

*The public is invited to participate in the public session meeting at 7:30 pm by calling 1-862-799-9892. No access code is required.*

**BOROUGH OF RIDGEFIELD**

**A G E N D A**

**Executive Session and Regular Meeting of the Mayor and Council**

Date: May 11, 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		

**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.

- 139-2020 Councilman Penabad Appoint Data Reporting/Light Technician
- 140-2020 Councilman Jimenez Tax Appeal Settlement – 533 Shaler Boulevard

141-2020 Councilman Jimenez Tax Appeal Settlement-543 Shaler Boulevard  
 142-2020 Councilman Jimenez Estimated 3<sup>rd</sup> Quarter Tax Bills

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

**RESOLUTIONS:**

143-2020 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 May 11, 2020

Presented by Councilman Penabad

RESOLUTION NO. 139-2020

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

CHRISTOPHER FREITAG

be appointed as Data Reporting/Light Technician as recommended by the Fire Chiefs and Fire Committee and shall be compensated \$300.00 per quarter effective immediately.

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 May 11, 2020

Presented by Councilman Jimenez

RESOLUTION NO. 140-2020

WHEREAS, Robert Spiotti, Esq., representing Stancato, Frank & Pasquale Ptnrshp filed a tax appeal challenging the assessment at 533 Shaler Blvd., Block 2104, Lot 3 for tax years 2013-2015 & 2018-2019; and

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

LAND:	\$	455,000
IMPROVEMENTS:	\$	174,300
TOTAL:	\$	629,300

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 2019, the assessment shall be adjusted to:

LAND	\$	550,000
IMPROVEMENTS:	\$	0.00
TOTAL:	\$	550,000
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**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 11, 2020

Presented by Councilman Jimenez

RESOLUTION NO. 141-2020

WHEREAS, Robert Spiotti, Esq., representing Stancato, Frank Et Al filed a tax appeal challenging the assessment at 543 Shaler Blvd., Block 2104, Lot 1 for tax years 2013-2015 & 2018-2019; and

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

LAND:	\$	525,000
IMPROVEMENTS:	\$	525,300
TOTAL:	\$	1,050,300

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	\$	525,000
IMPROVEMENTS:	\$	325,000
TOTAL:	\$	850,000

For 2019, the assessment shall be adjusted to:

LAND	\$	525,000
IMPROVEMENTS:	\$	300,000
TOTAL:	\$	825,000

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:

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Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 11, 2020

Presented by Councilman Jimenez

RESOLUTION NO. 142-2020

WHEREAS, the Mayor and Council has determined that the Municipal Tax Collector will be unable to complete the mailing and/or delivery of tax bills by June 14, 2019 as otherwise required by law, since the County of Bergen has not yet adopted a budget; and

WHEREAS, *N.J.S.A. 54:4-66.2* provides that in the above circumstance the governing body may authorize and direct the Tax Collector to prepare an estimated tax bill as provided by statute; and

WHEREAS, it is in the best interests of the Borough of Ridgefield that said authorization be granted;

WHEREAS, the Chief Financial Officer and the Tax Collector have computed an estimated tax levy in accordance with *N.J.S.A. 54:4-66.3* and has attached a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies.

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

1. The Tax Collector be and hereby is authorized and directed to prepare and issue estimated tax bills for the Borough for the third installment of 2020 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by New Jersey statutes, specifically *N.J.S.A. 54:4-66.2* and *54:4-66.3*.
2. The entire estimated tax levy for 2020 is hereby set at \$39,522,609.81 and the tax rate is set at 2.54.
3. In accordance with the law, the third installment of 2020 taxes shall not be subject to interest until the later of August 10 or the 25<sup>th</sup> calendar day after the date the estimated tax bills are mailed.

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

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Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk

**PROPOSED CALCULATION OF THE 2020 ESTIMATED TAX RATE**

<b>2019 Tax Levy and Tax Rate</b>			<b>2019 Estimated Range Tax Levy</b>	
		Tax rate	95%	105%
Local	\$10,846,579.96	0.694		
Library	\$646,232.00	0.041		
School	\$22,538,875.00	1.441		
County	\$4,550,626.58	0.292		
County Open Space	\$194,965.38	0.012		
Totals	\$38,777,278.92	2.480	\$36,838,415.00	\$40,716,143.00

<b>2020 Estimated Tax Rate 2020 Ratable is \$1,558,258,300.00</b>			
			Tax rate
Local	\$10,966,757.01		0.704
Library	\$657,386.00		0.042
School	\$23,057,963.00		1.480
County	\$4,641,639.11		0.298
County Open Space	\$198,864.69		0.013
Totals	\$39,522,609.81		2.537
Estimated tax rate (rounded)			2.54

Certified by:

\_\_\_\_\_  
Francis J. Elenio, CFO

\_\_\_\_\_  
Frank Berardo, Tax Collector

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.

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Francis J. Elenio,  
Chief Financial Officer

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 11, 2020

Presented by Councilman Jimenez

RESOLUTION NO. 143-2020

BE IT RESOLVED, that warrants totaling **\$3,293,271.68**  
be drawn on the following accounts:

CURRENT	\$3,289,213.87
TRUST	\$421.68
CAPITAL	\$3,260.00
POOL	\$376.13
<b>TOTAL</b>	<b>\$3,293,271.68</b>

COUNCIL VOTE

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

Approved:

Attest:

\_\_\_\_\_  
Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk