

BOROUGH OF RIDGEFIELD

A G E N D A

Executive Session and Regular Meeting of the Mayor and Council

Date: January 14, 2013

Open Public Meetings Statement by Mayor Suarez

Public Session to Adjourn to Executive Session: 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

Citizens Comment on Agenda:

Correspondence:

Approval of Minutes of December 10, 2012 Public Session Meeting and January 3, 2013 Sine Die Meeting

Introduction of Ordinance No. 2214 entitled, “AN ORDINANCE AMENDING CHAPTER 390 OF THE CODE OF THE BOROUGH OF RIDGEFIELD PERTAINING TO RETAINING WALLS”

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2215 entitled, “AN ORDINANCE AMENDING CHAPTER 390 OF THE CODE OF THE BOROUGH OF RIDGEFIELD SETTING REGULATIONS REGARDING STEEP SLOPES”

ROLL CALL-PUBLIC SESSION

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

ROLL CALL-EXEC. SESSION

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

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2216 entitled, "AN ORDINANCE AMENDING CHAPTER 133 OF THE CODE OF THE BOROUGH OF RIDGEFIELD, ANTI-BULLYING POLICY, PROCEDURES AND PROGRAMS"

First Reading of Ordinance

Roll Call

PROPOSED CONSENT AGENDA:

61-2013 Councilman Jimenez Authorize RFQs Borough Professionals
62-2013 Councilman Jimenez Return of Escrow-AboveNet Communications

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

RESOLUTIONS:

63-2013 Councilman Jimenez Authorize Payment to Arbitrator
64-2013 Councilman Jimenez Warrants

COMMENTS BY MAYOR:

Application for Raffles License:

St. Matthew's Church
50/50
555 Prospect Avenue
February 17, 2013, April 7, 2013, June 13, 2013, September 1, 2013, October 27, 2013,
December 29, 2013

Coin Toss Request:

RBAO

Saturday, March 23, 2013

Saturday, June 1, 2013

Application for Special Permit for Social Affair:

PBA Local #330

April 20, 2013 – 6:30-11:00 p.m.

725 Slocum Avenue

COMMENTS BY COUNCILMEN:

COMMENTS BY CITIZENS: (All speakers are limited to five minutes maximum per meeting)

Agenda subject to change as a result of matters not known at time of printing with the consent of the Mayor and Council.

Respectfully submitted,

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting January 14, 2013

Presented by Mayor Suarez

BE IT RESOLVED, that the regular public meeting be adjourned, and that the Mayor and Council of the Borough of Ridgefield shall meet in a closed Executive Session following a five minute recess at the termination of this meeting. The purpose of the Executive Session shall be to discuss the following matters:

- _____ Personnel matters in various departments of the Borough.
- _____ Pending and Potential Litigation
- _____ Tax Court Litigation.
- _____ Potential real estate transactions in which the Borough may engage.

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

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

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting January 14, 2013

Presented by Councilman Jimenez

ORDINANCE NO. 2214

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 390 OF THE CODE OF THE BOROUGH OF RIDGEFIELD PERTAINING TO RETAINING WALLS”

introduced on the 14th day of January, 2013, 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 25th day of February, 2013 at 7:30 PM or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Community Center, 725 Slocum Avenue, in the Borough of Ridgefield, and that at such time and place, all persons interested be given an opportunity to be heard concerning the same, that the Borough Clerk be and she is hereby authorized and directed to publish in The Record, a newspaper circulating in the Borough of Ridgefield said Ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place when and where said Ordinance will be further considered for final passage.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting January 14, 2013

Presented by Councilman Jimenez

ORDINANCE NO. 2214

“AN ORDINANCE AMENDING CHAPTER 390 OF THE CODE OF THE BOROUGH OF
RIDGEFIELD PERTAINING TO RETAINING WALLS”

An ordinance amending the Borough Zoning Ordinance Chapter 390:

WHEREAS The Borough Planning Board has found that the zoning ordinance lacks any regulations regarding retaining walls;

WHEREAS the Borough Planning Board has made recommendation to the Council to pass an ordinance regarding retaining walls;

WHEREAS the Borough Council has considered that recommendation;

THEREFORE, BE IT ORDAINED, by the Borough Council for the Borough of Ridgefield, as follows:

§ _____. **Retaining Walls**

A. Definitions.

RETAINING WALL HEIGHT. The height of a wall shall be measured from the toe of the wall to the top of the wall.

TOP OF THE WALL shall mean the highest elevation of any part of the wall.

TOE OF THE WALL shall mean the intersection of the face of a wall and the adjacent ground at the base of the wall.

B. Locations Applicable to all Architectural and Retaining Walls.

1. No fence, architectural wall, landscape retaining wall, or structural retaining wall shall be erected within a public right-of-way.

2. No fence, architectural wall, landscape retaining wall, or structural

retaining wall shall be erected within a sight triangle easement.

C. Architectural Walls.

1. Maximum height.

(a) No architectural wall shall exceed a height of four (4) feet above ground level;

2. The use of barbed wire or wire on which barbs or points are strung is prohibited.

3. Any architectural wall facing on a street or property line shall have the front surface exposed to said street or property line.

D. Retaining Walls. Retaining walls shall be divided into two (2) categories:

1. Landscape Retaining Walls.

(a) Landscape retaining walls shall not be located closer to a property line than twice the height of the wall, provided that if the grade shall be raised, said wall shall be no closer than five (5) feet from the property line.

(b) Landscape retaining walls shall be constructed of durable or preservative treated wood, or other durable materials, and shall be designed to allow replacement of the wall at the end of its useful life.

2. Structural Retaining Walls.

(a) Construction of all structural retaining walls shall require a construction/zoning permit. For structural retaining wall projects otherwise not requiring lot grading plans per subsection 30-96.20, the zoning officer, upon review of the construction/zoning permit application, shall forward the permit and application to the Construction Official who, upon completion of his/her review thereof; has the authority to require that the applicant obtain a lot grading plan approval per the requirements of subsection 30-96.20.

(b) All structural retaining walls shall be designed by a licensed design professional engineer or architect with signed and sealed

plans submitted to the Borough Engineer for review and approval, if a lot grading plan is required, otherwise, if no lot grading plan is required, then same shall be submitted to the Construction Official for verification that the structural retaining wall was designed by the specified professional.

(c) The construction of all structural retaining walls shall be inspected by a licensed design professional engineer or architect, and a signed and sealed certification that the wall has been properly constructed shall be submitted to the Borough Engineer upon completion of the wall.

3. Height of retaining walls in any residential district.

(1) The maximum height of any retaining wall, section of retaining wall, or tier of a retaining wall shall be four (4) feet.

(2) Multiple, staggered or tiered walls shall be considered single walls unless there is a minimum horizontal distance between the top of any single section or tier and the base (toe) of the next higher section or tier is not less than one and one-half (1-1/2) times the height of the lower section or tier. If there are more than three (3) single sections or tiers, the minimum distance between the top of any single section or tier and the base (toe) of the next higher section or tier shall be not less than two (2) times the height of the lower section or tier.

4. Location of Structural Retaining Walls.

(1) No portion of a structural retaining wall shall be located within ten (10) feet of a dwelling structure, unless the structural retaining wall is an extension of a building foundation wall.

(2) No portion of a structural retaining wall shall be located within fifteen (15) feet of any above ground structure, such as a deck, unless the structural retaining wall is an extension of a building foundation wall.

(3) A structural retaining wall shall be located no closer to a property line than twice the height of the wall or wall segment closest to the property line, and the applicant must demonstrate that a failure of the structural retaining wall will not have an adverse impact on any adjoining property.

5. Design of Structural Retaining Walls.

1. The applicant shall demonstrate how all segments of the structural retaining wall, including any bench area located between two (2) tiered wall sections, shall be maintained.
2. The applicant shall demonstrate how the structural retaining wall will be replaced at the end of the wall's useful life,
3. The bench, or area between the top of one tier and the bottom (toe) of the next higher tier, shall be properly graded to facilitate drainage.
4. No landscaping shall be installed in the vicinity of any structural retaining wall with a root system of such magnitude to exert lateral pressure, or otherwise cause damage to the wall assembly.

- E. **Invalid Provisions.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
- F. **Effective Date.** This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.
- G. **Repealer.** All Ordinances of the Borough of Ridgefield that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting January 14, 2013

Presented by Councilman Jimenez

ORDINANCE NO. 2215

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 390 OF THE CODE OF THE BOROUGH OF RIDGEFIELD SETTING REGULATIONS REGARDING STEEP SLOPES”

introduced on the 14th day of January, 2013, 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 25th day of February, 2013 at 7:30 PM or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Community Center, 725 Slocum Avenue, in the Borough of Ridgefield, and that at such time and place, all persons interested be given an opportunity to be heard concerning the same, that the Borough Clerk be and she is hereby authorized and directed to publish in The Record, a newspaper circulating in the Borough of Ridgefield said Ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place when and where said Ordinance will be further considered for final passage.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting January 14, 2013

Presented by Councilman Jimenez

ORDINANCE NO. 2215

“AN ORDINANCE AMENDING CHAPTER 390 OF THE CODE OF THE BOROUGH OF
RIDGEFIELD SETTING REGULATIONS REGARDING STEEP SLOPES”

An ordinance amending the Borough Zoning Ordinance Chapter 390:

WHEREAS The Borough Planning Board has found that the zoning ordinance lacks any regulations regarding steep slope disturbance;

WHEREAS the Borough Planning Board has made recommendation to the Council to pass an ordinance regarding steep slopes;

WHEREAS the Borough Council has considered that recommendation;

THEREFORE, BE IT ORDAINED, by the Borough Council for the Borough of Ridgefield, as follows:

§ ____ . REGULATIONS FOR DEVELOPMENT WITHIN STEEP SLOPE AREAS

§ ____ . Purpose.

The purpose of this section is to provide for reasonable control of development within the steep slope areas of the Borough in order to minimize the adverse impact caused by the development of such areas. This includes, but is not limited to, erosion, siltation, flooding, surface water runoff, and pollution of potable water supplies from point and nonpoint sources.

The removal of vegetation, disturbance of the soil and the construction of buildings and structures in steep slope areas of the Borough may increase surface water runoff, soil erosion and siltation with the resultant pollution of streams, as well as the potential danger of flooding and water drainage, thereby having the potential of endangering public and private property and the public welfare.

The public interest justifies the regulation of property with steep slopes, for the protection of persons and the property of its inhabitants and for the preservation of the public health, safety and general welfare.

§ ____ . Applicability.

- A. Applicants for site plan or subdivision approval shall submit all information required under this section to the appropriate reviewing authority which shall not approve the application unless the approval requirements of this section are met.
- B. Applicants for construction permits including the construction of buildings, walls, driveways or other structures or the clearing of land shall submit an application with the information required in this section, to the Construction Official, where development is proposed in any steep slope area to insure that the proposed development of the lot will respect the natural features of the tract and minimize adverse impacts associated with such clearing and/or construction. This information shall be referred to the Borough Engineer.
- C. Applicants for subdivision or site plan review shall submit information required in this section so the approving authority can render a decision concerning the land's suitability to accommodate the proposed project without negatively impacting the community health or welfare. The Board shall use this information to evaluate the appropriateness of the project.

§ ____ . Steep Slope Regulations.

- A. All applications for subdivision or site plan approval or for permit for construction, grading or clearing of any lot shall be evaluated by the applicant for the presence of steep slopes as defined herein. Each proposed or existing lot shall be evaluated to determine the presence of steep slopes within the following categories, along with the following limitations on disturbance:

Steep Slope Category	Allowable Amount of Disturbance
0 - 9.99%	100%
10 – 14.99%	40%
15 – 19.99%	15%
20 - 24.99%	10%
25% +	0%

- B. Disturbance within the allowed Maximum Disturbance limits as set forth in Section _____ may only be permitted where it can be shown to the satisfaction of the applicable board or Planning Department that

- C. Proposed excavation, removal, depositing or disturbance of soil shall be for purposes consistent with the intention of this Section and shall be executed in a manner that will not cause excessive erosion or other unstable conditions
- D. Provision shall be made for the proper disposition of surface water runoff so that it will not create unstable conditions. Appropriate storm drainage facilities shall be constructed as deemed necessary and adequate protective measures shall be provided for downstream properties.
- E. Provision shall be made for any structures or protective measures that may be required for the protection of the public safety including but not limited to retaining walls, headwalls and fences. See Ordinance 2214 for regulations for retaining walls.
- F. Proper facilities have been or will be provided for a safe water supply and for the disposal of sanitary sewage as approved by the Ridgefield Borough Board of Health.
- G. Areas of disturbance shall comply with Ordinance #1679, Tree Removal and Protection.
- H. Proposed finished grades shall not exceed 3.1.

§ ____ . Steep Slope Disturbance Required Documentation.

Where application for a building permit is being made in conjunction with this Chapter, the following shall be required:

- A. A legibly drawn plan, at a scale no smaller than one inch equals fifty feet (1" = 50') and no larger than one inch equals ten feet (1" = 10') shall be submitted by a New Jersey licensed engineer, land surveyor or architect which provides sufficient on-site detail to evaluate the proposed development.
- B. The Steep Slope Disturbance Plan shall contain, at a minimum, the following items:
 - 1. Existing and proposed topographic information using two foot (2) contour intervals for all steep slopes as defined and categorized above and within all areas contemplated for clearing and/or construction as described above.
 - 2. Existing and proposed drainage patterns within one hundred feet (100') of the proposed lot under development
 - 3. Details concerning architectural design and how the proposed construction will relate to, complement and minimize adverse impacts upon the existing natural features of the lot.

4. Location of trees in excess of eight inches (8') in diameter.
5. Soil types contained on the lot with specific reference to highly erodible soils as defined by the United States Department of Agriculture Soil Conservation Service.
6. All driveway locations, paved areas and details.

§ _____. Steep slope disturbance application procedures.

- A. Prior to the issuance of a construction permit for any structure or the disturbance of any soil or vegetation within any steep slope area as herein defined, an applicant for building permit shall submit a steep slope disturbance application to the Planning Department for its review and approval.
- B. Applicants for site plan or subdivision approval involving the disturbance of steep slopes shall submit information regarding steep slope conditions to the appropriate reviewing authority as part of the required submission which shall be examined within the appropriate site plan or subdivision review context.

§ _____. Variance required.

Disturbance of steep slope areas in amounts greater than indicated in Subsection ____ 'Limit of Disturbance' shall require a variance.

§ _____. Invalid Provisions.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

§ _____. Effective Date.

This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

§ _____. Repealer.

All Ordinances of the Borough of Ridgefield that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting January 14, 2013

Presented by Councilman Jimenez

ORDINANCE NO. 2216

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 133 OF THE CODE OF THE BOROUGH OF RIDGEFIELD, ANTI-BULLYING POLICY, PROCEDURES AND PROGRAMS”

introduced on the 14th day of January, 2013, 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 28th day of January, 2013 at 7:30 PM or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Community Center, 725 Slocum Avenue, in the Borough of Ridgefield, and that at such time and place, all persons interested be given an opportunity to be heard concerning the same, that the Borough Clerk be and she is hereby authorized and directed to publish in The Record, a newspaper circulating in the Borough of Ridgefield said Ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place when and where said Ordinance will be further considered for final passage.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting January 14, 2013

Presented by Councilman Jimenez

ORDINANCE NO. 2216

“AN ORDINANCE AMENDING CHAPTER 133 OF THE CODE OF THE BOROUGH OF
RIDGEFIELD, ANTI-BULLYING POLICY, PROCEDURES AND PROGRAMS”

Section I.

