

BOROUGH OF RIDGEFIELD

A G E N D A

Executive Session and Public Session Meeting of the Mayor and Council

Date: May 13, 2019

Open Public Meetings Statement by Mayor Suarez

Public Session to Adjourn to C.T.O.: 6:33 P.M.
Executive Session: Adjourn: 6:34 P.M.

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

Executive Session: 6:30 P.M. C.T.O.: 6:34 P.M.
Adjourn: 7:15 P.M.

Public Session: 7:30 P.M. C.T.O.: 7:35 P.M.
Adjourn: 8:18 P.M.

Pledge of Allegiance

Invocation

Citizens Comment on Agenda: NONE

Correspondence:

Earth Day Poster Contest Winners

Presentation of Proclamation Eagle Scout Court of Honor – Brian Payerle

As advertised, hearing will be held on Ordinance No. 2357 entitled, “AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 375-52 DESIGNATING HANDICAPPED PARKING SPACES”

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

Public Hearing

ROLL CALL-PUBLIC SESSION

Table with 5 columns: Name, Adj. to Ex. Pres., Adj. to Ex. Abs., Public Pres., Public Abs. Rows include Mayor Suarez, Castelli, Penabad, Shim, Jimenez, Kontolios, Larkin.

ROLL CALL-EXEC. SESSION

Table with 3 columns: Name, PRESENT, ABSENT. Rows include Mayor Suarez, Castelli, Penabad, Shim, Jimenez, Kontolios, Larkin.

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

Final Reading of Ordinance

Roll Call

CONSENT AGENDA:

161-2019	Councilman Jimenez	Lien Redemption Certificate 18-002
162-2019	Councilman Jimenez	Bergen County Tax Board Judgment Block 2804, Lot 5
163-2019	Mayor Suarez	Appoint Chief Financial Officer/Interim QPA
164-2019	Councilman Castelli	Amendment to Settlement Agreement with Fair Share Housing Center
165-2019	Councilman Castelli	Appoint School Crossing Guards
166-2019	Councilman Castelli	Liquor License Transfer
167-2019	Councilman Jimenez	Estimated 3 rd Quarter Tax Bills

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli	X			
Penabad				X
Shim	X		162 / 166	
Jimenez	X			
Kontolios	X			
Larkin	X			
Mayor Suarez				

RESOLUTIONS:

168-2019 Councilman Jimenez Warrants

COMMENTS BY MAYOR:

Coin Toss Request:

RMHS Softball

April 4, 2020; Rain Date: April 5, 2020

May 9, 2020; Rain Date: May 16, 2020

APPROVED

N.J. State Firemen's Association Membership:

Khalid A. Ghayeb

818 Edgewater Avenue

Company 3

APPROVED

COMMENTS BY COUNCIL:

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 13, 2019

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 May 13, 2019

Presented by Councilman Castelli

ORDINANCE NO. 2357

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

“AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 375-52 DESIGNATING HANDICAPPED PARKING SPACES”

introduced on the 22nd day of April, 2019, 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	X			
Penabad				X
Shim	X			
Jimenez	X			
Kontolios	X			
Larkin	X			
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 22, 2019

Presented by Councilman Castelli

ORDINANCE NO. 2357

“AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 375-52 DESIGNATING
HANDICAPPED PARKING SPACES”

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

Section I:

Section 375-52 of the Code of the Borough of Ridgefield, entitled “Designated Areas” subpart B, be and hereby is amended by the following:

1. Adding a single handicapped space in front of 509 Nelson Avenue (on the northerly curb line of Nelson Avenue) beginning at a point 127 feet east of the northeast corner of Bergen Boulevard and Nelson Avenue, and continuing east a distance of 22 feet.

Section II:

In all other respects, the terms, conditions and provisions of Section 375-52 of the Code of the Borough of Ridgefield are hereby ratified and affirmed.

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. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 13, 2019

Presented by Councilman Jimenez

RESOLUTION NO. 161-2019

WHEREAS, Cira Loor Saracino has deposited a check in the amount of \$25,643.66 into the Suspense Account for the redemption and subsequent taxes of Tax Lien # 18-002, Block 701 Lot 5, further known as 589 Ray Avenue, sold to Clemente Enterprises, LLC and whereas \$36,000.00 was previously deposited into the Trust Account for the premium at the time of the tax sale;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Chief Financial Officer be and he is hereby authorized to issue and sign a check in the amount of \$25,643.66 from the Suspense Account and a check for \$36,000.00 from the Trust Account.

BE IT FURTHER RESOLVED that the check in the amount of \$25,643.66 be drawn on the Borough of Ridgefield Suspense account 01-2999 and the check for \$36,000.00 be drawn on the Borough of Ridgefield Trust account 03-2950 and be made payable to Clemente Enterprise, LLC and be mailed to PO Box 141, Wyckoff, New Jersey 07035.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 13, 2019

Presented by Councilman Jimenez

RESOLUTION NO. 162-2019

WHEREAS, the Bergen County Board of Taxation has approved the settlement stipulation for an adjusted assessment on Block 2804 Lot 5, also known as 936 Edgewater Avenue for the year 2018.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that Wook Jin Shim be issued a refund in the amount of \$1,725.74 for the year 2018.

BE IT FURTHER RESOLVED that the Chief Financial Officer be and he is hereby authorized to issue a check in the total amount of \$1,725.74 from account 01-2010-30-4262-001 made payable to The Choi Law Group and mailed to 100 Challenger Road, Suite 302, Ridgefield Park, New Jersey 07660.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 13, 2019

Presented by Mayor Suarez

RESOLUTION NO. 163-2019

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

FRANCIS J. ELENIO

be appointed full-time Chief Financial Officer for a four year term and Interim Qualified Purchasing Agent for a one year term at the annual salary of \$85,000 effective immediately.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 13, 2019

Presented by Councilman Castelli

RESOLUTION NO. 164-2019

WHEREAS, the Mayor and Council of the Borough of Ridgefield previously approved a settlement agreement with Fair Share Housing Center in connection with the Borough's Affordable Housing litigation entitled *In the Matter of the Application of the Borough of Ridgefield*, Bergen County Docket No. BER-L-6439-15; and

WHEREAS, three very minor amendments needed to be made to the agreement; and

WHEREAS, Fair Share Housing Center has agreed to those minor amendments; and

WHEREAS, those amendments include an Exhibit A, which is an up to date vacant land adjustment; Exhibit B, previously labeled as a "Map for Unmet Need Mechanism", but has now been changed to "Letter of Intent from Tom Toronto"; and paragraph 7.1 making clear that there will be a 15/20% set aside for the properties in the chart which indicates the mechanisms for meeting the Borough's unmet need;

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

1. The above changes be and hereby are approved.
2. The Mayor and the Borough Clerk be, and hereby are, authorized and directed to execute the attached document on behalf of the Borough of Ridgefield.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Silvestri,
Borough Clerk

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

Agreement to modifications of the Settlement Agreement by and between the Borough of Ridgefield and the Fair Share Housing Center as reflected in the attached email from Joshua Bauers to Stephen F. Pellino Dated April 25, 2019.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri
Borough Clerk

Carole Shaw

From: Josh Bauers <joshbauers@fairsharehousing.org>
Sent: Thursday, April 25, 2019 3:00 PM
To: Stephen Pellino; Kathryn M. Gregory; Beth McManus; Carole Shaw
Subject: Final Ridgefield Agreement
Attachments: 190425 Final Executed Settlement Agreement Ridgefield.pdf

Hi all,

Please see the attached agreement between the Borough of Ridgefield and FSHC. It has now been signed by both parties. There were several minor changes, and one more thing we need from the Borough.

