision Lightpath-NJ, Inc. and its subsidiary company 4Connections LLC are certified local exchange carriers and are authorized to provide telecommunications services in the State of New Jersey under authority granted to it by the New Jersey Board of Public Utilities; and

WHEREAS, Lightpath seeks consent from the Council to install a telecommunications network within public rights-of-way controlled by the municipality; and

WHEREAS, the Council is satisfied that it is in the public interest to promote competition in the telecommunications market within the municipality by providing this authorization to Lightpath; and

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

1. Permission is hereby granted to Lightpath to install fiber optic cable and other telecommunications related facilities in and over the public rights-of-way for the purpose of operating a telecommunications network within the municipality's public right of way.
2. Any and all expenses related to the installation of the telecommunications network approved herein shall be borne by Lightpath.
3. Lightpath shall be required, at its own expense, to obtain all necessary permits and approvals as required by applicable law and regulations.

4. Lightpath shall adhere to all applicable safety requirements related to the installation, operation, maintenance, and use of the telecommunications network within the municipality.
5. The permission granted herein shall be extend to Lightpath, its successors, and/or assignees, for twenty-five years, and at the end of said term, Lightpath, its successors and/or assignees, at its sole option, may choose to extend the permission granted herein for an additional twenty-five years.
6. Lightpath, its successors and assigns shall defend, indemnify, and hold the municipality harmless from any and all liability for damage to property or injury directly resulting from the installation, operation, maintenance or use of the telecommunications network authorized herein.
7. Lightpath shall maintain and keep in force and effect, at its sole cost and expense, and at all times during the term of this resolution, sufficient liability insurance naming the municipality as an additional insured and insuring against loss by any such claim, suit, judgment, execution or demand In the minimum amount of one million dollars (\$1,000,000.00) for bodily injury or death to any one person, and one million dollars (\$1,000,000.00) for bodily injury or death resulting from any one accident or occurrence stemming from or arising out of Lightpath’s exercise of its rights hereunder.
8. Lightpath shall be responsible for the repair of damage to paving, existing utility lines, or any surface or subsurface instillations, arising from the installation or maintenance of the telecommunications system authorized herein.
9. Lightpath shall maintain,, at its sole cost and expense, a performance bond in the amount of twenty-five thousand dollars (\$25,000) to ensure faithful performance of its undertakings.
10. Lightpath shall consult with the Borough regarding any route within the right of way for the installation of Lightpath’s telecommunications equipment and telephone lines and the Borough shall not unreasonably withhold its approval of any particular route proposed by Lightpath in the Borough’s right of way.

Approved:

 Anthony R. Suarez, Mayor

Attest:

 Linda M. Prina, Acting Borough Clerk

COUNCIL VOTE				
	YES	NO	ABSTAIN	ABSENT
Lonziserio				
Todd				
Vincenz				
Severino				
Castelli				
Acosta				
Mayor Suarez				

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 166-2010

WHEREAS, the Tax Court of New Jersey has approved the settlement stipulation for an adjusted assessment on Block 3002 Lot 1, Block 3002 Lot 2, Block 3002 Lot 3 and Block 3002 Lot 9 for the year 2006.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that A & F Associates be issued a refund in accordance with the following schedule:

Block 3002 Lot 1 1180 Edgewater Ave Yr 2006 - \$1,825.46
Block 3002 Lot 2 491 Victoria Terrace Yr 2006 - \$1,424.43
Block 3002 Lot 3 483 Victoria Terrace Yr 2006 - \$785.40
Block 3002 Lot 9 490 Hendricks Cswy Yr 2006 - \$1,244.74

BE IT FURTHER RESOLVED that the Chief Financial Officer be and he is hereby authorized to issue a check in the total amount of \$5,280.03 made payable to Stern & Kilcullen, LLC and A & F Associates and mailed to Attn: Jason Lustbader c/o Stern & Kilcullen, LLC, 75 Livingston Avenue, Roseland New Jersey 07068.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 167-2010

WHEREAS, the Tax Court of New Jersey has approved the settlement stipulation for an adjusted assessment on Block 3002 Lot 1, Block 3002 Lot 2, Block 3002 Lot 3 and Block 3002 Lot 9,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that A & F Associates be issued a refund in accordance with the following schedule:

Block 3002 Lot 1, 1180 Edgewater Ave Yr 2008 - \$3,511.30 Yr 2009 - \$4,490.49
Block 3002 Lot 2 491 Victoria Terrace Yr 2008 - \$2,740.45 Yr 2009 - \$3,504.24
Block 3002 Lot 3 483 Victoria Terrace Yr 2008 - \$1,510.38 Yr 2009 - \$1,933.43
Block 3002 Lot 9 490 Hendricks Cswy Yr 2008 - \$2,394.54 Yr 2009 - \$3,063.48

BE IT FURTHER RESOLVED that the Chief Financial Officer be and he is hereby authorized to issue a check in the total amount of \$23,148.31 made payable to Stern & Kilcullen, LLC and A & F Associates and mailed to Attn: Jason Lustbader c/o Stern & Kilcullen, LLC, 75 Livingston Avenue, Roseland New Jersey 07068.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 168-2010

WHEREAS, certain checks have remained outstanding for an extended period of time; and

WHEREAS, the Borough's Chief Financial Officer and Treasurer have exhausted all alternatives in contacting the respective payees; and

WHEREAS, they are recommending that these checks be cleared of record.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the following outstanding checks be cleared of record.

BE IT FURTHER RESOLVED, that these funds in the amount of \$6,276.40 be transferred to the Borough's operating account.

PAYROLL ACCOUNT

Check	Date	Amount	Check	Date	Amount
188049	08/27/2008	\$349.31	188135	8/27/2008	85.18
188673	10/22/2008	482.55	190204	4/08/2009	762.40
190695	06/17/2009	37.65	190887	7/01/2009	54.79
191133	07/15/2009	424.29	191135	7/15/2009	90.33

CURRENT ACCOUNT

70358	10/27/2008	3,321.95	70885	12/22/2008	34.98
70954	01/05/2009	352.12	72390	06/22/2009	280.85

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Prina, Acting Borough Clerk

COUNCIL VOTE

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2010

Presented by Councilman Lonzisero

RESOLUTION NO. 169-2010

WHEREAS, there exists a need for the County of Bergen, Office of Emergency Management, Department of Public Safety to provide an automated telephone alerting system service (hereinafter called "system") to be available 24 hours a day, seven (7) days a week, and all days per year to the seventy (70) Municipalities comprising the County of Bergen; and

WHEREAS, the Bergen County Board of Chosen Freeholders adopted Resolution No, 406 on April 7, 2010 authorizing the County to award a purchase contract to C3: Citizen Communication Center, 548 Franklin Avenue, Nutley, New Jersey 07110 (hereinafter known as the "service provider") to provide the above-referenced system to those municipalities so desiring; and

WHEREAS, the Borough of Ridgefield wishes to utilize such a system for the benefit of its citizens; and

WHEREAS, an agreement is necessary to delineate the respective responsibilities of the parties in connection therewith; and

WHEREAS, the County shall pay 100% of the cost of initial installation, testing, and training of the system and 100% of the cost of the annual maintenance, testing and training of the system, 100% of the call fees for emergency calls using the Emergency Service Listing and non-emergency calls using municipally-provided lists;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Ridgefield be and is hereby authorized to enter into an Agreement with the County of Bergen to utilize an automated telephone alerting system service at any time during the County's contract period with the service provider (April 7, 2010 through April 6, 2011) with an option for one (1) additional year; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute said agreement.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Prina, Acting Borough Clerk

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

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 May 10, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 170-2010

BE IT RESOLVED, that warrants totaling \$2,862,235.15
be drawn on the following accounts:

CURRENT	\$2,839,237.88
TRUST	\$13,043.25
CAPITAL	\$4,596.94
POOL	\$1,105.18
DOG LICENSE	\$4,251.90
TOTAL	\$2,862,235.15

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk