

BOROUGH OF RIDGEFIELD

A G E N D A

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

Date: April 27, 2009

Open Public Meetings Statement by Mayor Suarez

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

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

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

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

Pledge of Allegiance

Invocation: Reverend Janet Blair, Zion Lutheran Church

Citizens Comment on Agenda:

Correspondence:

ROLL CALL-WORK SESSION

	PRESENT	ABSENT
Mayor Suarez		
Lonzisero		
Todd		
Vincentz		
Severino		
Castelli		
Acosta		

ROLL CALL-EXEC. SESSION

	PRESENT	ABSENT
Mayor Suarez		
Lonzisero		
Todd		
Vincentz		
Severino		
Castelli		
Acosta		

ROLL CALL-PUBLIC SESSION

	PRESENT	ABSENT
Mayor Suarez		
Lonzisero		
Todd		
Vincentz		
Severino		
Castelli		
Acosta		

Environmental Commission Earth Day Poster Contest Winners

As advertised, hearing will be held on Ordinance No. 2084 entitled, “AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE PLACEMENT OF FACILITIES AND THE ESTABLISHMENT OF CABLE TELEVISION SERVICE IN THE BOROUGH OF RIDGEFIELD, COUNTY OF BERGEN AND STATE OF NEW JERSEY”

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

Public Hearing

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

Final Reading of Ordinance

Roll Call

As advertised, hearing will be held on Ordinance No. 2085 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 131 'ANIMALS', ARTICLE II "DOMESTIC ANIMALS" SECTION 131-8 "LICENSE FEES: EXPIRATION DATE", IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE DEPARTMENT OF HEALTH"

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

Public Hearing

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

Final Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2086 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 23 "DEFENSE AND INDEMNIFICATION OF OFFICIALS AND EMPLOYEES", SECTION 23-7 "BOROUGH NOT TO BE LIABLE" TO REQUIRE ADEQUATE NOTICE TO THE GOVERNING BODY"

Introduction of Ordinance

Roll Call

Introduction of Ordinance No. 2087 entitled, "AN ORDINANCE AMENDING CHAPTER 375, ARTICLE X "ALTERNATE SIDE OF STREET PARKING", SECTION 375-36 OF THE CODE OF THE BOROUGH OF RIDGEFIELD"

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2088 entitled, “AN ORDINANCE AMENDING CHAPTER 375, VEHICLES AND TRAFFIC, ARTICLE II, “PARKING, STOPPING AND STANDING ON SPECIFIC STREETS” OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2089 entitled, “AN ORDINANCE AMENDING CHAPTER 375 ARTICLE XVI OF THE CODE OF THE BOROUGH OF RIDGEFIELD, PARKING FOR MOBILITY HANDICAPPED PERSONS”

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2090 entitled, “AN ORDINANCE REQUIRING DUMPSTERS AND OTHER REFUSE CONTAINERS THAT ARE OUTDOORS OR EXPOSED TO STORM WATER TO BE COVERED”

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2091 entitled, “AN ORDINANCE REQUIRING PRIVATE STORM DRAIN INLET RETROFITTING”

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2092 entitled, “AN ORDINANCE ESTABLISHING THE BOROUGH OF RIDGEFIELD ETHICS IN AUTONOMOUS BOARDS ACT”

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2093 entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 366 “TOW TRUCKS”, SECTION 366-12 “ISSUANCE OR

DENIAL OF LICENSE”, TO CHANGE THE NUMBER OF ALLOWABLE TOW TRUCK COMPANIES FROM FOUR TO SIX”

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2094 entitled, “AN ORDINANCE ESTABLISHING THE BOROUGH OF RIDGEFIELD ETHICS IN LAND USE ACT”

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2095 entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 375 “VEHICLES AND TRAFFIC”, ARTICLE XX “PERMIT PARKING”, SECTION 375-61 “RESIDENT PERMIT PROGRAM” TO ADD STREETS IN ACCORDANCE WITH THE FINDINGS OF THE CHIEF OF POLICE”

First Reading of Ordinance

Roll Call

PROPOSED CONSENT AGENDA:

	Motion:	Second:
161-2009	Councilman Castelli	Appointment to Recreation Committee
162-2009	Councilman Vincentz	Authorize Auction of Borough Vehicles
163-2009	Mayor Suarez	Proclamation-National Donate Life Month
164-2009	Councilman Todd	Environmental Commission Annual Cleanup Day
165-2009	Councilman Vincentz	Authorize Payment Schedule for Owed Accumulated Time-R. Stoltenborg
166-2009	Mayor Suarez	Proclamation-Food Allergy Awareness Week
167-2009	Councilman Lonziserio	Agree to Pay Monthly Cost Associated With Flashing Advance Pedestrian Crossing Signs-Grand Avenue at Linden and Elm Avenues
168-2009	Mayor Suarez	Proclamation-Myasthenia Gravis Awareness Month
169-2009	Councilman Lonziserio	Support Click It or Ticket Enforcement Campaign
170-2009	Councilman Severino	2008 Recycling Tonnage Grant
171-2009	Councilman Severino	2008 Recycling Tonnage Grant Tax Reimbursement
172-2009	Mayor Suarez	Proclamation-National Infant Immunization Week
173-2009	Councilman Vincentz	Stipulation of Settlement-Texagon Mills

174-2009	Councilman Vincentz	Professional Service Agreement-Borough Auditor
175-2009	Mayor Suarez	Proclamation-National Start! Walking Day
176-2009	Councilman Todd	Authorize to Advertise-Fire Pumper
177-2009	Mayor Suarez	Appoint P/T Property Maintenance Inspector
178-2009	Councilman Vincentz	Accept Donation of Vehicle
179-2009	Councilman Vincentz	Professional Service Agreement-Engineer
180-2009	Councilman Severino	Award Bid-Four Wheel Drive Dump Truck with Snow Plow
181-2009	Councilman Vincentz	Authorize Jenne & Assoc. Proposal #R09003-Salt Storage Facility
182-2009	Councilman Vincentz	Authorize Jenne & Assoc. Proposal #R09002-Ambulance Corps. Roof Replacement
183-2009	Councilman Vincentz	Authorize Jenne & Assoc. Proposal #R09001-FY2001 CDBG Project-Sanitary Sewer Repairs
184-2009	Councilman Severino	Salary Increase-N. Gambardella
185-2009	Councilman Vincentz	Stipulation of Settlement-Ratgovan

COUNCIL VOTE

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

RESOLUTIONS:

186-2009	Councilman Vincentz	Warrants
187-2009	Councilman Castelli	Censure of Councilman Todd
188-2009	Councilman Vincentz	Chapter 159-NJMC 2009 Municipal Alliance Grant

COMMENTS BY MAYOR:

Social Affair Permit Application:

Ridgefield Fire Department
 Spaghetti Dinner Fundraiser
 Saturday, May 16, 2009
 7:00 p.m.-Midnight
 725 Slocum Avenue

Raffles License Application:

St. Matthews Roman Catholic Church
 50/50
 June 28, 2009 – 1:15 p.m.

555 Prospect Avenue

Fairview Hose Company #3
On-premise 50/50
May 16, 2009 – 7:00 p.m.-Midnight
725 Slocum Avenue

Fairview Hose Company #3
Penny Auction
May 16, 2009 – 7:00 p.m.-Midnight
725 Slocum Avenue

Probationary/Auxiliary Firefighter Application:

Daniel Cintron
274 13th Street, Palisades Park
Company No. 1

Special Permission:

American Legion
Coin Toss
Saturday, May 2, 2009 – 9:00 am-2:00 pm
Shaler Boulevard and Edgewater Avenue
Shaler Boulevard and Broad Avenue
Edgewater Avenue and Bergen Boulevard

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,

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

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

- Niram Arbitration Proceedings
- Pfister Chemical, Inc. v. Borough of Ridgefield
- Field Turf Draft Settlement Agreement

_____ Tax Court Litigation.

_____ Potential real estate transactions in which the Borough may engage.

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.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Vincentz

ORDINANCE NO. 2084

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

“AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE PLACEMENT OF FACILITIES AND THE ESTABLISHMENT OF CABLE TELEVISION SERVICE IN THE BOROUGH OF RIDGEFIELD, COUNTY OF BERGEN AND STATE OF NEW JERSEY”

introduced on the 23rd day of March, 2009 do now pass a final reading and be adopted, and that the Borough Clerk be and he 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

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 23, 2009

Presented by Councilman Vincentz

ORDINANCE NO. 2084

"AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE PLACEMENT OF FACILITIES AND THE ESTABLISHMENT OF CABLE TELEVISION SERVICE IN THE BOROUGH OF RIDGEFIELD, COUNTY OF BERGEN AND STATE OF NEW JERSEY."

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

WHEREAS, on July 28, 1986 the Mayor and Council of the Borough of Ridgefield adopted Ordinance No. 1312, which granted its consent to Vision Cable Television Company, Inc., predecessor in interest to TWFanch-one Co., ("Company"), to place in and upon certain highways, streets, alleys, sidewalks, public ways and other public places in the Borough of Ridgefield, poles, wires, cables, underground conduits, manholes and other television conductors and fixtures necessary for the maintenance and operation of a cable television and cable communication system in the Borough of Ridgefield; and

WHEREAS, the Borough has determined that the Company has complied with the terms and conditions of its existing franchise and has provided quality service to the residents of the Borough and has demonstrated that it has the financial and technical ability to continue to provide such service to the Borough in accordance with the terms of its franchise;

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

Section I. Purpose of the Ordinance

The Municipality hereby grants to TWFanch-one Co.[doing business as Time Warner Cable] "Company", which name is designated on the amended application and filed with the Board of Public Utilities of the State of New Jersey, its non-exclusive consent to place in, upon, along, across, above, over and under the highways, streets, alleys, sidewalks, public ways and public places in the Municipality, poles, wire, cables, underground conduits, manhole and other television conductors and fixtures necessary for the maintenance and operation in the Municipality of a cable television system and cable communications system. All of the commitments and statements contained in the application and any amendment thereto submitted in writing to the Municipality by the Company except as modified herein, are binding upon the Company as current conditions of this Consent. The Application, the contents of which may be modified by the Company from time to time in the ordinary course of business, provided that such modifications do not materially reduce the benefits to be provided to the municipality or

subscribers, shall be annexed hereto and made a part hereof as long as it does not conflict with State or federal law.

Section II. Definitions

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Such meaning or definition of terms is supplemental to those definitions given under federal law, including but not limited to the rules and regulations of the Federal Communications Commission (47 C.F.R. §76.1 et seq.) and the Communications Act of 1934, (47 U.S.C. §521 et seq as amended) and the Cable Television Act (N.J.S.A. 48:5A-1 et seq.) and shall in no way be construed to broaden, alter or conflict with the Federal or State definitions:

(a) "Municipality" is the Borough of Ridgefield, County of Bergen, in the State of New Jersey.

(b) "Company" or "company" is the grantee of rights under this Ordinance and is known as TWFanch-one Co., which name is designated on the amended application filed with the Board of Public Utilities of the State of New Jersey, and which does business as Time Warner Cable.

(c) "Act" or "Cable Television Act" is Chapter 186 of the General Laws of New Jersey, 1972, Section 48:5A-1 et seq., as amended.

Section III. Statement of Findings

Public hearings concerning the franchise herein granted to the Company were held after proper public notice pursuant to the terms and conditions of the Act, the informal renewal proceedings initiated by the Company by letter dated March 18, 1999, and communications with the Board of Public Utilities and on dates meeting the approval of representatives of all applicants. The hearings have been held as above stated and have been fully open to the public, and the Municipality having received at these hearings all comments regarding the qualifications of the Company to receive this franchise, the Municipality hereby finds that the Company possesses the necessary legal, technical, character, financial and other qualifications, and that the Company's operating and construction arrangements are adequate and feasible. On July 23, 2001 the Municipality adopted Ordinance No. 1755 which granted continued municipal consent to the Company to own and operate its cable television and cable communications system in the Borough for a term of five years. Thereafter, the Company filed a Petition with the New Jersey Board of Public Utilities, pursuant to N.J.S.A. 48:5A-17, as well as under federal law, in which the Company contended that a term of five years was insufficient and unlawful. This matter was subsequently assigned to an Administrative Law Judge and settlement discussions were commenced. As a result, a settlement has been reached, pursuant to which the within ordinance is being adopted by the Borough.

Section IV. Duration of Franchise

The consent herein granted shall expire on October 6, 2011, which date is ten years from the date of expiration of the Company's Renewal Certificate of Approval issued by the Board of Public Utilities in Docket No. CE97040218.

Section V. Franchise Expiration and Renewal

If the Company seeks a successive consent, it shall prior to the expiration of this consent, apply for a municipal consent and Certificate of Approval in accordance with the Cable Television Act and applicable State and Federal Rules and Regulations. In accordance with the law relating thereto, this consent shall continue in effect until such time that a decision is made relative to the renewal of said Certificate of Approval.

Section VI. Franchise Fee

Pursuant to the terms and conditions of the Act, the Company shall, during each year of operation under the consent granted herein, pay to the Municipality, two percent (2%) of the gross revenues from all recurring charges in the nature of the subscription fees paid from subscribers to its cable television reception service in the Municipality, or such other amount that may be awarded pursuant to the municipality's petition under N.J.S.A. 48:5A-30(c) of the Act.

Section VII. Franchise Territory

The consent granted herein to the Company shall apply to the entirety of the Borough of Ridgefield, and any property hereafter annexed by the Municipality by law.

Section VIII. Construction Timetable

The Company shall be required to complete any proposed construction within the service area described in the application. Any timetable as presented in the application incorporated herein has been determined to be reasonable by the Municipality.

Section IX. Extension of Service

The Company shall be required to proffer service along any public right-of-way to any person's residence or business located in those areas of the franchise territory described herein, in accordance with the proposal for the provision of services as described in the application. Any additional extension of the system will be made in accordance with the line extension policy in the application.

Section X. Construction Requirements

Restoration: In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways or other surfaces in the natural topography, the Company shall at its sole expense restore and replace such places or things so disturbed in as good condition as existed prior to the commencement of said work.

Relocation: If any time during the period of this consent the Municipality shall alter or change the grade of any street, alley or other way or place, the Company, upon reasonable notice by the Municipality, shall remove, re-lay and relocate its equipment at the expense of the Company.

Temporary Removal of Cables: The Company shall temporarily move or remove appropriate parts of its facilities to allow moving of buildings, machinery or in other similar circumstances. The expense shall be borne by the party requesting such action except when requested by the Municipality, in which case the Company shall bear the cost.

Removal or Pruning Trees: During the exercise of its rights and privileges under this franchise, the Company shall have the authority to prune trees upon and overhanging streets, alleys, sidewalks and public places of the Municipality so as to prevent the branches of such trees from coming in contact with the wires and cables of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance for the Company's facilities and must be in compliance with the reasonable standards of pruning as established by the Environmental Commission and the Arborist.

Section XI. Local Office

During the term of this franchise and any renewal thereof, the Company shall maintain a local business office or agent for the purpose of receiving, investigating and resolving all complaints regarding the quality of service, equipment, malfunctions and similar matters. The present address of the Company for such purpose is 200 Roosevelt Avenue, Palisades Park, New Jersey. Such local business office shall be open during normal business hours, but in no event less than 9:00 a.m. through 5:00 p.m., Monday through Friday, holidays excepted.

Section XII. Municipal Complaint Officer

The Office of Cable Television is hereby designated as the Complaint Officer of the Municipality pursuant to N.J.S.A. 48:5A-26 (b). The Cable Television Advisory Committee formed by the Mayor and Council of the Municipality, or any designated persons or entity which may be appointed from time to time by the Mayor and Council of the Municipality, shall be empowered to receive any complaints and to process and forward these complaints to the Office of Cable Television. All complaints shall be received and processed in accordance with N.J.A.C. 14:17-6.5.

Section XIII Performance Bond

During the life of the franchise, the Company shall give a performance bond to the Municipality in the sum of \$25,000.00. Such bond shall be to ensure the faithful performance of all undertakings of the Company as represented in its application for municipal consent incorporated herein.

Section XIV Rates for CATV Reception Service

The rates of the Company shall be subject to regulation as permitted by federal and state law.

Section XV Basic Service

The Basic Service includes those channels that the company is required to carry by FCC rules and any channel that the company carries without a separate or additional charge.

Section XVI Liability Insurance

The Company agrees to maintain and keep in full force and effect at its sole expense at all times during the term of this consent, sufficient liability insurance naming the Borough of Ridgefield as an additional insured and insuring against loss in the minimum amounts of (1) \$1,000,000.00 for bodily injury or death to any one person, within the limit, however, of \$1,000,000.00 for bodily injury or death resulting from any one accident; (2) \$500,000.00 for property damage resulting from any one accident; and (3) \$500,000.00 for all other types of liability; or for any other amounts statutorily mandated.

Section XVII Municipal Liability

The Company shall hold the Municipality harmless for any liability arising out of the Company's operation and construction of its CATV system.

Section XVIII Free Service

The Company shall continue to provide free basic monthly service to schools, libraries and other municipal facilities as is done presently, and will in the future, endeavor to reasonably expand upon this free service, if, and to the extent that, same is reasonable, feasible and is required by law.

Section XIX Separability

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section XX Consistency with Future Federal and State Rules, Regulations,
and Orders

This consent shall be subject to applicable state and federal law.

Section XXI Force Majeure

The Company shall not be responsible for the failure to perform any of its obligations hereunder which may result from floods, fires, earthquakes, tornadoes or other acts of God; acts

of war or civil disobedience; strikes or other labor or job actions; or other circumstances beyond the reasonable control of the Company.

Section XXII Revocation of Ordinance No. 1755.

The Borough hereby revokes Ordinance No. 1755 which was adopted in October 2001 and which provided for only a five year consent from the Borough to the Company.

Section XXII Effective Date of the Ordinance

This municipal consent shall become effective as of the date upon which the Municipality receives written notification that the Company accepts the terms and conditions herein.

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Todd

ORDINANCE NO. 2085

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 131 ‘ANIMALS’,
ARTICLE II “DOMESTIC ANIMALS” SECTION 131-8 “LICENSE FEES: EXPIRATION
DATE”, IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE DEPARTMENT
OF HEALTH”

introduced on the 23rd day of March, 2009 do now pass a final reading and be adopted, and that the Borough Clerk be and he 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

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 23, 2009

Presented by Councilman Todd

ORDINANCE NO. 2085

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 131 “ANIMALS”,
ARTICLE II “DOMESTIC ANIMALS” SECTION 131-8 “LICENSE FEES; EXPIRATION
DATE”, IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE DEPARTMENT
OF HEALTH”

WHEREAS, in response to a growing concern over the cost of animal control services;
and

WHEREAS, the Board of the Ridgefield Department of Health met and discussed the
issue at the February 11, 2009 meeting; and

WHEREAS they determined that an increase in licensing fees can help offset some of the
cost for animal control services; and

WHEREAS, the Governing Body of the Borough of Ridgefield desires to revise and
supplement Chapter 131 “Animals”, Article II “Domestic Animals” Section 131-8 “License
Fees; Expiration Date”, so that same are consistent with the recommendations of the Ridgefield
Department of Health..

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 131 “Animals”, Article II “Domestic Animals” Section 131-8 “License Fees; Expiration
Date” of the Code of the Borough of Ridgefield be and is hereby amended and supplemented as
follows:

§ 131-8 License fees; expiration date.

- A. The person applying for the dog license shall pay a fee of either:
 - (1) Twelve dollars (\$12) per year for any sterilized dog over the age of six months,
which proof of sterilization must be presented at the time of application; or
 - (2) Fifteen dollars (\$15) per year for any non-sterilized dog over the age of six
months.

- B. In addition, three-year licenses shall be available at a cost of:
 - (1) Thirty-four dollars (\$34) covering a three-year period for any sterilized dog over
the age of six months, which proof of sterilization must be presented at time of
application; or

(2) Forty-three dollars (\$43) for any non-sterilized dog over the age of six months.

- C. Except for the three-year licenses, which shall be renewed every three years, each license shall be renewed annually. Proof of rabies immunization must be presented at the time of license or renewal application. Said licenses, and renewals thereof, shall expire on the 30th day of June in each year. There shall be added to any license fee paid after July 31 of each year a late charge of twenty dollars (\$20).

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

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Lonzisero

ORDINANCE NO. 2086

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 23 “DEFENSE AND INDEMNIFICATION OF OFFICIALS AND EMPLOYEES”, SECTION 23-7 “BOROUGH NOT TO BE LIABLE” TO REQUIRE ADEQUATE NOTICE TO THE GOVERNING BODY”

introduced on the 27th day of April, 2009, 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 11th day of May, 2009 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 he 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

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Lonzisero

ORDINANCE NO. 2086

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 23 “DEFENSE AND INDEMNIFICATION OF OFFICIALS AND EMPLOYEES”, SECTION 23-7 “BOROUGH NOT TO BE LIABLE” TO REQUIRE ADEQUATE NOTICE TO THE GOVERNING BODY”

WHEREAS, the Governing Body was recently faced with a decision to indemnify a public official; and

WHEREAS, the Governing Body lacked sufficient knowledge and information about the underlying legal proceeding for which indemnification was being sought; and

WHEREAS, the Governing Body now seeks to amend the Borough code to require adequate notice of impending legal actions;

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 23 “Defense and Indemnification of Officials and Employees”, Section 23-7 “Borough not to be Liable” of the Code of the Borough of Ridgefield be and is hereby amended and supplemented as follows:

§ 23-7. Borough not to be liable.

The Borough will not provide a defense and indemnification of officials and employees in the following instances:

A. It is determined by a court of competent jurisdiction, whether by final judgment in a civil suit or conviction of a criminal offense, that the act or omission of the Borough official constitutes a criminal offense, actual fraud, actual malice, willful misconduct or an intentional act or omission.

B. It is determined by a court of competent jurisdiction, that the act or omission of the Borough official is outside the scope of the official's employment or official capacity.

C. The action or proceeding has been brought by the Borough itself against the Borough official.

D. The Borough official has failed to substantially cooperate with the Borough and its agents, servants and employees in connection with the potential claim, suit or proceeding and the defense thereof.

E. Defense and indemnification is not deemed appropriate by the Mayor and Council pursuant to the authority contained in N.J.S.A. 59:10-1 et seq.

F. In those instances where the Borough has elected to provide a defense or costs associated therewith for the Borough official and it is later determined that the payment of such costs for the official was improper, the Borough official shall promptly reimburse to the Borough the full amount of said payments by the Borough. In no event shall the Borough be liable to pay any punitive damage award against any official or employee for any reason.

G. The Borough official has failed, for any reason, to provide the governing body with an original copy of any document giving initial notice to the official of any claim or potential claim within ten (10) calendar days from the official's receipt of such notice of claim or potential claim. These documents may include but are not limited to, a summons, complaint, process, notice, demand or pleading, or such other document which would give the official reason to believe they may be the subject to a potential claim.

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

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Castelli

ORDINANCE NO. 2087

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

“AN ORDINANCE AMENDING CHAPTER 375, ARTICLE X “ALTERNATE SIDE OF STREET PARKING”, SECTION 375-36 OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

introduced on the 27th day of April, 2009, 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 11th day of May, 2009 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 he 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

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Castelli

ORDINANCE NO. 2087

“AN ORDINANCE AMENDING CHAPTER 375, ARTICLE X “ALTERNATE SIDE OF STREET PARKING”, SECTION 375-36 OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

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

SECTION I: Portions of Section 375-36 of the Code of the Borough of Ridgefield are hereby amended to read as follows:

<u>Street</u>	<u>Side</u>	<u>Location</u>	<u>Time & Day</u>
Columbia Avenue	North	Bergen Boulevard to Stewart Street	9:00 a.m. to 3:00 p.m. Monday
Columbia Avenue	North	Bergen Boulevard to Cliffside Park border	9:00 a.m. to 3:00 p.m. Tuesday
Columbia Avenue	South	Bergen Boulevard to Stewart Street	9:00 a.m. to 3:00 p.m. Tuesday
Columbia Avenue	South	Bergen Boulevard to Cliffside Park border	9:00 a.m. to 3:00 p.m. Monday
Greenmount Avenue	North	Westview Avenue to Bergen Boulevard	9:00 a.m. to 3:00 p.m. Tuesday
Greenmount Avenue	South	Bergen Boulevard to Westview Avenue	9:00 a.m. to 3:00 p.m. Monday
Lafayette Avenue	South	Bergen Boulevard to Cliffside Park border	9:00 a.m. to 3:00 p.m. Monday
Oakdene Avenue	North	Bergen Boulevard to Chestnut Street	9:00 a.m. to 3:00 p.m. Monday

Oakdene Avenue	North	Bergen Boulevard to Cliffside Park border	9:00 a.m. to 3:00 p.m. Tuesday
Oakdene Avenue	South	Bergen Boulevard to Chestnut Street	9:00 a.m. to 3:00 p.m. Tuesday
Oakdene Avenue	South	Bergen Boulevard to Cliffside Park border	9:00 a.m. to 3:00 p.m. Monday
Washington Avenue	North	Cliffside Park border to Bergen Boulevard	9:00 a.m. to 3:00 p.m. Tuesday
Washington Avenue	South	Bergen Boulevard to Cliffside Park border	9:00 a.m. to 3:00 p.m. Monday

SECTION II: All remaining provisions of Section 375-36 will remain in full force and effect.

SECTION III: This Ordinance shall take effect upon final passage and publication in the manner provided by law.

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Lonzisero

ORDINANCE NO. 2088

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

“AN ORDINANCE AMENDING CHAPTER 375, VEHICLES AND TRAFFIC, ARTICLE II “PARKING, STOPPING, AND STANDING ON SPECIFIC STREETS”, OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

introduced on the 27th day of April, 2009, 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 11th day of May, 2009 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 he 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

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Lonzifero

ORDINANCE NO. 2088

“AN ORDINANCE AMENDING CHAPTER 375, VEHICLES AND TRAFFIC, ARTICLE II
“PARKING, STOPPING, AND STANDING ON SPECIFIC STREETS”, OF THE CODE OF
THE BOROUGH OF RIDGEFIELD”

“AN ORDINANCE AMENDING SECTION 375-5 OF ARTICLE II OF CHAPTER 375,
ENTITLED NO PARKING AREAS, OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

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

Section I: Section 375-5 of Article II of Chapter 375 of the Code of the Borough of
Ridgefield, entitled “No Parking Areas”, be and hereby is amended by adding to the existing
language of said ordinance the new subsections (numbers to be determined by the Borough’s
Code Publisher) as follows:

On the southerly side of Columbia Avenue beginning at a point 180 feet east from the
point where said southern curb line of Columbia Avenue intersects with the eastern curb
line of Bergen Boulevard and continuing in an easterly direction along Columbia Avenue
a distance of 12 feet to 192 feet, between addresses commonly known as 506 and 500
Columbia Avenue.

On the westerly side of Monroe Place beginning at a point 150 feet south from the point
where side western curb line of Monroe Place intersects with the southern curb line of
Art Lane and continuing in a southerly direction along Monroe Place a distance of 13 feet
to 163 feet, directly in front of the address commonly known as 565 Monroe Place.

On the westerly side of Monroe Place beginning at a point 193 feet south from the point
where side western curb line of Monroe Place intersects with the southern curb line of
Art Lane and continuing in an southerly direction along Monroe Place a distance of 10
feet to 203 feet, directly in front of the address commonly known as 563 Monroe Place.

Section II: Section 375-5 of Article II of Chapter 375 of the Code of the Borough of
Ridgefield, entitled “No Parking Areas”, be and hereby is amended by deleting (61) of the
existing language of said ordinance.

Section III: Chapter 375-6 of the Code of the Borough of Ridgefield, entitled "Limited Duration Parking Areas" be, and hereby is amended by adding to the existing language subpart C the following language:

Parking is hereby prohibited on the following streets or parts thereof in the Borough of Ridgefield between the hours of 8:30 a.m. and 4:30 p.m. for a period longer than 30 minutes: on the northerly side of Edgewater Avenue beginning at a point 25 feet west from the point where said northern curb line of Edgewater Avenue intersects with the western curb line of Oritan Avenue and continuing in a westerly direction along Edgewater Avenue a distance of 82 feet to 107 feet.

Section IV: In all other respects, the terms and provisions of Chapter 375 of the Code of the Borough of Ridgefield are hereby ratified and affirmed.

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

Section VI: This ordinance shall take effect immediately upon passage and publication according to law.

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Lonzisero

ORDINANCE NO. 2089

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

“AN ORDINANCE AMENDING CHAPTER 375 ARTICLE XVI OF THE CODE OF THE BOROUGH OF RIDGEFIELD, PARKING FOR MOBILITY HANDICAPPED PERSONS”

introduced on the 27th day of April, 2009, 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 11th day of May, 2009 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 he 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

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Lonzisero

ORDINANCE NO. 2089

“AN ORDINANCE AMENDING CHAPTER 375 ARTICLE XVI OF THE CODE OF THE
BOROUGH OF RIDGEFIELD, PARKING FOR MOBILITY HANDICAPPED PERSONS”

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

Section I: Article XVI, “Parking for Mobility Handicapped Persons”, forming a part of
Chapter 375 of the Code of the Borough of Ridgefield, be and hereby is amended.

Section II. Section 375-52B be, and hereby is, amended by adding to the existing provisions
of said subpart the following:

(The sub-section number in the Borough’s Code Book to be determined by the
Borough’s Code Publisher) On the northerly side of Carpenter Place beginning at
a point 129 feet west from the point where said northerly side of Carpenter Place
intersects with the western curb line of Martling Place and continuing in a
westerly direction along Carpenter Place a distance of 22 feet to 151 feet, in front
of the address commonly known as 581 Carpenter Place.

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Severino

ORDINANCE NO. 2090

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

“AN ORDINANCE REQUIRING DUMPSTERS AND OTHER REFUSE CONTAINERS THAT ARE OUTDOORS OR EXPOSED TO STORM WATER TO BE COVERED”

introduced on the 27th day of April, 2009, 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 11th day of May, 2009 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 he 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

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Severino

ORDINANCE NO. 2090

“AN ORDINANCE REQUIRING DUMPSTERS AND OTHER REFUSE CONTAINERS
THAT ARE OUTDOORS OR EXPOSED TO STORM WATER TO BE COVERED”

SECTION I. Purpose:

An ordinance requiring dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Borough of Ridgefield and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Ridgefield or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Refuse container – any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.
- d. Stormwater – means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

e. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct:

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Borough of Ridgefield.

SECTION IV. Exceptions to Prohibition:

- a. Permitted temporary demolition containers
- b. Litter receptacles (other than dumpsters or other bulk containers)
- c. Individual homeowner trash and recycling containers
- d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit
- e. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup)

SECTION V. Enforcement:

This ordinance shall be enforced by the Police Department and/or other Municipal Officials of the Borough of Ridgefield.

SECTION VI. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$200.00.

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Severino

ORDINANCE NO. 2091

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

“AN ORDINANCE REQUIRING PRIVATE STORM DRAIN INLET RETROFITTING”

introduced on the 27th day of April, 2009, 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 11th day of May, 2009 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 he 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

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Severino

ORDINANCE NO. 2091

“AN ORDINANCE REQUIRING PRIVATE STORM DRAIN INLET RETROFITTING”

SECTION I. Purpose:

An ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Borough of Ridgefield so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Ridgefield or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Storm drain inlet- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.
- d. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct:

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

1. Already meets the design standard below to control passage of solid and floatable materials; or
2. Is retrofitted or replaced to meet the standard in Section V below prior to the completion of the project.

SECTION V. Design Standard:

Storm drain inlets identified in Section IV above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section V.3 below.

1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
 - b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
3. This standard does not apply:
 - a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;

b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or

ii. A bar screen having a bar spacing of 0.5 inches.

c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1”) spacing between the bars; or

d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

SECTION V. Enforcement:

This ordinance shall be enforced by the Police Department and/or other Municipal Officials of the Borough of Ridgefield.

SECTION VI. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$1,000.00 for each storm drain inlet that is not retrofitted to meet the design standard. Any person(s) who is found to be in violation of the provisions of this ordinance shall also be responsible for the cost associated with correcting the violation.

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo, Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Mayor Suarez

ORDINANCE NO. 2092

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

“AN ORDINANCE ESTABLISHING THE BOROUGH OF RIDGEFIELD ETHICS
IN AUTONOMOUS BOARDS ACT”

introduced on the 27th day of April, 2009, 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 11th day of May, 2009 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 he 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

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Mayor Suarez

ORDINANCE NO. 2092

“AN ORDINANCE ESTABLISHING THE BOROUGH OF RIDGEFIELD ETHICS
IN AUTONOMOUS BOARDS ACT”

WHEREAS, this ordinance shall be known as the Borough of Ridgefield ethics in autonomous boards act; and

WHEREAS, the members of the Borough of Ridgefield’s autonomous boards are engaged in an extremely important purpose effecting the members of our community and our quality of life in every way; and

WHEREAS, it is important for members of the Ridgefield community to have complete confidence in the members of our autonomous boards as these boards effect the way we live and involve a variety of applications from out of town developers and/or interests;

NOW, THEREFORE, BE IT RESOLVED that any application before the Zoning Board of Adjustment, the Planning Board, and the Rent Control Board, requires that any applicant or professional appearing before said board to set forth any ELEC reportable monetary contributions, i.e., those in excess of three hundred (\$300.00, to a Ridgefield political party and/or political committee and/or political candidate, within the past five (5) years, to indicate said contribution on a separate page appended to the appropriate board’s application, which shall be provided by the secretary to the respective autonomous board with the said application, and shall state at the top of said page,

“Please list all contributions by you or your professionals pertaining to this matter, if any, in excess of \$300.00 to any Ridgefield political organization and/or candidate and/or candidate committee, within the past five (5) years.”

BE IT FURTHER RESOLVED, that any member of the Zoning Board of Adjustment and/or Planning Board and/or Rent Control Board, of the Borough of Ridgefield, who was a candidate for election during the year of any political donation listed on said form to his/her political party, committee, and/or him/her as a candidate, shall be recused from the specific application at issue, and shall step down from the dais and not participate in any way with respect to the application at issue.

Approved:

Anthony R. Suarez, Mayor

Attest:

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Lonzisero

ORDINANCE NO. 2093

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 366 “TOW TRUCKS”, SECTION 366-12 “ISSUANCE OR DENIAL OF LICENSE”, TO CHANGE THE NUMBER OF ALLOWABLE TOW TRUCK COMPANIES FROM FOUR TO SIX”

introduced on the 27th day of April, 2009, 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 11th day of May, 2009 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 he 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

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Lonziserio

ORDINANCE NO. 2093

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 366 “TOW TRUCKS”, SECTION 366-12 “ISSUANCE OR DENIAL OF LICENSE”, TO CHANGE THE NUMBER OF ALLOWABLE TOW TRUCK COMPANIES FROM FOUR TO SIX”

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 366 Tow Trucks Section 366-12 Issuance or Denial of License of the Code of the Borough of Ridgefield be and is hereby amended and supplemented to increase number of tow truck companies selected by the Mayor and Council as follows:

§ 366-12. Issuance or denial of license.

The Mayor and Council shall, once every two years, select up to six towing companies to perform towing work pursuant to this chapter and to be licensed pursuant to this chapter for a term to commence on January 1 of the year of licensing to the last day of December of the second year following the grant of a license. The Mayor and Council, or its designated committee, may interview representatives of each applicant. The Mayor and Council shall award the license based on the following criteria, after reviewing the applications, criminal background checks, driver's license abstract reports and reports from the Chief of Police and other Borough agencies.

- A. Experience in field.
- B. Number, quality and capacity of tow trucks and ability to respond to various towing situations.
- C. Criminal history.
- D. Prior problems in the towing business related to applicants towing company.
- E. Ability to provide safe, prompt and efficient towing service pursuant to the terms and provisions of this chapter.
- F. Locations of offices and yards in relation to the Borough of Ridgefield.
- G. Recommendations of the Police Department.
- H. Compliance with the terms of the chapter.
- I. Completeness and accuracy of the application.

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

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Lonzisero

ORDINANCE NO. 2094

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

“AN ORDINANCE ESTABLISHING THE BOROUGH OF RIDGEFIELD ETHICS
IN LAND USE ACT”

introduced on the 27th day of April, 2009, 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 11th day of May, 2009 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 he 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

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Lonzisero

ORDINANCE NO. 2094

“AN ORDINANCE ESTABLISHING THE BOROUGH OF RIDGEFIELD ETHICS
IN LAND USE ACT”

WHEREAS, this ordinance shall be known as the Borough of Ridgefield ethics in land use act; and

WHEREAS, the members of the Borough of Ridgefield’s Board of Adjustment and Planning Board (the “Boards”) are engaged in an extremely important purpose effecting the members of our community and our quality of life in every way; and

WHEREAS, it is important for members of the Ridgefield community to have complete confidence in the members of the Boards as these Boards effect the way we live and involve a variety of applications from out of town developers and/or interests;

NOW, THEREFORE, BE IT RESOLVED that any application before the Boards, require that all applicants or professionals appearing before either Board to set forth any contribution of money, or pledge of a contribution, including in-kind contributions, to any member of the Board or anyone having ultimate responsibility for the decision affecting the applicant, or campaign committee supporting such candidate or officeholder, or to any Borough of Ridgefield or Bergen County political party committee, or to any political action committee (PAC) that regularly engages in, or who's primary purpose is the support of municipal elections and/or municipal parties, in excess of the threshold of three hundred (\$300.00), within the past three (3) years, indicate said contribution on a separate page appended to the appropriate Board’s application, which shall be provided by the secretary to the respective Board with the said application, and shall state at the top of said page,

“Please list all contributions by you or your professionals pertaining to this matter, if any, in excess of \$300.00 to any Ridgefield political organization and/or candidate and/or candidate committee, within the past three (3) years.”

BE IT FURTHER RESOLVED, that any member of the Boards, of the Borough of Ridgefield, who was a candidate for election during the year of any political donation listed on said form to his/her political party, committee, and/or him/her as a candidate, shall be recused from the specific application at issue, and shall step down from the dais and not participate in any way with respect to the application at issue.

Approved:

Anthony R. Suarez, Mayor

Attest:

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Lonzisero

ORDINANCE NO. 2095

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 375 “VEHICLES AND TRAFFIC”, ARTICLE XX “PERMIT PARKING”, SECTION 375-61 “RESIDENT PERMIT PROGRAM” TO ADD STREETS IN ACCORDANCE WITH THE FINDINGS OF THE CHIEF OF POLICE”

introduced on the 27th day of April, 2009, 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 11th day of May, 2009 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 he 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

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Lonzisero

ORDINANCE NO. 2095

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 375 “VEHICLES AND TRAFFIC”, ARTICLE XX “PERMIT PARKING”, SECTION 375-61 “RESIDENT PERMIT PROGRAM” TO ADD STREETS IN ACCORDANCE WITH THE FINDINGS OF THE CHIEF OF POLICE”

WHEREAS, the Ridgefield Police Department engaged in a study of certain streets to evaluate traffic; and

WHEREAS, the study revealed that parking becomes heavily congested on these streets at various times; and

WHEREAS, the Governing Body now seeks to amend the Borough code to require resident parking permits for the entire length of Monroe Place, Art Lane from Bergen Boulevard to Monroe Place, and Oakdene Avenue from Bergen Boulevard to the Cliffside Park, N.J. border;

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 375 “Vehicles and Traffic”, Article XX “Permit Parking”, Section 375-61 “Resident Permit Program” of the Code of the Borough of Ridgefield be and is hereby amended and supplemented as follows:

§ 375-61. Resident parking program.

A. No person shall park a vehicle upon any of the streets within the Borough of Ridgefield designated below during the applicable days and hours of restrictions set forth herein unless a resident of that named street properly displays a valid residential parking permit:

- (1) On any of the following listed streets between the hours of 7:00 a.m. and 3:00 a.m., Monday through Sunday:
 - (a) Maple Avenue from Grand Avenue to Shaler Boulevard.
 - (b) Sunset Terrace.
 - (c) Ridgefield Terrace.
 - (d) Fairview Terrace.
 - (e) Monroe Place.
 - (f) Art Lane from Bergen Boulevard to Monroe Place.
 - (g) Oakdene Avenue from Bergen Boulevard to the Cliffside Park, N.J. border.

- (h) The exception to the above named street is 855 Broad Avenue whose residents will be able to park on Maple Avenue.
 - (2) The Borough shall erect signs on those streets informing persons that on-street parking without a permit is limited to one hour. This provision shall not apply to a resident of the Borough properly displaying a valid parking permit issued in accordance with Subsection D herein.
- B. All street cleaning ordinances, either currently or subsequently adopted by the Borough, shall remain in full force and effect.
- C. This article shall be enforced by the Police Department of the Borough of Ridgefield.
- D. Rules and regulations. The following rules and regulations shall apply to the Borough of Ridgefield resident permit parking program:
- (1) A resident parking permit of a design specified by the Chief of the Police Department of the Borough of Ridgefield (the Police Department) will be issued to the resident owner of a vehicle. The vehicle must be owned by a person residing in the Borough of Ridgefield on the named streets.
 - (2) Proof of residency of the owner of a vehicle must be presented when applying for a permit. The following is acceptable proof of residency:
 - (a) A copy of a valid New Jersey driver's license reflecting their address in the Borough of Ridgefield; and
 - (b) A copy of a valid New Jersey motor vehicle registration for the vehicle for which the permit is sought, showing their address on the named street in the Borough of Ridgefield. In the case of a vehicle claimed to be leased and used by a Ridgefield resident, a copy of a valid motor vehicle registration and a copy of the automobile lease shall be presented to the Police Department in lieu of the New Jersey motor vehicle registration.
 - (3) The resident's sticker is to be placed on the rear window, driver's side, lower left-hand corner of the registered vehicle.
 - (4) The Police Department shall have the authority to issue temporary resident permit parking stickers to persons claiming to be residents of the Borough but who have not yet changed their license or their motor vehicle registration to reflect the Ridgefield address and to any resident holding a current resident permit but whose car has been stolen or incapacitated and who is driving a temporary vehicle. The temporary sticker shall be valid for a period not to exceed 90 days, at which time the resident must obtain a permanent sticker by presentation of the proofs of residency set forth in Subsection D(2) above, in the case of new residents, and the temporary permit shall expire in the case of a temporary vehicle.
 - (5) Contractors, service and delivery vehicles bearing the name and address of a commercial business may park without a permit during the time they are rendering service to a residence within the permit parking area.
 - (6) Emergency vehicles and public service, telephone and other public utility vehicles may park within the permit parking area during the time they are rendering service or repairs within the area.

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

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Castelli

RESOLUTION NO. 161-2009

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

JOHN QUAREGNA

be appointed to the Recreation Commission for the remainder of Calendar Year 2009.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 162-2009

WHEREAS, the Governing Body has been advised that certain vehicles have reached the end of their useful life; and

WHEREAS, the Governing Body has determined that it is appropriate to attempt to sell these vehicles at auction; and

WHEREAS, a resolution authorizing the sale of such personal property is required pursuant to N.J.S.A. 40A:12-13.1; and

WHEREAS, the Borough has historically utilized the Port Authority of New York and New Jersey ("PA/NY-NJ") to notice such sale in accordance with N.J.S.A. 40A:12-13 and convene an auction as required by law; and

WHEREAS, the Governing Body has determined not to fix minimum prices for such vehicles nor has the Borough reserved onto itself the right to reject all bids where the highest bidder is not accepted; and

WHEREAS, such vehicles no longer bear any municipal markings (i.e., police and/or dpw) and have been repainted with white spray paint; and

WHEREAS, all other Borough property and emergency equipment have been removed from such vehicles; and

WHEREAS, the registration plates for such vehicles have been removed; and

WHEREAS, the vehicles have been delivered to the Manhattan Towing Company which vehicles were the subject of public auction by the PA/NY-NJ.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body authorizes and ratifies the sale at public auction of the following vehicles:

Vehicle Number	Vehicle Make and Model	Year	Vehicle Identification #	Registration	Mileage
20	Ford Crown Victoria	2003	2FAFP71W63X157321	NJ-MG50236	87,417

30	Ford Crown Victoria	2003	2FAF971W83X157322	NJ-MG50237	92,803
33	Ford Crown Victoria	2003	2FAFP71W93X107853	NJ-MG44828	96,210
N/A	Chevrolet Astro Van	1986	2P4FH41G4GR612381	NJ-MG62584	85,479
RF-10	Chevrolet Suburban	1992	1GNGK26K8NJ353768	NO PLATE	105,300

BE IT FURTHER RESOLVED that the notice of sale of these vehicles has been completed in accordance with N.J.S.A. 40A:12-13.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Mayor Suarez

RESOLUTION NO. 163-2009

Every human life has matchless value and during National Donate Life Month, we reaffirm our commitment to raising awareness about organ donation and the importance of making the decision to donate. We also express our appreciation to those who have donated organs, tissues, and marrow.

Over 100,000 of Americans, over 4,500 in New Jersey, are currently on the waiting list for an organ transplant and thousands more need life enhancing tissue transplants. I urge all New Jersey residents to register with the state's donor registry; say yes to organ and tissue donation on their driver's license; and share their decision with family and friends. By taking these steps, New Jerseyans can help save lives. My Administration is committed to strengthening organ and tissue donation programs and to increase the number of organs available for transplantation in order to save lives. The kindness and generosity of donors reflect the compassionate spirit of our state.

During National Donate Life Month, we celebrate the life-saving work of medical professionals and researchers and the many others whose actions reflect our commitment to a brighter tomorrow. Individuals can visit www.DonateLifeNJ.org to learn more about organ and tissue donation and how they can give the gift of life.

NOW, THEREFORE, I, Anthony R. Suarez, Mayor of the Borough of Ridgefield, by virtue of the authority vested in me by the citizens of the Borough of Ridgefield, do hereby proclaim April 2009 as Donate Life Month. I call upon health care professionals, volunteers, educators, government agencies, faith-based and community groups, and private organizations to help raise awareness of the urgent need for organ and tissue donors throughout our state.

Approved:

Anthony R. Suarez, Mayor

Attest:

Martin A. Gobbo,
Borough Clerk

COUNCIL VOTE

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Todd

RESOLUTION NO. 164-2009

WHEREAS, in year 2008 the Borough of Ridgefield successfully sponsored it's Fourth Annual Cleanup Day; and

WHEREAS, the Environmental Commission of the Borough of Ridgefield has recommended that the tradition of an annual cleanup day be continued in year 2009; and

WHEREAS, the Mayor and Council wishes to recognize the initiative and hard work of the Environmental Commission; and

WHEREAS, it is in the best interests of the community that a Fifth Annual Cleanup Day be scheduled in the year 2009:

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

1. Saturday, May 2, 2009 be, and hereby is, declared to be the Fifth Annual Cleanup Day in the Borough of Ridgefield. In case of rain, the cleanup day will be held on Sunday, May 3, 2009.
2. The Environmental Commission will take the lead in implementing the cleanup day. It is envisioned that teams of volunteers will be scheduled to collect trash and recyclables from various public areas, that residents be encouraged to remove litter from their properties and curb areas in front of their homes, and that local businesses are encouraged to clean up their properties, including parking lots and other surrounding areas.
3. The Borough hereby encourages all of its residents to work together in connection with the goal of the cleanup day in order to become better stewards of the earth, and to take pride in the community by making Ridgefield clean and green.

Approved:

Anthony R. Suarez, Mayor

Attest:

Martin A. Gobbo,
Borough Clerk

COUNCIL VOTE

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 165-2009

WHEREAS, the Chief of Police, Richard J. Stoltenborg, is owed return time that was accumulated prior to becoming Chief; and

WHEREAS, per the terms of his Memorandum of Understanding approved December 10, 2007 Chief Stoltenborg is entitled to compensation for said time; and

WHEREAS, said time owed computes to 394.25 return time hours at the 2008 hourly rate of \$74.56 for a total amount of \$19,395.28; and

WHEREAS, Chief Stoltenborg has agreed to receive said amount in three increments as follows:

\$10,000.00 payable May, 2009
\$9,697.64 payable January, 2010
\$9,697.64 payable July, 2010

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the above payment and schedule be approved;

BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized and directed to take the necessary steps to effectuate this agreement.

Approved:

Anthony R. Suarez, Mayor

Attest:

Martin A. Gobbo,
Borough Clerk

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Mayor Suarez

RESOLUTION NO. 166-2009

WHEREAS, Food Allergy reactions cause 50,000 visits to the emergency room and 150 deaths each year. The deaths are caused by individuals unknowingly eating a food containing an ingredient to which they are allergic.

WHEREAS, children are the largest group affected by food allergies. Researchers estimate that approximately 12 million Americans have food allergies. Symptoms can include hives, vomiting, diarrhea, respiratory distress, and swelling of the throat.

WHEREAS, eight foods cause 90% of all food allergy reactions. These foods are shellfish, fish, milk, eggs, tree nuts, peanuts, soy, and wheat.

WHEREAS, there is no cure for potentially fatal food allergies. Strict avoidance of the offending food is the only way to prevent a reaction.

WHEREAS, Anaphylaxis is a sudden, severe allergic reaction involving major organs in the body simultaneously. In severely allergic individuals, it can cause death in a matter of minutes.

WHEREAS, eating in restaurants and at school are the situations posing the highest risk for people with food allergies. Often, waitstaff and cafeteria staff are not aware of the ingredients used to prepare the food they are serving, and they are unprepared to handle a reaction.

WHEREAS, The Food Allergy & Anaphylaxis Network (FAAN) is a national, nonprofit organization dedicated to educating the public about food allergies and anaphylaxis, a potentially life-threatening allergic reaction.

NOW, THEREFORE, I Anthony R. Suarez, Mayor of the Borough of Ridgefield, do hereby proclaim May 10-16, 2009:

FOOD ALLERGY AWARENESS WEEK

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

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Lonzisero

RESOLUTION NO. 167-2009

WHEREAS, the Borough of Ridgefield had previously requested the Department of Transportation to investigate the need for pedestrian crossing signals at Grand Avenue at Linden and Elm Avenues; and

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

1. The Mayor and Council concurs with the installation of said pedestrian crossing signals
2. The Mayor and Council agree to pay the electrical operating cost which will be approximately \$100.00 per year
3. The Borough Clerk is directed to forward a copy of this Resolution to the Department of Transportation, Traffic Engineering & Investigations, so that the bureau can proceed with said project

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Mayor Suarez

RESOLUTION NO. 168-2009

WHEREAS, Myasthenia Gravis is a neuromuscular disease striking children and adults, affecting control of voluntary muscles and afflicting several hundred of our fellow New Jerseyans; and

WHEREAS, the symptoms of this disorder include, but are not limited to, difficulty moving, breathing, swallowing, speaking and seeing; and

WHEREAS, the Myasthenia Gravis Foundation of America, Inc. is a non-profit organization founded, "to facilitate the timely diagnosis and optimal care of individuals affected by myasthenia gravis and closely related disorders, and to improve their lives through programs of patient services, public information, medical research, professional education, advocacy, and patient care"; and

WHEREAS, Myasthenia Gravis is the most common neuromuscular disorder affecting the residents of New Jersey; and

WHEREAS, it is fitting to recognize the many physicians who demonstrate an untiring effort to treat this disease and search for a cure;

NOW, THEREFORE, I, Anthony R. Suarez, Mayor of Ridgefield, on behalf of the Mayor and Council and residents of Ridgefield, do hereby proclaim

JUNE 2009

AS

MYASTHENIA GRAVIS AWARENESS MONTH

Approved:

Anthony R. Suarez, Mayor

Attest:

Martin A. Gobbo,
Borough Clerk

COUNCIL VOTE

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Lonzisero

RESOLUTION NO. 169-2009

WHEREAS, there were 592 motor vehicle fatalities in New Jersey in 2008; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 13,500 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide Click It or Ticket seat belt mobilization from May 18-May 31, 2009 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 91.75% to 100%; and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Ridgefield declares it's support for the Click It or Ticket seat belt mobilization both locally and nationally from May 18-May 31, 2009 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

Approved:

Anthony R. Suarez, Mayor

Attest:

Martin A. Gobbo,
Borough Clerk

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Severino

RESOLUTION NO. 170-2009

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for the calendar year 2009 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Borough of Ridgefield hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Nicholas Gambardella to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Approved:

Anthony R. Suarez, Mayor

Attest:

Martin A. Gobbo, Borough Clerk

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Lonziserio				
Todd				
Vincenz				
Severino				
Castelli				
Acosta				
Mayor Suarez				

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Severino

RESOLUTION NO. 171-2009

WHEREAS, the Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for its recycling program;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Borough of Ridgefield hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, Chapter 311, in 2008 in the amount of \$_____. Documentation supporting this submission is available at 604 Broad Avenue and shall be maintained for no less than five years from this date.

Approved:

Anthony R. Suarez, Mayor

Attest:

Martin A. Gobbo,
Borough Clerk

COUNCIL VOTE

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Mayor Suarez

RESOLUTION NO. 172-2009

WHEREAS, vaccines are among the most successful and cost-effective public health tools available for preventing disease and death; and

WHEREAS, vaccines not only help protect vaccinated individuals, but also help protect entire communities by preventing and reducing the spread of infectious diseases; and

WHEREAS, national immunization levels are at or near record highs for most vaccines and most vaccine-preventable diseases have been reduced by 99 percent or more since the introduction of vaccines; and

WHEREAS, these diseases still exist and continued vaccination is necessary to protect everyone, from potential outbreaks; and

WHEREAS, children need a series of vaccinations, starting at birth, to be fully protected against fourteen potentially serious diseases before age two; and

WHEREAS, National Infant Immunization Week (NIIW) focuses local and national attention on the importance of protecting infants and toddlers from vaccine-preventable diseases; and

WHEREAS, in the sixteen years since its inception, National Infant Immunization Week (NIIW) has served as a call to parents, caregivers, and healthcare providers to participate in activities and recognition events to increase the awareness of immunizing children before their second birthday; and

WHEREAS, this year, during NIIW, the *Ridgefield Board of Health, Borough of Ridgefield* will join the state of New Jersey in support of Vaccination Week in the Americas to promote immunization throughout the State and Country; and

WHEREAS, the week of April 25-May 2, 2009 has been declared National Infant Immunization Week to help ensure that children have all their vaccinations by the age of two.

NOW, THEREFORE, I, Mayor Anthony R. Suarez, do hereby proclaim the week of April 25-May 2, 2009, as

NATIONAL INFANT IMMUNIZATION WEEK

in the Borough of Ridgefield and upon the people of *the Borough of Ridgefield* to observe this month with appropriate programs, activities, and ceremonies supporting this year’s theme, “*Love them. Protect them. Immunize them.*” I also encourage public and private health care providers, parents, and children’s caregivers in the Borough of Ridgefield to advance the health of children by ensuring early and on-time immunizations against preventable childhood diseases.

COUNCIL VOTE

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

Approved:

Attest:

 Anthony R. Suarez, Mayor

 Martin A. Gobbo,
 Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 173-2009

WHEREAS, Texagon Mills has filed a 2004 – 2005 tax appeal challenging assessment at the property at Lot 3, Block 1601 at 645 Grand Avenue, Ridgefield, New Jersey;

WHEREAS, Borough representatives have reviewed the merits of the appeal, have engaged in settlement negotiations and proposed a settlement thereof

WHEREAS, the original assessment for 2004 was \$746,700.00 and for 2005 \$1,278,400.00;

WHEREAS, The Borough's real estate consultant has reviewed the merits of the appeal and has recommended the proposed settlement;

NOW, THEREFORE, BE IT RESOLVED, the Governing Body, for good cause, that;

- (1) A settlement in the 2004 tax appeal is hereby approved so that the assessment will be set at \$659,400.00 and for 2005, the assessment shall be set at \$1,150,000.00;
- (2) That upon receipt of the tax court judgment that the tax collector shall 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;
- (3) That the special tax attorney is hereby authorized to execute a Stipulation of Settlement for filing with the tax court to carry this resolution into effect.
- (4) That this resolution is subject to approval thereof of the taxpayer.

Approved:

Anthony R. Suarez, Mayor

Attest:

Martin A. Gobbo, Borough Clerk

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 174-2009

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

1. Jeffrey C. Bliss of Lerch, Vinci & Higgins, LLP is hereby appointed as Borough Auditor for calendar year 2009 according to the terms and conditions of a certain professional services agreement which is attached hereto.
2. The Mayor and the Borough Clerk be and hereby are authorized and directed to execute the attached Professional Services Agreement with Jeffrey C. Bliss of Lerch, Vinci & Higgins, LLP.
3. A notice of this action shall be printed in The Record.
4. A copy of this Resolution and a copy of the attached contract shall be made available for public inspection as required by law.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Mayor Suarez

RESOLUTION NO. 175-2009

WHEREAS, each year 1.2 million Americans suffer a new and recurrent coronary attack, and cardiovascular disease is the nation's leading cause of death with direct and indirect costs estimated to be \$4348.5 billion in 2008; and

WHEREAS, more physical activity can help improve these statistics; and

WHEREAS, some adults may gain up to two hours of life expectancy for every hour of regular, vigorous physical activity, such as very brisk walking; and

WHEREAS, in addition to the possibility of increased life expectancy, regular walking has many proven benefits for an individual's overall health. Brisk walking for 30 minutes a day can lower both bad cholesterol (LDL) levels and high blood pressure. It may also help individuals who are overweight prevent weight gain, and reduce their risk of stroke; and

WHEREAS, the Centers for Disease Control and Prevention estimate that physically active people save \$330 per year in direct medical expenditures; and

WHEREAS, in conjunction with the Senior Walk For Your Health Day on April 29, the American Heart Association's Start! Initiative calls on all citizens of Ridgefield to walk at least 30 minutes today; and

WHEREAS, the purpose behind National Start! Walking Day is to get Americans to become more physically active by walking.

NOW, THEREFORE, Mayor Anthony R. Suarez, in recognition of the importance of regular physical activity, do hereby proclaim April 29, 2009

“National Start! Walking Day”

in Ridgefield, NJ and urge all citizens to show their support for walking and the fight against heart disease and commemorate this day by walking at the Ridgefield Nature Center and the Slocum Path.

By increasing awareness of the importance of physical activity to reduce the risk for cardiovascular disease, we can save thousands of lives each year.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Todd

RESOLUTION NO. 176-2009

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

“BIDS FOR A CLASS A FIRE PUMPER WITH 75FT. AERIAL DEVICE”

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Mayor Suarez

RESOLUTION NO. 177-2009

BE IT RESOLVED by the Mayor and Council, with the recommendation of the Armand Marini, Construction Code Official, that

DAVID McCLELLAND

be appointed as Property Maintenance Inspector on a part-time basis not to exceed 19.5 hours per week at the hourly rate of \$10.00 per hour.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 178-2009

WHEREAS, Novartis Pharmaceuticals Corp of East Hanover, New Jersey has donated a 1995 Ford Econo Van to the Borough of Ridgefield; and

WHEREAS, the DPW mechanic has thoroughly inspected said vehicle and issued a satisfactory report; and

WHEREAS, said vehicle will be used as a mobile communications center by our emergency services departments; and

WHEREAS, maintenance and outfitting of said vehicle is to be paid from funds from the Emergency Management Assistance Grant and Penalty Account.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 179-2009

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

1. Carl Jenne is hereby appointed as Borough Engineer for calendar year 2009 according to the terms and conditions of a certain professional services agreement which is attached hereto.
2. The Mayor and the Borough Clerk be and hereby are authorized and directed to execute the attached Professional Services Agreement with Carl Jenne.
3. A notice of this action shall be printed in The Record.
4. A copy of this Resolution and a copy of the attached contract shall be made available for public inspection as required by law.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

CONTRACT FOR PROFESSIONAL SERVICES WITH
BOROUGH ENGINEER

THIS IS A CONTRACT for professional services made by and between the Borough of Ridgefield, County of Bergen, State of New Jersey, hereinafter called the "BOROUGH", and Jenne Associates, LLC, having offices at 530 Church Street, Ridgefield, New Jersey, hereinafter called the "ENGINEER".