1. Exhibit A - the most recent VLA I have is from June 2018 which shows an RDP of 3 and we've agreed that the RDP is 0. Please provide the updated VLA so we can attach it as Exhibit A to the agreement.
2. Exhibit B - previously this was labelled as a map for unmet need mechanisms, but has been changed to the Letter of Intent from Tom Toronto and is now attached.
3. Paragraph 7 I have added a clause in this paragraph making clear that there will be a 15/20% set-aside for the properties in the chart below.

The agreement has been executed Adam Gordon from FSHC and is ready to be made available to the public once we get the updated VLA attached to it.

Thanks,

Josh

--

Joshua D. Bauers
Fair Share Housing Center
510 Park Boulevard
Cherry Hill, New Jersey 08002
P: 856-665-5444
F: 856-663-8182
joshbauers@fairsharehousing.org

Interested in following our work? Follow us on Twitter [@FairShareNJ](#) or [go here](#) to join our email list.

IMPORTANT: This message is sent by a law office and is intended for the exclusive use of the individual or entity that is the named addressee. It may contain information that is privileged, confidential or otherwise legally protected from disclosure. If you are not the named addressee or an employee or agent responsible for delivering this message to the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please accept my apology, notify me immediately by email, discard any paper copies and delete all electronic files of the message. Thank you.

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 13, 2019

Presented by Councilman Castelli

RESOLUTION NO. 165-2019

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

DAVID MARTIN

and

JOHN CONSOLI

be appointed as School Crossing Guards for the remainder of the 2018/2019 school year effective April 29, 2019 at the hourly rate of \$12.90; and

ANTONIO CANCIAN

be appointed as a School Crossing Guard for the remainder of the 2018/2019 school year effective May 6, 2019 at the hourly rate of \$12.90.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 13, 2019

Presented by Councilman Castelli

RESOLUTION NO. 166-2019

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 0249-33-007-007, heretofore issued to Joan Broderick with a mailing address of 566 Bergen Boulevard, Ridgefield, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Ridgefield does hereby approve, effective May 15, 2019 the transfer of the aforesaid Plenary Retail Consumption License to JINNY JINOUK KWON with a mailing address of 220 Vaccaro Drive, Alpine, NJ and does hereby direct the Borough Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Jinny Jinouk Kwon, effective May 15, 2019."

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Silvestri,
Borough Clerk

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 13, 2019

Presented by Councilman Jimenez

RESOLUTION NO. 167-2019

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 Borough 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 2019 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 2019 is hereby set at \$38,909,002.96 and the tax rate is set at 2.49.
3. In accordance with the law, the third installment of 2019 taxes shall not be subject to interest until the later of August 10 or the 25th calendar day after the date the estimated tax bills are mailed.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

PROPOSED CALCULATION OF THE 2019 ESTIMATED TAX RATE

2018 Tax Levy and Tax Rate		Tax rate	2019 Estimated Range	Tax Levy
			95%	105%
Local	\$10,536,056.61	0.674		
Library	\$648,088.00	0.041		
School	\$21,824,484.00	1.396		
County	\$4,586,144.63	0.294		
County Open Space	\$195,537.07	0.012		
Totals	\$37,790,310.31	2.417	\$35,900,795.00	\$39,679,826.00

2019 Estimated Tax Rate 2019 Ratable is \$1,563,731,663.00

		Tax rate
Local	\$10,846,579.96	0.694
Library	\$646,232.00	0.041
School	\$22,538,875.00	1.441
County	\$4,677,868.00	.299
County Open Space	\$199,448.00	.013
Totals	\$38,909,002.96	2.488
Estimated tax rate (rounded)		2.49

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.

Francis J. Elenio,
Chief Financial Officer

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 13, 2019

Presented by Councilman Jimenez

RESOLUTION NO. 168-2019

BE IT RESOLVED, that warrants totaling **\$4,159,085.75**
be drawn on the following accounts:

CURRENT	\$3,679,842.04
TRUST	\$266,508.27
CAPITAL	\$194,790.00
POOL	\$5,947.24
DOG LICENSE	\$3,998.20
UNEMPLOYMENT FUND	\$8,000.00
TOTAL	\$4,159,085.75

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk