

BOROUGH OF RIDGEFIELD

A G E N D A

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

Date: May 24, 2010

Open Public Meetings Statement by Mayor Suarez

Work Session: 5:30 P.M. C.T.O.: Adjourn:

- Ambulance Corps. Lounge
- Library HVAC System
- Open Space Ordinance
- Borough Tech Discussion

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 Janet Blair Zion Lutheran Church

Citizens Comment on Agenda:

Correspondence:

Approval of Minutes of February 9, 2009 Public Session Meeting, January 26, 2009 Public Session Meeting, January 26, 2009 Work Session Meeting and February 23, 2009 Work Session Meeting

ROLL CALL-WORK SESSION

	PRESENT	ABSENT
Mayor Suarez		
Lonziserro		
Todd		
Vincenz		
Severino		
Castelli		
Acosta		

ROLL CALL-EXEC. SESSION

	PRESENT	ABSENT
Mayor Suarez		
Lonziserro		
Todd		
Vincenz		
Severino		
Castelli		
Acosta		

ROLL CALL-PUBLIC SESSION

	PRESENT	ABSENT
Mayor Suarez		
Lonziserro		
Todd		
Vincenz		
Severino		
Castelli		
Acosta		

As advertised, hearing will be held on 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”

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

Roll Call

Introduction of Ordinance No. 2131 entitled, "AN ORDINANCE AUTHORIZING A CONSERVATION RESTRICTION/EASEMENT AGREEMENT BY THE BOROUGH OF RIDGEFIELD FOR BOROUGH PROPERTY KNOWN AS BLOCK 902, LOT 1, BLOCK 903, LOT 1, BLOCK 904, LOT 1, ON THE OFFICIAL TAX MAP OF THE BOROUGH OF RIDGEFIELD"

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2132 entitled, "AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 355, SECTION 355-22 OF THE CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED PUBLIC SWIMMING POOLS, FEES"

First Reading of Ordinance

Roll Call

PROPOSED CONSENT AGENDA:

	Motion:	Second:
172-2010	Councilman Vincentz	Authorize Return of Escrow Monies
173-2010	Councilman Vincentz	Clear Escrow Monies of Record
174-2010	Councilman Vincentz	Overpayment of Taxes-Block 3203, Lot 15
175-2010	Councilman Severino	2010-2012 Snow Plowing Agreement
176-2010	Councilman Severino	Memorialize Hiring of DPW Summer Help
177-2010	Councilman Vincentz	Extend Registration Period for Soccer Program
178-2010	Councilman Vincentz	July 4 Ever Fireworks Contract

COUNCIL VOTE

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

RESOLUTIONS:

179-2010	Councilman Vincentz	Transfer of Budget Appropriations
180-2010	Councilman Vincentz	Warrants

COMMENTS BY MAYOR:

Coin Toss:

Ridgefield Boro Athletic Organization
Saturday, June 12, 2010
9:00 a.m.-2:00 p.m.
Broad Avenue at Route 5
Edgewater Avenue at Shaler Boulevard
Bergen Boulevard at Washington Avenue

N.J. State Firemen's Association Membership:

Matthew Kees
894 Virgil Avenue
Company No. 3

Jose Urena
256 Morningside Avenue
Cliffside Park
Company No. 2

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 24, 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:

- _____ 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
Lonziserio				
Todd				
Vincentz				
Severino				
Castelli				
Acosta				
Mayor Suarez				

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

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 24, 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 day of May, 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 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 24, 2010

Presented by Councilman Todd

ORDINANCE NO. 2131

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

“AN ORDINANCE AUTHORIZING A CONSERVATION RESTRICTION/EASEMENT AGREEMENT BY THE BOROUGH OF RIDGEFIELD FOR BOROUGH PROPERTY KNOWN AS BLOCK 902, LOT 1, BLOCK 903, LOT 1, BLOCK 904, LOT 1, ON THE OFFICIAL TAX MAP OF THE BOROUGH OF RIDGEFIELD”

introduced on the 24th 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 14th day of June, 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 24, 2010

Presented by Councilman Todd

ORDINANCE NO. 2131

“AN ORDINANCE AUTHORIZING A CONSERVATION RESTRICTION/EASEMENT AGREEMENT BY THE BOROUGH OF RIDGEFIELD FOR BOROUGH PROPERTY KNOWN AS BLOCK 902, LOT 1, BLOCK 903, LOT 1, BLOCK 904, LOT 1, ON THE OFFICIAL TAX MAP OF THE BOROUGH OF RIDGEFIELD”

WHEREAS, the Borough of Ridgefield contains a wildlife area within the Borough on property known as Block 902, Lot 1, Block 903, Lot 1, Block 904, Lot 1, on the official Tax Map of the Borough of Ridgefield (the “Property”) that it desires to preserve; and

WHEREAS, in recognition of the 40th Anniversary of Earth Day, which was celebrated on April 22, 2010, the Governing Body would like to emphasize the value and importance of open space in the Borough of Ridgefield; and

WHEREAS, pursuant to N.J.S.A. 13:8B-3, the Borough of Ridgefield is authorized to create and enforce conservation restrictions/easements on designated property for the preservation of open space; and

WHEREAS, the Borough Attorney has prepared a Grant of Conservation Restriction/Easement agreement (the “Agreement”) attached hereto, to be executed and recorded with the County Clerk of Bergen County;

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 the Mayor is hereby authorized to execute the Agreement for the conservation of the Property within the Borough of Ridgefield.

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:

Anthony R. Suarez, Mayor

Attest:

Linda M. Prina,
Acting Borough Clerk

GRANT OF CONSERVATION RESTRICTION/EASEMENT

This Grant of Conservation Restriction is made this _____ day of _____, 20____, by the Borough of Ridgefield whose address is 604 Broad Avenue, Ridgefield, County of Bergen, State of New Jersey (hereinafter referred to as the “Owner”).

WITNESSETH:

WHEREAS, the Borough desires to create a perpetual Conservation Restriction/Easement over Borough property formerly known as the Great Bear Tract, designated as Block 902, Lot 1, Block 903, Lot 1, Block 904, Lot 1, on the official Tax Map of the Borough of Ridgefield (hereinafter referred to as the “Property”). The scope of this Conservation Restriction/Easement is set forth in this agreement. The Borough hereby waives any common law or statutory authority it may have to invoke the merger doctrine, and covenants hereby to maintain this Conservation Easement in perpetuity; and

WHEREAS, wildlife areas play a significant role in the maintenance of environmental quality on a community, regional, and statewide level; and

WHEREAS, wildlife areas provide for microclimate control, energy conservation, soil stabilization, aquifer recharge and wildlife habitat; and

WHEREAS, the Owner is authorized to formulate comprehensive policies for the conservation of natural resources, to promote environmental protection, and prevent pollution of the environment of the State, and is authorized by N.J.S.A. 13:8B-3 to acquire and enforce conservation restrictions;

WHEREAS, the Owner, having the authority to do so, intends to enter into this Conservation Restriction in order to grant a Conservation Restriction /Easement on the Property to restrict subsequent development of the Restricted Area; and

WHEREAS, the Owner has an Environmental Commission who will assist in the monitoring and enforcement of the within Restriction/Easement for the benefit of the Owner.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and the facts recited above and the terms, conditions and restrictions contained herein, the Owner hereby agrees that the Property shall be subject in perpetuity to the following conveyances, covenants and restrictions:

1. Owner hereby conveys, transfers, assigns and grants a Conservation Restriction/Easement with respect to the entire area of the Property.
2. The following activities shall not occur within the Restricted Area:
 - (a) Removal, excavation, or disturbance of the soil, except in connection with the enhancement of the property as deemed appropriate by the Owner and consistent with the conservation purposes of this Restriction/Easement;

- (b) Dumping or filling with any nonconforming materials;
 - (c) Installation of structures except for passive recreation purposes (i.e. playground/exercise equipment, gazebos, pergolas, etc.);
 - (d) Placement of new pavement or other impervious materials other than to maintain existing areas;
 - (e) Destruction of plant life that is contrary to the goal of restoring the native habitat;
 - (f) The use of non-organic fertilizers, herbicides or pesticides except in dealing with matters of safety (i.e. controlling poison ivy so as to not become a hazard to the public);
 - (g) Removal, clearing or mowing of live vegetation, including trees, unless it is demonstrated to the Owner that such removal will result in habitat enhancement or to prevent/eliminate a safety hazard, and the Owner has received written approval of the Environmental Commission.
3. The boundaries of the Restricted Area shall be marked by an unobtrusive, semi-permanent visual marker in a manner of the Owner's choosing, and to the Owner's satisfaction, within 30 days of recording this Deed. Examples include survey markers, fence post, and pipe in the ground.
 4. This Conservation Restriction/Easement shall be a burden upon and shall run with the Property, and shall bind the Owner, its successors and assigns, in perpetuity. The Owner shall give notice of this deed restriction to all holders of any easements in the Restricted Area within 30 days of recording by the County Clerk.
 5. It is the purpose of the Conservation Restriction / Easement to assure that the Restricted Area will be maintained as such and to prevent any disturbance or development to that portion of the Property. To carry out this purpose, the following rights are granted to Owner by this Conservation Restriction/Easement:
 - (a) To enter upon the Property in a reasonable manner and at reasonable times so as to assure compliance with the provisions of this Conservation Restriction/Easement ; and
 - (b) In addition to the exercise of any other statutory or common law right, to enjoin any activity on, or use of, the Restricted Area that is inconsistent with the purpose of this Conservation Restriction / Easement and to enforce the restoration of such areas or features of the Restricted Area that may be damaged by inconsistent activity or use.
 6. The Owner shall maintain notice of any transfer or change in ownership of any portion of the Restricted Area, including but not limited to the name and address of the new owner, and including but not limited to any later-formed condominium association, at least one month prior to the day of the signing of those documents accomplishing the actual transfer or change in ownership.
 7. In addition to, and not in limitation of, any other rights of the Owner hereunder or at law or in equity, if the Owner determines that a breach, default or violation ("Violation") of this Conservation Restriction/Easement has occurred or that a Violation is threatened, the Owner shall give written notice such Violation to the violator, setting forth the specifics thereof, and demand corrective action sufficient to cure the Violation. If the violator fails to cure the Violation after receipt of notice thereof from the Owner, or under circumstances where the Violation cannot reasonably be cured within a time period dictated by the Owner, fails to begin curing such Violation within the time period

dictated by the Owner, or fails to continue diligently to cure such Violation until finally cured, the Owner may bring an action at law or in equity in a court of competent jurisdiction:

- (a) to enjoin and/or cure such Violation,
 - (b) to enter upon the Restricted Area and to take action to terminate and/or cure such Violation and or to cause the restoration of that portion of the Restricted Area affected by such Violation to the condition that existed prior thereto, or
 - (c) to seek or enforce such other legal and/or equitable relief or remedies as the Owner deems necessary or desirable to ensure compliance with the terms, conditions, covenants, obligations and purpose of this Conservation Restriction / Easement.
8. If the Owner, in its discretion, determines that circumstances require immediate action to prevent or mitigate significant damage to the Restricted Area, the Owner may pursue its remedies under paragraph 7 above without prior notice or without waiting for the period provided for cure to expire. The Owner's rights under this paragraph shall apply equally in the event of either actual or threatened Violations of the terms of this Conservation Restriction/Easement. The above language shall in no event be interpreted to derogate or diminish the Owner's rights and powers under the laws of the State of New Jersey for the protection of public health, safety and welfare.
 9. Enforcement of the terms of this Conservation Restriction / Easement shall be at the discretion of the Owner and any forbearance by the Owner to exercise its rights under this Conservation Restriction/Easement in the event of any Violation shall not be deemed or construed to be a waiver by the Owner of such term or of any subsequent Violation or of any of the Owner's rights under this Conservation Restriction/Easement. No delay or omission by the Owner in the exercise of any right or remedy upon any Violation shall impair such right or remedy or be construed as a waiver of such right or remedy.
 10. The Owner may seek reimbursement from a violator for any costs incurred by the Owner in enforcing the terms of this Conservation Restriction/Easement, and including, without limitation, the reasonable costs of suit and attorneys' fees.
 11. The Owner reserves the right to transfer, assign, or otherwise convey the Conservation Restriction/Easement to any other entity or person to facilitate the operation of and/or public use and enjoyment of the Restricted Area.
 12. Any notice, demand, request, consent, approval or communication under this Conservation Restriction / Easement shall be sent by certified mail, return receipt requested or reliable overnight courier, addressed as follows:

To the Owner:
The Borough of Ridgefield
As of this date of this Conservation Restriction / Easement, Owner's
address for the purposes of notice is:
604 Broad Avenue
Ridgefield, NJ, 07657
Attention: Business Administrator
(201) 943-5215

In addition, any notice relating to paragraph 6 shall be addressed to same.

13. A party may change the address or person to whom notices to it are required to be given by notice given in the manner above provided.
14. The Owner reserves to itself, its successors or assigns, all rights as owners of the Property, including the right to engage in all uses of the Restricted Area not inconsistent with the purpose of this Conservation Restriction / Easement and the right to manage the Restricted Area in accordance with its needs.
15. This instrument conveys no additional right of access by the general public to any portion of the Property.
16. The Owner agrees to bear all costs and liabilities of any kind related to the operation, upkeep and maintenance of the Restricted Area.
17. The Owner agrees that the terms, conditions, restrictions and purposes of this Conservation Restriction/Easement will be inserted in any subsequent deed, subdivision deed, lease, sub-lease or other legal instrument by which the Owner divests itself of any interest in any portion of the Property. Notwithstanding the failure of the Owner to include the terms and restrictions of this instrument, it shall run with the land and be binding on all heirs, successors and assigns.
18. The Owner agrees that it will assign its rights under this Conservation Restriction/ Easement only to another governmental body or a charitable conservancy, and only in accordance with N.J.S.A. 13:8B-1 et seq.
19. Notwithstanding anything contained herein to the contrary, any modification or termination of this Conservation Restriction / Easement shall require the prior written approval of the Owner, its successor or assign.
20. This Conservation Restriction / Easement shall survive any merger of the fee and restriction interest in the Restricted Area.
21. Nothing contained herein shall effect the rights or interests of existing or future utility easements to perform maintenance or other work on the Property in the same manner in which such work has been performed in the past.
22. Miscellaneous.
 - (a) The laws of the State of New Jersey shall govern the interpretation and performance of this Conservation Restriction / Easement.
 - (b) If any provision of this Conservation Restriction / Easement or the application thereof to any person or circumstance is found to be invalid, the remainder of the provisions of this Conservation Restriction / Easement, or the application of such provision to persons or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected thereby.
 - (c) Should there be more than one Owner, the obligations imposed by this Conservation Restriction / Easement upon each Owner shall be joint and several.
 - (d) The covenants, terms, conditions and restrictions of this Conservation Restriction /Easement shall be binding upon, and inure to the benefit of, the parties hereto and all parties having or acquiring any right, title or interest in any portion of the Property, including holders of subdivision deeds, and shall continue as a servitude running in perpetuity with the Property.
 - (e) The captions in this Conservation Restriction / Easement have been inserted solely for convenience of reference and are not a part of this Conservation

Restriction / Easement and shall have no effect upon construction or interpretation.

(f) This Conservation Restriction/Easement may be executed in any number of counterparts, all of which, taken together, shall constitute one and the same instrument.

23. The Owner reserves unto itself the right to undertake de minimis modifications of the Restricted Area that are approved by the Owner. The Owner may approve the modification under the following conditions and with the following documentation:

(a) The modification results in an increased level of protection of the regulated resource; or

(b) The modification results in equivalent areas of resources protected; and

(c) The modification does not compromise the original protected resource.

24. This Grant of Conservation Restriction / Easement may only be removed pursuant to N.J.S.A. 13:8B-1 et seq.

TO HAVE AND TO HOLD unto the Borough of Ridgefield, its successors and assigns forever. The covenants, terms, conditions, restrictions and purposes imposed with this Conservation Restriction/Easement shall not only be binding upon the Owner but also upon its agents, personal representatives, assigns and all other successors to it in interest, and shall continue as a servitude running in perpetuity with the Property.

IN WITNESS WHEREOF, the Owner has set its hand and seal on the day and year first above written, and directs that this instrument be recorded in the office of the Bergen County Clerk.

Borough of Ridgefield (Owner)

By: _____

ATTEST:

(Seal)

STATE OF NEW JERSEY

COUNTY OF BERGEN

Be it remembered that on this day of , 2010, before me, the subscriber, a Notary Public of New Jersey, personally appeared: , and he thereupon acknowledged that he signed the foregoing instrument as Mayor of the Borough of Ridgefield, and that said instrument is the voluntary act of deed of said person (or corporation, made by virtue of authority from its Board of Commissioners).

Notary Public

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 24, 2010

Presented by Councilman Vincentz

ORDINANCE NO. 2132

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

“AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 355, SECTION 355-22 OF THE CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED PUBLIC SWIMMING POOLS, FEES”

introduced on the 24th 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 14th day of June, 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 24, 2010

Presented by Councilman Vincentz

ORDINANCE NO. 2132

“AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 355, SECTION 355-22 OF THE
CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED PUBLIC SWIMMING POOLS,
FEES”

Section I: Section 355-22 of the Code of the Borough of Ridgefield, entitled “Fees” be and hereby is amended by making the changes set forth below:

SECTION 355-22 “FEES” shall be amended as follows:

Discount Period 3/29/10-5/21/10

Section II: In all other respects, the terms and provisions of Article II of Chapter 355 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. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 24, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 172-2010

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

<u>Block</u>	<u>Lot</u>	<u>Applicant</u>	<u>Amount</u>	
2005	4	522 Edison Street	Outwater Construction Co.	\$ 861.50
0305	9	891 Maple Avenue	Phillip Wagenblast	226.25
		Ridgefield Gardens	c/o Caryl Ratner	138.05

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

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

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
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 24, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 173-2010

WHEREAS, the following applicants have legal and engineering escrow monies deposited with the Borough for payment to Borough professionals in conjunction with said development; and

WHEREAS, said escrow funds not already encumbered have been released by the Borough professionals; and

WHEREAS, the Borough's Chief Financial Officer and Treasurer have exhausted all alternatives in contacting said applicants for the return of unused escrows; and

WHEREAS, they are recommending that these escrow deposits be cleared of record and be remanded to the Borough:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield, that the Chief Financial Officer be authorized to clear the following escrow accounts of record.

BE IT FURTHER RESOLVED, that these funds be transferred to the Borough's operating account.

BLOCK	LOT	NAME	AMOUNT
1003	4	D. Papathanasis	\$ 50.00
3805	6	RGF Auto	8.12
1103	9	Jeong Suk Han	300.00
3405	15	Supreme B&D, LLC	122.00
		ICC Gen Contractor	500.00
0112	13	Mesundin Celjaj	35.00
1003	18	Sung Chong	163.00

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 24, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 174-2010

WHEREAS, an overpayment of taxes in the Borough of Ridgefield was received for the second quarter 2009 taxes on Block 3203 Lot 15, further known as 705 Lancaster Road;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that a refund in the amount of \$1,761.31 for the second quarter 2009 be issued to Soo Kwang Park;

BE IT FURTHER RESOLVED that the Chief Financial Officer/Treasurer be and he is hereby authorized to issue a check in the total amount of \$1,761.31 made payable to Cenlar FSB on behalf of Soo Kwang Park and mailed to Attn: Tax Department/Glorilyn Huber, 425 Phillips Blvd, Ewing, New Jersey 08618.

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 24, 2010

Presented by Councilman Severino

RESOLUTION NO. 175-2010

WHEREAS, the Borough has been presented with a 2010-2012 Snow Plowing Program Agreement from the County of Bergen; and

WHEREAS, the Borough has in the past plowed county roads on behalf of the county and received reimbursement therefore; and

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

1. The form of the 2010-2012 Snow Plowing Agreement with the County of Bergen, in the form annexed hereto as Exhibit A, be and hereby is approved.
2. The Mayor and Borough Clerk be and they hereby are authorized and directed to execute same on behalf of the Borough, and the Clerk is then directed to transmit same to the County for signature by county executives.

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 24, 2010

Presented by Councilman Severino

RESOLUTION NO. 176-2010

WHEREAS, at the May 10, 2010 Mayor and Council meeting a motion was made to hire summer help for the Department of Public Works; and

WHEREAS, the Mayor and Council now wish to memorialize the hiring of said employees;

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

1. Keith Olson, Sean Catherina and Michael Issa be hired as summer help for the Department of Public Works effective May 10, 2010 at the hourly rate of \$10.00 per hour up to 35 hours per week.
2. All summer help for the Department of Public Works will be available to work seven days per week between the hours of 6:00 am until 10:00 pm on an as scheduled basis.
3. Overtime will be paid for any hours after 35 hours per week.

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 24, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 177-2010

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the registration period for the Ridgefield Soccer program be extended through May 25, 2010.

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 24, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 178-2010

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the contract between July 4 Ever and the Borough of Ridgefield in the amount of \$12,000.00 for the Independence Day festivities be approved; and

BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk are hereby authorized and directed to execute said agreement, subject to certification of availability of funds.

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 24, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 179-2010

Transfer Resolution #1

WHEREAS, N.J.S.A. 40A:4-58 allows the transfer of budget appropriations during the last 2 months of the fiscal year; and

WHEREAS, the Mayor and Council of the Borough of Ridgefield are desirous of executing such transfers:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Chief Financial Officer is herewith directed to execute the following 2009/2010 budget appropriation transfers:

<u>CURRENT FUND</u>	<u>FROM</u>	<u>TO</u>
Public Works		
Other Expenses	\$ 10,000	
Court		
Salaries & Wages	40,000	
Property Maintenance		
Salaries & Wages	500	
Animal Control	10,000	
Sanitary Sewer (BCUA)	53,550	
Insurance: Liability	15,000	
Insurance: Workers Comp	6,450	
Legal	10,000	
Recreation		
Salaries & Wages		\$ 15,000
Other Expenses		15,000
Sanitation		
Other Expenses		20,000
Vehicle Repair		6,000
Public Works		
Vehicle Repair		10,000
Buildings & Grounds		22,000
Fire		
Clothing Allowance		40,000

Board of Adjustment		10,000
Property Maintenance		
Other Expenses		500
Board of Health		
Salaries & Wages		7,000
	\$145,000	\$145,500

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

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 24, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 180-2010

BE IT RESOLVED, that warrants totaling \$1,854,742.90
be drawn on the following accounts:

CURRENT	\$1,774,139.24
TRUST	\$40,369.63
CAPITAL	\$24,954.48
POOL	\$7,482.48
DOG LICENSE	\$3.60
UNEMPLOYMENT FUND	\$7,793.47
TOTAL	\$1,854,742.90

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