WHEREAS, the Mayor and Council of the Borough of Ridgefield previously appointed Jenne Associates, LLC, as Borough Engineer for calendar year 2009; and

WHEREAS, pursuant to law, the Mayor and Council have authorized the Mayor and Borough Clerk to enter into an agreement with the ENGINEER for professional services as Borough Engineer without competitive bid; and

WHEREAS, it is desirable and appropriate that the parties enter into a formal contract to memorialize the rights, duties and obligations of the parties;

NOW, THEREFORE, IT IS AGREED by and between the parties, in consideration for the mutual promises and covenants contained herein, as follows:

1. **ENGAGEMENT:** The BOROUGH hereby engages the ENGINEER to serve as Borough ENGINEER for calendar year 2009, or until her/his successor qualifies. The ENGINEER hereby accepts such engagement and agrees to provide the services required under this agreement.
2. **SCOPE OF SERVICES:** The ENGINEER shall perform all appropriate engineering, surveying, planning and other related services for the BOROUGH, including all matters which in the reasonable opinion of the Mayor and Council should be referred to the ENGINEER and all matters which by law and/or tradition should be referred to and handled by the ENGINEER.
3. **PAYMENT FOR SERVICES:** The BOROUGH agrees to pay to the ENGINEER for services rendered pursuant to this agreement such sums, based on an agreed to scope of work and fee or computed on an hourly basis, pursuant to the rates attached hereto and made a part hereof. The ENGINEER shall submit appropriate vouchers on a periodic basis for services rendered.
4. **ENGAGING OTHERS:** Nothing in this agreement shall prohibit the BOROUGH from engaging other engineers for specific matters if in the opinion of the Mayor and Council such is necessary.
5. **INCORPORATION OF CERTAIN PROVISIONS:**
 - A. The parties to this agreement agree to incorporate into same the mandatory language of subsection 3.4(a) of the Regulations promulgated by the

Department of the Treasury, pursuant to P.L. 1975, c.127, as amended and supplemented from time to time, and the ENGINEER agrees to fully comply with the terms, provisions and obligations of said regulation, provided that said subsection shall be applied subject to the terms of subsection 3.4(d) of said regulations.

- B. The parties to this agreement agree to incorporate into same the mandatory language of section 5.3 of the Regulations promulgated by the Department of the Treasury pursuant to P.L. 1975, c.127, as amended and supplemented from time to time and the ENGINEER agrees to comply fully with the terms, provisions and obligations of said regulation.

IN WITNESS WHEREOF, the parties have set their hands and seals on the day and year affixed next to their respective signatures.

DATE:

BOROUGH OF RIDGEFIELD

Anthony R. Suarez, Mayor

ATTEST:

Martin A. Gobbo,
Borough Clerk

WITNESS:

DATE:

JENNE ASSOCIATES, LLC

HOURLY RATE SCHEDULE

2009 Ridgefield Borough Engineer Appointment

	<u>HOURLY BILLING RATE</u>
BOROUGH ENGINEER.....	\$ 140.00
LICENSED PROFESSIONAL.....	\$ 125.00
SENIOR DESIGNER	\$ 110.00
DESIGNER.....	\$ 90.00
SENIOR CONSTRUCTION INSPECTOR	\$ 105.00
CONSTRUCTION INSPECTOR.....	\$ 90.00
TECHNICIAN	\$80.00
SURVEY CREW (2-PERSON).....	\$160.00
MONTHLY RETAINER CONTRACT (23 HOURS).....	\$1,900.00
TIER 2 SEWER USERS – Biazzo (w/Testing Costs)	\$1,400.00
TIER 2 SEWER USERS – Montena Taranto (w/Testing Costs)	\$1,400.00
TIER 2 SEWER USERS – Siemens (no Testing)	Hourly as required*
TIER 2 SEWER USERS – Colorite (no Testing)	Hourly as required*

*Manufacturing Operations have been greatly reduced as has supplemental tax bill. Fees for these facilities will be billed based on actual time spent.

Rates effective through December 31, 2009

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Severino

RESOLUTION NO. 180-2009

WHEREAS, the Borough of Ridgefield requires a new four-wheel drive dump truck and snow plow for the use in the Borough (the "Truck"); and

WHEREAS, the Governing Body did publish a Request for Proposals ("RFP") for the Truck; and

WHEREAS, the Borough Clerk opened such bids on March 20, 2009; and

WHEREAS, the lowest bidder, Mall Chevrolet provided a bid package that contains major material exceptions to the specifications for the "dump body" that would render the Truck unsuitable for the handling of salt and other purposes carried out by the Borough's Department of Public Works;

WHEREAS, the Mayor and Council have found these exceptions, which include modified dimensions, gauges, and the use of carbon steel instead of the specified stainless steel, to be non-waivable in accordance with Section IV of the Bid Documents; and

WHEREAS, the second lowest bidder, Beyer Bros. Corp. provided a bid package that is in order and meets all of the mandatory permissive statutory requirements; and

WHEREAS, the Governing Body has reviewed the second lowest bid submitted by Beyer Bros. Corp.; and

WHEREAS, under N.J.S.A. 40A:11-24, the Borough of Ridgefield had sixty (60) days from the opening of the bid to award the bid to Beyer Bros. Corp.; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Borough hereby awards a Contract to provide the Truck; and

BE IT FURTHER RESOLVED that the purchase amount of the Truck shall be \$44,320.00;

BE IT FURTHER RESOLVED that the Borough Chief Financial Officer has confirmed the availability of such funds for the award of the Contract.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 181-2009

WHEREAS. Jenne Associates. LLC has submitted Proposal # R09003 in connection with the New Salt Storage Facility Project;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the attached proposal be accepted for a total of \$7,800.00.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 182-2009

WHEREAS. Jenne Associates. LLC has submitted Proposal # R09002 in connection with the Ambulance Corps Roof Replacement Project;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the attached proposal be accepted for a total of \$2,400.00.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 183-2009

WHEREAS. Jenne Associates. LLC has submitted Proposal # R09001 in connection with the FY2001 CDBG Sanitary Sewer Repairs Project;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the attached proposal be accepted for a total of \$7,200.00.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Severino

RESOLUTION NO. 184-2009

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that Nick Gambardella, Superintendent of Department of Public Works, be given a salary increase of 4% retroactive to January 1, 2009.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 185-2009

WHEREAS, Ratgovan, LLC has filed a 2006, 2007, 2008 and 2009 tax appeals challenging assessment at the property at Lot 1, Block 501 at 80 Route 46 West, Ridgefield, New Jersey;

WHEREAS, The original assessment under appeal was \$2,475,000.00;

WHEREAS, Borough representatives have reviewed the merits of the appeal, have engaged in settlement negotiations and have proposed a settlement thereof;

WHEREAS, The Borough's real estate consultant has reviewed the merits of the appeal and has recommended the proposed settlement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body, for good cause that, a settlement be approved as follows;

- (1) For the years 2006 – 2009 there shall be an adjusted assessment to \$2,133,300.00;
- (2) That upon receipt of the Tax Court judgment the tax collector shall 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;
- (3) That the special tax attorney is hereby authorized to execute a Stipulation of Settlement for filing with the Tax Court to carry this resolution into effect.
- (4) That this resolution is subject to approval thereof of the taxpayer.

Approved:

Anthony R. Suarez, Mayor

Attest:

Martin A. Gobbo, Borough Clerk

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

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 April 27, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 186-2009

BE IT RESOLVED, that warrants totaling \$502,246.91
be drawn on the following accounts:

CURRENT	\$423,535.97
TRUST	\$12,768.02
CAPITAL	\$62,667.53
POOL	\$3,275.39
TOTAL	\$502,246.91

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Castelli

RESOLUTION NO. 187-2009

WHEREAS, New Jersey state law requires that executive meeting information be kept in executive session until such time as the governing body deems it proper to release such information to the public; and

WHEREAS, the distribution of said executive session information is not only illegal but against the best interests of the Borough of Ridgefield, and its residents, until such time as the release of such information is deemed proper; and

WHEREAS, Councilman Angus Todd has disregarded this law in favor of his own self-interest in releasing executive session information improperly, illegally, and against the Borough's best interests;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that Councilman Angus Todd be and is hereby censured for his illegal conduct, and a copy of this resolution is to be sent with further proofs to the Bergen County Prosecutor's Office so that Councilman Todd can be prosecuted to the fullest extent of the law for this violation of the open public meetings act.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Martin A. Gobbo,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 27, 2009

Presented by Councilman Vincentz

RESOLUTION NO. 188-2009

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Borough of Ridgefield will receive \$100,000 from the New Jersey Meadowlands Commission for the 2009 Municipal Assistance Grant and wishes to amend its 2009 SFY Budget to include a portion of this amount as an item of revenue;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Mayor and Council hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the SFY Budget of 2009 in the sum of \$100,000 which is now available as a revenue item from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent of the
Director of Local Government Services:

Public and Private Revenues Off-set with Appropriations:

NJMC 2009 Municipal Assistance Grant \$100,000

BE IT FURTHER RESOLVED that a like sum of \$100,000 be and the same is hereby appropriated under the caption:

General Appropriations

(a) Operations excluded from CAPS

Public and Private Revenues Off-set by Appropriations:

NJMC 2009 Municipal Assistance Grant \$100,000

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to forward two (2) copies of this Resolution to the Director of Local Government Services.

Approved:

Anthony R. Suarez, Mayor

Attest:

Martin A. Gobbo, Borough Clerk

COUNCIL VOTE

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