

BOROUGH OF RIDGEFIELD

A G E N D A

Executive Session and Regular Meeting of the Mayor and Council

Date: September 21, 2016

Open Public Meetings Statement by Mayor Suarez

Public Session to Adjourn to C.T.O.: 6:30 P.M.
Executive Session: Adjourn: 6:31 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.: 6:31 P.M.
Adjourn: 6:55 P.M.

Public Session: 7:30 P.M. C.T.O.: 7:32 P.M.
Adjourn: 8:21 P.M.

Pledge of Allegiance

Invocation

Citizens Comment on Agenda: NONE

Correspondence:

Presentation by Bergen County Surrogate Michael Dressler

As advertised, hearing will be held on Ordinance No. 2310 entitled, “AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF RIDGEFIELD BY (1) ADDING A NEW CHAPTER TO THE CODE TO BE ENTITLED “SHORT TERM RENTAL PROPERTY PROHIBITION” AND (2) AMENDING ARTICLE VII OF CHAPTER 390 ENTITLED “SUPPLEMENTARY REGULATIONS” BY ADDING A NEW SECTION TO SAID ARTICLE”

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

Public Hearing

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	
Todd	X		X	
Vincentz				

ROLL CALL-EXEC. SESSION

	PRESENT	ABSENT
Mayor Suarez	X	
Castelli	X	
Acosta	X	
Penabad	X	
Shim	X	
Todd	X	
Vincentz	X	

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

Final Reading of Ordinance

Roll Call

CONSENT AGENDA:

249-2016	Councilman Acosta	Authorize to Advertise – Mason Dump Truck with Plow and Spreader
250-2016	Councilman Acosta	Purchase Pick Up Truck for DPW
251-2016	Councilman Penabad	Purchase SCBA Packs
252-2016	Mayor Suarez	Petition Port Authority of New York-New Jersey to Install Anti-Suicide Fence Along GW Bridge
253-2016	Councilman Castelli	Community Development Grant-Senior Citizen Trips
254-2016	Councilman Penabad	Property Maintenance Municipal Charges – 385 Mayer Court
255-2016	Councilman Penabad	Redemption of Tax Title Lien #16-05
256-2016	Councilman Penabad	Exempt Property Block 2902 Lot 10 and Block 2902 Lot 11
257-2016	Councilman Penabad	Stipulation of Settlement – Block 4014, Lot 10
258-2016	Councilman Acosta	Limousine License
259-2016	Councilman Acosta	Liquor License Renewal – Safargar & Sons
260-2016	Councilman Acosta	Designate Bus Stops – County Roads
261-2016	Councilman Acosta	Designate Bus Stops – Municipal Roads
262-2016	Councilman Castelli	Community Development Grant-Linden Avenue Road Resurfacing
263-2016	Councilman Acosta	Hire School Crossing Guard

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli	X			
Acosta	X			
Penabad	X			
Shim	X			
Todd	X			
Vincentz	X			
Mayor Suarez				

RESOLUTIONS:

264-2016 Councilman Penabad Warrants

COMMENTS BY MAYOR:

Request to Hang Banner – Bergen Boulevard:

Ridgefield Fire Department APPROVED
Fund Drive
September 27-October 31, 2016

Coin Toss Request:

RMHS Boys Basketball APPROVED
October 29, 2016

RMHS Football APPROVED
October 15, 2016

Ridgefield Music Parents APPROVED
November 19, 2016
April 22, 2017

Application for Raffles License:

Sts. Vartanantz Armenian Apostolic Church APPROVED
November 6, 2016 – 2:00 pm
50/50

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 September 21, 2016

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				
Todd				
Vincentz				
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 September 21, 2016

Presented by Councilman Castelli

ORDINANCE NO. 2310

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 CODE OF THE BOROUGH OF RIDGEFIELD BY (1) ADDING A NEW CHAPTER TO THE CODE TO BE ENTITLED “SHORT TERM RENTAL PROPERTY PROHIBITION” AND (2) AMENDING ARTICLE VII OF CHAPTER 390 ENTITLED “SUPPLEMENTARY REGULATIONS” BY ADDING A NEW SECTION TO SAID ARTICLE”

introduced on the 7th day of September 2016, 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			
Todd	X			
Vincentz	X			
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 7, 2016

Presented by Councilman Castelli

ORDINANCE NO. 2310

“AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF RIDGEFIELD BY
(1) ADDING A NEW CHAPTER TO THE CODE TO BE ENTITLED “SHORT TERM
RENTAL PROPERTY PROHIBITION” AND (2) AMENDING ARTICLE VII OF CHAPTER
390 ENTITLED “SUPPLEMENTARY REGULATIONS” BY ADDING A NEW SECTION TO
SAID ARTICLE”

WHEREAS, the New Jersey Legislature has, pursuant to N.J.S.A. 40:52-1(d) and (n), specifically authorized the governing bodies of municipalities, including the Borough of Ridgefield (“Borough”), to regulate “furnished and unfurnished rented housing or living units and all other places and buildings used for sleeping and lodging purposes, and the occupancy thereof” and the “rental of real property for a term of less than one hundred seventy-five (175) consecutive days for residential purposes by a person having a permanent place of residence elsewhere”; and

WHEREAS, the Borough has the power, pursuant to the Municipal Land Use Act, to appropriately regulate the uses of land and buildings; and

WHEREAS, the Borough also has the authority to exercise general police powers including the authority to enact and enforce ordinances, regulations and rules that it deems necessary and proper for the maintenance of good government, order and protection of persons and property, and for the preservation of public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, in recent years, there has been a proliferation of the practice of offering Dwelling Units for short term rentals of thirty (30) days or less, encouraged and made easier by the use of the internet and other media advertising; and

WHEREAS, the Mayor and Council concludes that Short Term Rentals (the rental of residential dwelling units for periods of less than thirty (30) days) frequently results in public nuisances, noise complaints, sanitation issues, overcrowding and illegal parking within residential neighborhoods, and essentially converts residential dwelling units into illegal de-facto hotels, motels, boarding houses and other similar commercial enterprises, in violation of the Borough’s zoning codes and other codes as well as state statutes; and

WHEREAS, the Borough wishes to deter the phenomenon of property owners renting their residential Dwelling Unit(s) on various websites, as well as the listing of Short Term Rental(s) by website businesses, of any Dwelling Unit(s), that constitute an illegal business operating in violation of the Borough’s Zoning Code and other public nuisance ordinances; and

WHEREAS, the Borough additionally seeks to prevent overcrowding, which the Mayor and Council finds is a natural byproduct of Short Term Rentals as property owners have a tendency to seek to reduce per-occupant costs and therefore unlawfully seek occupancy above limits provided by law and at intensities that are unhealthy; and

WHEREAS, the Mayor and Council finds that Short Term Rentals allow property owners and their agents to operate what in effect are commercial motels and boarding-house type enterprises which result in overcrowded conditions and other public nuisances in order to maximize profits; and

WHEREAS, the problems frequently associated with such Short Term Rental(s) include overcrowding, excessive noise, unruly behavior, obscene language, fighting, littering, parking of vehicles on lawns, public urination, sanitation issues, poor maintenance of the property and grounds, and violation of trash collection ordinances.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Ridgefield, County of Bergen and State of New Jersey as follows:

SECTION I.

The Code of the Borough of Ridgefield be and hereby is amended by adding a new Chapter, to be entitled "Short Term Rental Property Prohibition", and read as follows:

Section ___-1 Findings.

A. The Mayor and Council hereby finds and adopts, as if set forth more fully herein, the fact assertions of the "Whereas" clauses of this Ordinance, as its findings of fact.

Section ___-2 Short Term Rental Property Prohibited Uses.

A. Notwithstanding anything to the contrary contained in the Borough Code, it shall be unlawful for an Owner, lessor, sub-lessor, any other person(s) or entity(ies) with possessory or use right(s) in a Dwelling Unit, their principals, partners or shareholders, or their agents, employees, representatives and other person(s) or entity(ies), acting alone or in concert or a combination thereof, to receive or obtain actual or anticipated consideration for soliciting, advertising, offering, and/or permitting, allowing, or failing to discontinue the use or occupancy of any Dwelling Unit, as defined herein, for a rental period of thirty (30) days or less.

B. Nothing in this Ordinance will prevent operation of an otherwise lawful occupancy of a Dwelling Unit for a rental period of more than thirty (30) days.

Section___-3 Definitions.

ADVERTISE or ADVERTISING

Any form of solicitation, promotion, and communication for marketing, used to solicit, encourage, persuade or manipulate viewers, readers or listeners into contracting for goods and/or services in violation of this Ordinance, as same may be viewed through various media including but not limited to, newspapers, magazines, flyers, handbills, pamphlets, commercials, radio, direct mail, internet websites, or text or other electronic messages for the purpose of establishing occupancies or uses of rental property, for consideration, which are prohibited by this Ordinance.

CONSIDERATION

Soliciting, charging, demanding, receiving or accepting any legally recognized form of consideration including a promise or benefit, a quid-pro-quo, cash rent, fees, other form of payment, remuneration or thing of value.

DWELLING UNIT

Any structure, or portion thereof, whether furnished or unfurnished, which is occupied in whole or in part, or intended, arranged or designed to be occupied, for sleeping, dwelling, cooking, gathering and/or entertaining, as a residential occupancy, by one or more persons. This definition includes an apartment, condominium, building, co-operative, converted space, or portions thereof, that is offered to use, made available for use, or is used for accommodations, lodging, cooking, sleeping, gathering and/or entertaining of occupants and/or guest(s), for consideration, for a period of thirty (30) days or less.

HOUSEKEEPING UNIT

Constitutes a family-type unit, involving one or more persons, living together that exhibit the kind of stability, permanency and functional lifestyle equivalent to that of a traditional family unit, as further described in the applicable reported and unreported decisions of the New Jersey Superior Court.

OCCUPANT

Any individual using, inhabiting, living, gathering, entertaining, being entertained as a guest, or sleeping in a Dwelling Unit, or portion thereof, or having other permission or possessor right(s) within a Dwelling Unit.

OWNER

Any person(s) or entity(ies), association, limited liability company, corporation, or partnership, or any combination, who legally use, possess, own, lease, sub-lease or license (including an operator, principal, shareholder, director, agent, or employee, individual or collectively) that has charge, care, control, or participates in the expenses and/or profit of a Dwelling Unit pursuant to a written or unwritten agreement, rental, lease, license, use, occupancy agreement or any other agreement.

PERSON

An individual, firm, corporation, association, partnership, limited liability company, association, entity, and any person(s) and/or entity(ies) acting in concert or any combination therewith.

RESIDENTIAL OCCUPANCY

The use of a Dwelling Unit by an Occupant(s).

Section ___-4 Permitted Uses.

A. The residential occupancy of an otherwise lawfully occupied Dwelling Unit for a period of thirty (30) days or less by any person who is a member of the Housekeeping Unit of the Owner, without consideration, such as house guests, is permitted.

B. The residential occupancy of an otherwise lawfully occupied Dwelling Unit for a period of thirty (30) days or less where the Dwelling Unit has received zoning approval as a hotel, motel or boarding house, and the Dwelling Unit is otherwise licensed and/or permitted as required by applicable laws and regulations.

Section ___-5 Advertising Prohibited.

A. It shall be unlawful to advertise, solicit or promote by any means actions in violation of this Ordinance.

Section ___-6 Enforcement; Violations and Penalties.

A. The provisions of this Ordinance shall be enforced by the Building Code Official, Fire Official, Health Department, other Sub-Code or Code Official, as their jurisdiction may arise, including legal counsel for the Borough or other persons designated by the Borough Council, to issue municipal civil infractions directing alleged violators of this Ordinance and/or to appear in court or file civil complaints.

B. A violation of this Ordinance is hereby declared to be a public nuisance, a nuisance per se, and is hereby further found and declared to be offensive to the public health, safety and welfare.

C. Any person found to have violated any provision of this Ordinance, without regard to intent or knowledge, shall be liable for the maximum civil penalty, upon adjudicated violation or admission, of a fine not exceeding \$1,250. Each day of such violations shall be a new and separate violation of this ordinance.

D. The penalty imposed herein shall be in addition to any and all other remedies that may accrue under any other law, including, but not limited to, eviction proceedings and/or injunction, reasonable attorney's fees or other fees and costs, in the Borough's Municipal Court or the Superior Court of New Jersey in the vicinage of Bergen County, or in such

other Court or tribunal of competent jurisdiction, by either summary disposition or by zoning or construction code municipal proceeding.

Section II.

Article VII of Chapter 390 of the Code of the Borough of Ridgefield, entitled “Supplementary Regulations” be, and hereby is, amended by adding to the existing Sections of said Article a new Section to be numbered by the Borough’s Code Publisher as follows:

Section 390-_____. Short Term Rentals Prohibited.

Notwithstanding any other contrary provisions as contained in this Ordinance, the renting or leasing of a Dwelling Unit for residential occupancy for a period of thirty (30) days or less is not a permitted use by or within the Borough of Ridgefield as more specifically provided in Ordinance No. _____-2016, as appears in the Ridgefield Code, the terms and provisions of which are incorporated into this provision of the Zoning Ordinance.

Section III. Repealer.

All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflicts.

Section IV. Severability.

If any section, part of any section, or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance, and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section V. This Ordinance shall take effect immediately upon passage and publication according to law.

Section VI: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 21, 2016

Presented by Councilman Acosta

RESOLUTION NO. 249-2016

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Borough Clerk be and she is hereby authorized to advertise for

“BIDS FOR MASON DUMP TRUCK WITH PLOW AND SPREADER”

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli	X			
Acosta	X			
Penabad	X			
Shim	X			
Todd	X			
Vincenz	X			
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 21, 2016

Presented by Councilman Acosta

RESOLUTION NO. 250-2016

**RESOLUTION AUTHORIZING THE PURCHASE OF A NEW 2017 SUPER DUTY
F-250 SRW XL 4WD REG CAP 8' BOX**

WHEREAS, the Department of Public Works is in need of a new truck; and

WHEREAS, the vehicle can be purchased from a vendor under the State of New Jersey Purchasing Program, state contract #A88727; and

WHEREAS, Beyer Ford, 170 Ridgedale Ave., Morristown, NJ 07960 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 \$35,117.00 and funding for this purchase is available through Bond Ordinance 2307, account number 04-2150-55-2307-001, as evidenced by the Borough's Chief Financial Officer's certificate attached hereto; now be it

RESOLVED, that the Chief Financial Officer is authorized to approve and forward a purchase order to Beyer Ford, 170 Ridgedale Ave., Morristown, NJ 07960 for the purchase of one 2017 Ford Super Duty truck in an amount not to exceed \$35,117.00.

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			
Todd	X			
Vincentz	X			
Mayor Suarez				

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 21, 2016

Presented by Councilman Penabad

RESOLUTION NO. 251-2016

WHEREAS, the Fire Department is in need of 30 new SCBA packs; and

WHEREAS, the equipment can be purchased from a vendor under the State of New Jersey Purchasing Program, state contract #A80961; and

WHEREAS, New Jersey Fire Equipment Company 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 \$262,089.00 and funding for this purchase is available through Bond Ordinance 2307, account number 04-2150-55-2307-004, as evidenced by the Borough's Chief Financial Officer's certificate attached hereto; now be it

RESOLVED, that the Chief Financial Officer is authorized to approve and forward a purchase order to New Jersey Fire Equipment Company, 119-131 Rt. 22, Green Brook, NJ 08812 for the purchase of 30 SCBA, 60 carbon wrap cylinders ,70 facemasks and first year testing as per quote dated July 28, 2016 in an amount not to exceed \$262,089.00.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli	X			
Acosta	X			
Penabad	X			
Shim	X			
Todd	X			
Vincentz	X			
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 21, 2016

Presented by Mayor Suarez

RESOLUTION NO. 252-2016

WHEREAS, the Port Authority of New York-New Jersey owns and operates the George Washington Bridge spanning the Hudson River between the Borough of Fort Lee and the City of New York; and

WHEREAS, there is a pedestrian walkway along the George Washington Bridge which is open to the public; and

WHEREAS, the guardrail along the aforesaid walkway is not sufficiently high to prevent persons from jumping off the Bridge to their deaths; and

WHEREAS, over the past year, there have been 8 reported suicides resulting from persons jumping off of the George Washington Bridge, two of which occurred as recently as the week of July 10, 2016; and

WHEREAS, the Borough Council finds that the installation of higher fencing along the pedestrian walkway on the George Washington Bridge would dissuade persons from attempting suicide and would save lives.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ridgefield hereby petition the Port Authority of New York-New Jersey to install an anti-suicide fence along the pedestrian walkway on the George Washington Bridge; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to provide a copy of this resolution to the Port Authority of New York-New Jersey, Governor Andrew Cuomo, Governor Chris Christie, and District 36 Legislators.

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			
Todd	X			
Vincentz	X			
Mayor Suarez				

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 21, 2016

Presented by Councilman Castelli

RESOLUTION NO. 253-2016

WHEREAS, a Bergen County Community Development grant of \$10,000 has been proposed by the Borough of Ridgefield for *Senior Citizen Trips* in the municipality of the Borough of Ridgefield; and,

WHEREAS, pursuant to the State Inter local Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and,

WHEREAS, the aforesaid project is in the best interest of the residents of the Borough of Ridgefield; and,

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Ridgefield hereby confirms endorsement of the aforesaid project.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli	X			
Acosta	X			
Penabad	X			
Shim	X			
Todd	X			
Vincentz	X			
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 21, 2016

Presented by Councilman Penabad

RESOLUTION NO. 254-2016

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:

385 Mayer Court Block 3802 Lot 1 \$250.00

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			
Todd	X			
Vincentz	X			
Mayor Suarez				

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 21, 2016

Presented by Councilman Penabad

RESOLUTION NO. 255-2016

WHEREAS, Mehdi Kassai has deposited a check in the amount of \$6,834.93 into the Suspense Account for the redemption and subsequent taxes of Tax Lien # 16-05, Block 2204 Lot 18, further known as 4 Hillside Court, sold to Clemente Enterprises, LLC and whereas \$11,000.00 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 she is hereby authorized to issue and sign a check in the amount of \$6,834.93 from the Suspense Account and a check for \$11,000.00 from the Trust Account.

BE IT FURTHER RESOLVED that the check in the amount of \$6,834.93 be drawn on the Borough of Ridgefield Suspense account and the check for \$11,000.00 be drawn on the Borough of Ridgefield Trust account 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			
Acosta	X			
Penabad	X			
Shim	X			
Todd	X			
Vincentz	X			
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 21, 2016

Presented by Councilman Penabad

RESOLUTION NO. 256-2016

WHEREAS, the Tax Assessor, in his letter dated September 12, 2016, has exempt properties at Block 2902 Lot 10 and Block 2902 Lot 11 because these properties were transferred to the Borough of Ridgefield in exchange for Block 2402 Lot 1.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Tax Collector is hereby authorized to cancel 100% of said taxes, on Block 2902 Lot 10 and Block 2902 Lot 11, for the year 2016 and forward.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli	X			
Acosta	X			
Penabad	X			
Shim	X			
Todd	X			
Vincentz	X			
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 21, 2016

Presented by Councilman Penabad

RESOLUTION NO. 257-2016

WHEREAS, Bruce J. Stavitsky, Esq., representing Ridgefield Holding Corp. filed a tax appeal challenging assessments at 65 Railroad Ave., Block 4014, Lot 10 for tax years 2013-2016; and

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

LAND:	\$ 6,850,000
IMPROVEMENTS:	\$10,857,700
TOTAL:	\$17,707,700

WHEREAS, the parties having exchanged discovery and appraisal reports 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; and

WHEREAS, the Resolution to approve this settlement adopted by the governing body during the September 7, 2016 meeting, (Resolution No. 236-2016), contained a typographical error in regards to the tax years under appeal; a corrective Resolution is now submitted for approval;

NOW, THEREFORE, BE IT RESOLVED by the Governing body that it does hereby authorize and approve a proposed settlement as follows:

1. For 2015, the assessment shall be adjusted to:

LAND	\$ 6,850,000
IMPROVEMENTS:	\$10,450,000
TOTAL:	\$17,300,000

2. For 2016, the assessment shall be adjusted to:

LAND	\$ 6,850,000
IMPROVEMENTS:	\$10,150,000
TOTAL:	\$17,000,000

3. The Freeze Act (N.J.S.A. 54:51A-8) shall apply to tax year 2017 based on the judgement to be entered for 2016 (Base Year).
4. In consideration for the foregoing reductions, the taxpayer agrees to withdraw its appeals for tax years 2013 and 2014.
5. 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.
6. 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.
7. 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	X			
Acosta	X			
Penabad	X			
Shim	X			
Todd	X			
Vincentz	X			
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 21, 2016

Presented by Councilman Acosta

RESOLUTION NO. 258-2016

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			
Todd	X			
Vincentz	X			
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 21, 2016

Presented by Councilman Acosta

RESOLUTION NO. 259-2016

BE IT RESOLVED, that Liquor Licenses be issued to the following applicants pursuant to an Act of Legislature of the State of New Jersey, entitled, "AN ACT CONCERNING ALCOHOLIC BEVERAGES" passed December 6, 1953 and amendments thereto, and the Borough Ordinance 498 entitled, "AN ORDINANCE CONCERNING ALCOHOLIC BEVERAGES" adopted July 2, 1946, and amendments thereto, such licenses to expire July 1, 2016 and paid to June 30, 2017.

<u>NAME OF LICENSEE</u>	<u>ADDRESS</u>	<u>STATE LICENSE</u>
<i>PLENARY RETAIL CONSUMPTION</i>		
Safargar & Sons LLC		0249-33-003-013

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli	X			
Acosta	X			
Penabad	X			
Shim	X			
Todd	X			
Vincentz	X			
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 21, 2016

Presented by Councilman Acosta

RESOLUTION NO. 260-2016

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield, County of Bergen and State of New Jersey.

That pursuant to N.J.S.A. 39-4-8(e) the following described locations are **designated as bus stops:**

RIDGEFIELD COUNTY ROADS

1. **Along Hendricks Causeway(CR 124), eastbound, on the southerly side thereof at:**
 - a. Victoria Terrace – (near side)
Beginning at the westerly curblineline of Victoria Terrace and extending 105 feet westerly therefrom (13234).
 - b. Fulton Place – (near side) (prolongation)
Beginning at the prolongation of the westerly curblineline of Fulton Place and extending 105 feet westerly therefrom (13236).
2. **Along Hendricks Causeway(CR 124), westbound, on the northerly side thereof at:**
 - a. Fulton Place – (near side)
Beginning at the easterly curblineline of Fulton Place and extending 105 feet easterly therefrom (13237).
 - b. Victoria Terrace – (near side) (prolongation)
Beginning at the prolongation of the easterly curblineline of Victoria Terrace and extending 105 feet easterly therefrom (13238).
3. **Along Maple Avenue (CR S-31), eastbound, on the southerly side thereof at:**
 - a. Broad Avenue – (far side)
Beginning at the easterly curblineline of Broad Avenue and extending 100 feet easterly therefrom (13239).

- b. Prospect Avenue – (near side)
Beginning at the westerly curbline of Prospect Avenue and extending 105 feet westerly therefrom (13240).
- c. Abbott Avenue – (near side)
Beginning at the westerly curbline of Abbott Avenue and extending 105 feet westerly therefrom (13241).
- d. Shaler Boulevard – (near side)
Beginning at the westerly curbline of Shaler Boulevard and extending 105 feet westerly therefrom (13242).

4. Along Maple Avenue (CR S-31), westbound, on the northerly side thereof at:

- a. Abbott Avenue – (near side)
Beginning at the easterly curbline of Abbott Avenue and extending 105 feet easterly therefrom (13243).
- b. Prospect Avenue – (far side)
Beginning at the westerly curbline of Prospect Avenue and extending 100 feet westerly therefrom (13244).
- c. Broad Avenue – (near side)
Beginning at the easterly curbline of Broad Avenue and extending 105 feet easterly therefrom (13245).

5. Along Shaler Boulevard (CR 31), northbound, on the easterly side thereof at:

- a. Charlotte Terrace – (near side) (prolongation)
Beginning at the prolongation of the southerly curbline of Charlotte Terrace and extending 105 feet southerly therefrom (13246).
- b. Elite Court – (near side)
Beginning at the southerly curbline of Elite Court and extending 105 feet southerly therefrom (13247).
- c. Hamilton Street – (near side)
Beginning at the southerly curbline of Hamilton Street and extending 105 feet southerly therefrom (13248).
- d. Day Avenue – (near side)
Beginning at the southerly curbline of Day Avenue and extending 105 feet southerly therefrom (13249).

