

BOROUGH OF RIDGEFIELD

A G E N D A

Executive Session and Regular Meeting of the Mayor and Council

Date: October 4, 2017

Open Public Meetings Statement by Mayor Suarez

Public Session to Adjourn to C.T.O.: 6:32 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: 7:16 P.M.

Public Session: 7:30 P.M. C.T.O.: 7:31 P.M.  
Adjourn: 7:53 P.M.

Pledge of Allegiance

Invocation

Citizens Comment on Agenda: NONE

Correspondence:

Approval of Minutes of March 1, 2017 Public Session, April 5, 2017 Public Session, and April 19, 2017 Work Session Meetings - APPROVED

**ROLL CALL-PUBLIC SESSION**

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

**ROLL CALL-EXEC. SESSION**

	PRESENT	ABSENT
Mayor Suarez	X	
Castelli	X	
Acosta	X	
Penabad	X	
Shim	X	
Jimenez	X	
Kontolios	X	

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As advertised, hearing will be held on Ordinance No. 2329 entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 70 “PERSONNEL POLICIES”, ARTICLE I, “SICK LEAVE”, SUBSECTION 70.13 “PAYMENT FOR ACCUMULATED UNUSED SICK LEAVE”

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

Public Hearing

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

Final Reading of Ordinance

Roll Call

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CONSENT AGENDA:

223-2017	Councilman Jimenez	Municipal Charges-Clean Up Costs
224-2017	Councilman Acosta	Purchase Police Vehicle
225-2017	Councilman Castelli	Oppose Legislative Proposals Regarding OPMA and OPRA
226-2017	Councilman Castelli	Oppose Local Finance Board Rule N.J.A.C. 5:30-18.1 and 18.2 Regarding Employee Compensation Disclosure
227-2017	Councilman Jimenez	Lien Redemption #17-06
228-2017	Councilman Acosta	CDL License Salary Upgrade-Gibaldi
229-2017	Councilman Acosta	Limousine License Renewal

COUNCIL VOTE

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

RESOLUTIONS:

230-2017	Councilman Jimenez	Warrants
231-2017	Councilman Castelli	Approve Sale of Borough Property

COMMENTS BY MAYOR:

**Application for Raffles License:**

Sts. Vartanantz Armenian Apostolic Church  
461 Bergen Boulevard  
Prize Raffle  
November 12, 2017 2:00 pm

COMMENTS BY COUNCILMEN:

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 October 4, 2017

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				
Acosta				
Penabad				
Shim				
Jimenez				
Kontolios				
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 October 4, 2017

Presented by Councilman Castelli

ORDINANCE NO. 2329

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”, ARTICLE I, “SICK LEAVE”, SUBSECTION 70.13 “PAYMENT FOR ACCUMULATED UNUSED SICK LEAVE”

introduced on the 20<sup>th</sup> day of September 2017, 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			
Acosta	X			
Penabad	X			
Shim	X			
Jimenez	X			
Kontolios	X			
Mayor Suarez				

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 20, 2017

Presented by Councilman Castelli

ORDINANCE NO. 2329

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”, ARTICLE I, “SICK LEAVE”, SUBSECTION 70.13 “PAYMENT FOR ACCUMULATED UNUSED SICK LEAVE”

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 as follows:

Section I.

Chapter 70 “Personnel Policies”, Article I “Sick Leave” of the Code of the Borough of Ridgefield be and is hereby amended by deleting the existing provisions of Section 70-13 and replacing it with the following:

Section 70-13 Payment for accumulated unused sick leave.

This section shall apply to all full time Borough employees who are not covered under a collective bargaining agreement. Employees covered by a collective bargaining agreement shall, in regards to payment for accumulated unused sick leave, be subject to the provisions of the applicable collective bargaining agreement. Full time employees not subject to a collective bargaining agreement who are hired after October 9, 2017 shall not be permitted to cash out accumulated unused sick leave at the time they separate employment from the Borough. As to full time employees not covered under the collective bargaining agreement who were hired on or before October 9, 2017, those employees shall be entitled to be paid for unused accumulated sick leave when they separate employment from the Borough on the basis of one day’s pay for every such four days of accumulated but unused sick leave.

BE IT FURTHER ORDAINED that the Borough’s Personnel Policies and Procedures Manual be, and hereby is, amended to reflect the above section, and the Borough Clerk be, and hereby is, authorized and directed to make such amendment in the Policies and Procedures Manual.

Section II.

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.

Section III.

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.

Section IV.

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

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 October 4, 2017

Presented by Councilman Jimenez

RESOLUTION NO. 223-2017

WHEREAS, the Borough of Ridgefield received numerous complaints in regard to the disrepair and/or abandonment of certain properties; and

WHEREAS, the aforesated facts were confirmed upon inspection by the Property Maintenance Department; and

WHEREAS, Property Maintenance notified the owners that the properties needed to be cleaned up and maintained and the owners did not respond; and

WHEREAS, in order to preserve the health, safety and welfare of the adjacent neighbors and all municipal residents the Borough of Ridgefield hired vendors for emergency cleanup of said properties; and

WHEREAS, the owners of these properties were given ample time to respond and pay the clean up fees and have not done so;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council directs Tax Collector Frank Berardo to place Municipal Charges upon the said property for the clean-up costs incurred by the Borough of Ridgefield according to the following schedule:

586 Prospect Avenue	Block 2101 Lot 21	\$225.00
779 Shetland Lane	Block 205 Lot 16	\$225.00
901 Lancaster Road	Block 3402 Lot 1	\$225.00

Approved:

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

Attest:

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

**COUNCIL VOTE**

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 4, 2017

Presented by Councilman Acosta

RESOLUTION NO. 224-2017

**RESOLUTION AUTHORIZING THE PURCHASE OF A NEW 2018 POLICE  
INTERCEPTOR UTILITY (EXPLORER), ALL WHEEL DRIVE**

WHEREAS, the Police Department is in need of a new vehicle for their fleet; and

WHEREAS, the vehicle can be purchased from a vendor under the State of New Jersey Purchasing Program, state contract #A88728; and

WHEREAS, Winner Ford, is an authorized State Contract Vendor; and

WHEREAS, the purchase of good and services from the State Contract vendor without competitive bidding is authorized by Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, the maximum amount of the purchase is \$29,285.00 and funding for this purchase is available through the current budget, account number 01-2010-25-2412-001, as asserted to by the Borough's Chief Financial Officer's certificate attached hereto; now be it

RESOLVED, that the Purchasing Agent is authorized to approve and forward a purchase order to Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ 08054 for the purchase of one 2018 Police Interceptor Utility (Explorer), All Wheel Drive Base Vehicle in an amount not to exceed \$29,285.00.

Approved:

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

Attest:

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

**COUNCIL VOTE**

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 4, 2017

Presented by Councilman Castelli

RESOLUTION NO. 225-2017

**RESOLUTION EXPRESSING OPPOSITION TO LEGISLATIVE PROPOSALS  
REGARDING THE OPEN PUBLIC MEETINGS ACT AND OPEN PUBLIC RECORDS  
ACT**

WHEREAS, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 and 1046, which amend the Open Public Meetings Act and Open Public Records Act, respectively, on June 29, 2017; and

WHEREAS, the Committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities; and

WHEREAS, the bills fail to adequately protect taxpayers, municipalities and, especially, municipal clerks from abusive, harassing, and purposefully confrontational individuals who submit voluminous requests for no legitimate reason; and

WHEREAS, the legislation would expand the Open Public Meeting Act to create impractical and burdensome requirements with respect to subcommittees and working groups established by the entire governing body, which would effectively limit the ability of small groups of local officials discussing issues of public concern for the purposes of informing the governing body; and

WHEREAS, under the bills, the responsibilities of municipal clerks, who the Legislature has already loaded with responsibilities beyond the scope of their office, would be stretched even further than current law requires without a single dollar of additional resources provided to, or authorized to be collected by, municipalities; and

WHEREAS, the bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and

WHEREAS, some municipalities are more equipped than others to meet the burdens that would be imposed by Senate Bill Nos. 1045 and 1046, however, without assistance of any kind from the States or the courts, every municipality would be on its own to meet the myriad new requirements of the law.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Legislature is strongly urged to reject Senate Bill Nos. 1045 and 1046 and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the Governor, and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

**COUNCIL VOTE**

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

Approved:

Attest:

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

\_\_\_\_\_  
 Linda M. Silvestri,  
 Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 4, 2017

Presented by Councilman Castelli

RESOLUTION NO. 226-2017

**RESOLUTION EXPRESSING OPPOSITION OF PROPOSED LOCAL FINANCE  
BOARD RULE N.J.A.C. 5:30-18.1 AND 18.2 REGARDING EMPLOYEE  
COMPENSATION DISCLOSURE**

WHEREAS, notification was received that the Local Finance Board is proposing new rules N.J.A.C. 5:30-18.1 and 18.2 which would set forth public disclosure and hearing requirements for ratification of labor contracts and other compensation measures adopted by resolution; and

WHEREAS, certain aspects of these requirements are perceived to be detrimental to the interests of municipalities and their taxpayers as it would significantly delay the hire of new employees and ratification of labor contracts as well as increase advertising costs; and

WHEREAS, while there may be some merit to certain disclosures of public employee salary and benefits, this rule as proposed goes well beyond that scope as to overburden local officials with a time-consuming mandate; and

WHEREAS, no funding source was identified to cover the cost of the additional work to comply with these additional requirements; and

WHEREAS, this State's constitution requires the State to pay for State mandated programs and services.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ridgefield emphatically oppose the concept and the implementation of new rules N.J.A.C. 5:30-18.1 and 18.2 proposed by the Local Finance Board regarding employee compensation disclosure.

BE IT FURTHER RESOLVED that copies of this resolution be sent to all Bergen County State Legislators, the Governor's Office, the Local Finance Board, the Division of Local Government Services, and the New Jersey State League of Municipalities.

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli	X			
Acosta	X			
Penabad	X			
Shim	X			
Jimenez	X			
Kontolios	X			
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 October 4, 2017

Presented by Councilman Jimenez

RESOLUTION NO. 227-2017

WHEREAS, Eastcor Land Services, Inc has deposited a check in the amount of \$9,042.39 into the Suspense Account for the redemption and subsequent taxes of Tax Lien # 17-06, Block 3201 Lot 13, further known as 691 Hamilton Avenue, sold to TWR as CST for Ebury Fund 1NJ and whereas \$36,600.00 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 she is hereby authorized to issue and sign a check in the amount of \$9,042.39 from the Suspense Account and a check for \$36,600.00 from the Trust Account.

BE IT FURTHER RESOLVED that the check in the amount of \$9,042.39 be drawn on the Borough of Ridgefield Suspense account and the check for \$36,600.00 be drawn on the Borough of Ridgefield Trust account and be made payable to TWR as CST for Ebury Fund 1NJ, PO Box 37695, Baltimore, Maryland, 21297.

COUNCIL VOTE

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

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 4, 2017

Presented by Councilman Acosta

RESOLUTION NO. 228-2017

WHEREAS, Anthony Gibaldi obtained his CDL endorsement on April 25, 2017.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the position of Anthony Gibaldi be upgraded to DPW/Sanitation Driver.

BE IT FURTHER RESOLVED that Anthony Gibaldi receive a \$3,000.00 salary increase effective April 25, 2017.

**COUNCIL VOTE**

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

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 4, 2017

Presented by Councilman Acosta

RESOLUTION NO. 229-2017

BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that a  
Limousine License be issued to:

HYUNG JOON KIM

in accordance with Ordinance No. 1558.

COUNCIL VOTE

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

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

The undersigned, being the Chief Financial Officer of the Borough of Ridgefield, County of Bergen, New Jersey, and the person charged with the responsibility of maintaining financial records of said Borough in accordance with N.J.S.A. 40:4-57 and the rules of the Local Finance Board of the State of New Jersey adopted thereunder, does hereby certify that there are adequate funds available for the payment of the attached list of invoices, duly adopted by said Borough, and which said list indicates the specific line item of said budget to which expenditures shall be charged.

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Diane Sherry,  
Chief Financial Officer

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 4, 2017

Presented by Councilman Jimenez

RESOLUTION NO. 230-2017

BE IT RESOLVED, that warrants totaling **\$546,225.40**  
be drawn on the following accounts:

CURRENT	\$451,801.47
TRUST	\$54,237.63
CAPITAL	\$26,520.00
POOL	\$13,666.30
<b>TOTAL</b>	<b>\$546,225.40</b>

COUNCIL VOTE

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

Approved:

Attest:

\_\_\_\_\_  
Russell Castelli, Council President

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 4, 2017

Presented by Councilman Castelli

RESOLUTION NO. 231-2017

WHEREAS, the Mayor and Council of the Borough of Ridgefield had advertised for bids for the sale of Lots 10 and 11, Block 2902; and

WHEREAS, the Borough received one bid from Angelo Severino in the amount of \$226,500.00; and

WHEREAS, the Mayor and Council has made inquiry and determined that offer represents a fair price for the property; and

WHEREAS, the Mayor and Council previously determined that this property is not needed for public use;

NOW, THEREFORE, BE IT RESOLVED that the bid of Angelo Severino, in the amount of \$226,500, be accepted; and

BE IT FURTHER RESOLVED that Mayor, Borough Clerk and Borough Attorney be authorized and directed to further the process in terms of getting the contract of sale executed and arranging for the conveyance of the property.

**COUNCIL VOTE**

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

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Silvestri,  
Borough Clerk