- e. Edgewater Avenue – (far side)
Beginning at the northerly curblineline of Edgewater Avenue and extending 100 feet northerly therefrom (13250).
- f. Banta Place – (far side)
Beginning at the northerly curblineline of Edgewater Avenue and extending 100 feet northerly therefrom (13251).
- g. Slocum Avenue – (near side)
Beginning at the southerly curblineline of Slocum Avenue and extending 105 feet southerly therefrom (13252).
- h. Elm Avenue – (near side)
Beginning at the southerly curblineline of Elm Avenue and extending 105 feet southerly therefrom (13253).
- i. Maple Avenue – (near side)
Beginning at the southerly curblineline of Maple Avenue and extending 105 feet southerly therefrom (13254).

6. Along Shaler Boulevard (CR 31), southbound, on the westerly side thereof at:

- a. Elm Avenue – (near side)
Beginning at the northerly curblineline of Elm Avenue and extending 105 feet northerly therefrom (13255).
- b. Slocum Avenue – (near side) (prolongation)
Beginning at the prolongation of the northerly curblineline of Slocum Avenue and extending 105 feet northerly therefrom (13256).
- c. Banta Place – (near side)
Beginning at the northerly curblineline of Banta Place and extending 105 feet northerly therefrom (13257).
- d. Englehardt Terrace – (far side)
Beginning at the southerly curblineline of Englehardt Terrace and extending 100 feet southerly therefrom (13258).
- e. Lancaster Road – (near side)
Beginning at the northerly curblineline of Lancaster Road and extending 105 feet northerly therefrom (13259).
- f. Elizabeth Avenue – (near side)
Beginning at the northerly curblineline of Elizabeth Avenue and extending 105 feet northerly therefrom (13260).

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli	X			
Acosta	X			
Penabad	X			
Shim	X			
Todd	X			
Vincenz	X			
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 21, 2016

Presented by Councilman Acosta

RESOLUTION NO. 261-2016

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield, County of Bergen and State of New Jersey.

That pursuant to N.J.S.A. 39-4-8(e) the following described location is **designated as bus stop:**

RIDGEFIELD MUNICIPAL ROADS

1. Along Fulton Place, southbound, on the westerly side thereof
at:

- a. Hendricks Causeway – (near side)
Beginning at the westerly curblin of Hendricks Causeway and extending 105 feet westerly therefrom (location 13233).

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli	X			
Acosta	X			
Penabad	X			
Shim	X			
Todd	X			
Vincentz	X			
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 21, 2016

Presented by Councilman Castelli

RESOLUTION NO. 262-2016

WHEREAS, a Bergen County Community Development grant of \$125,000 has been proposed by the Borough of Ridgefield for *Linden Avenue Road Resurfacing* in the municipality of the Borough of Ridgefield; and,

WHEREAS, pursuant to the State Inter Local Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and,

WHEREAS, the aforesaid project is in the best interest of the residents of the Borough of Ridgefield; and,

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ridgefield hereby confirms endorsement of the aforesaid project.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli	X			
Acosta	X			
Penabad	X			
Shim	X			
Todd	X			
Vincentz	X			
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 21, 2016

Presented by Councilman Acosta

RESOLUTION NO. 263-2016

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

JOANNE DOBRZYNSKI

be hired as a school crossing guard for the 2016/2017 school year at the hourly rate of \$12.90.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli	X			
Acosta	X			
Penabad	X			
Shim	X			
Todd	X			
Vincentz	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.

Diane Sherry,
Chief Financial Officer

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 21, 2016

Presented by Councilman Penabad

RESOLUTION NO. 264-2016

BE IT RESOLVED, that warrants totaling **\$1,917,455.34**
be drawn on the following accounts:

CURRENT	\$1,552,583.66
TRUST	\$118,748.57
CAPITAL	\$205,370.60
POOL	\$33,976.29
DOG LICENSE	\$73.80
UNEMPLOYMENT FUND	\$6,702.42
TOTAL	\$1,917,455.34

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli	X			
Acosta	X			
Penabad	X			
Shim	X			
Todd	X			
Vincentz	X			
Mayor Suarez				

Approved:

Attest:

Russell Castelli, Council President

Linda M. Silvestri,
Borough Clerk