BE IT ORDAINED by the Mayor and Council of the Borough of Ridgefield that Chapter 133 of the Code of the Borough of Ridgefield, entitled “Anti-Bullying Policy, Procedures and Programs” be, and hereby is amended, by amending Chapter 133-6 entitled “Anti-Bullying Committee”, changing the number of alternate members from two to four so that the language of Chapter 133-6 is deleted, and replaced with the following:

A. The Borough hereby establishes an Anti-Bullying Committee (hereinafter “the Committee”), to be charged with responding to reports of bullying, investigating reports of bullying and, where warranted, determining appropriate responses to incidents of bullying, including remedial action and consequences as deemed appropriate. The Committee shall also be charged with investigating and implementing programs and methods to inform and educate the various segments of the Ridgefield community about bullying, its effects and ways and methods to deal with same. The Committee shall consist of seven members and four alternates to be appointed by the Mayor and the advice and consent of the Council. Committee members and alternates shall serve for a three-year term to run on a calendar-year basis. The initial appointment of the Committee will have staggered terms so that two persons are appointed for a three-year term, two persons for a two-year term, and three persons for a one-year term so that thereafter for each successive year two members of the Committee will be up for reappointment for a three-year term. The initial appointment of alternate members of the Committee will be one year. Vacancies shall be filled in the same manner as the appointment, to fill the unexpired term of the member who has left office.

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting January 14, 2013

Presented by Councilman Jimenez

RESOLUTION NO. 61-2013

WHEREAS, as of January 1, 2006, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play Law, enacted by the New Jersey State Legislature became effective; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.1 et seq., a municipality may not award a contract with a value in excess of \$17,500.00 to a business entity that has made a contribution within one year of the date the contract is to be awarded that is reportable by the recipient under P.L. 1973, c.83 (C.19.44A-1 et seq.) to a municipal political party committee in that municipality if a member of that party is serving in elective public office when such contract is awarded or to any candidate committee of any person who is serving in an elective public office of the municipality when such contract is awarded, unless the contract is awarded under a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, a “fair and open process” constitutes the following: (1) public advertisement of a Request for Qualifications (“RFQ”) with twenty (20) days notice prior to the receipt of responses to the RFQ; (2) award of contract under a process that provides for public solicitation of qualifications; (3) award of contract under publicly disclosed criteria established, in writing, by the municipality prior to the solicitation of qualifications; and (4) the municipality shall publicly open and announce the qualifications when awarded; and

WHEREAS, it has become necessary for the Borough of Ridgefield (“the Borough”) to engage legal, financial, and engineering professionals and to engage the services of other individuals for extraordinary unspecifiable services; and

WHEREAS, the Borough desires to appoint such professionals and services by a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et seq.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield, County of Bergen and State of New Jersey that RFQs for professional services for the following professional services for the Borough are hereby authorized:

- 1) Public Defender
- 2) Waste Water Monitoring Services by a Qualified Engineer

BE IT FURTHER RESOLVED, that all of the RFQs for the professional services and extraordinary unspecifiable services as set forth hereinabove shall be prepared and published in accordance with N.J.S.A. 19:44A-20.1 et seq. and all submissions in response shall be evaluated on the basis of the most advantageous submission, all factors considered, including, but not limited to:

- 1) Experience and reputation in the field
- 2) Knowledge of the Borough and the subject matter to be addressed under the contract
- 3) Availability to accommodate any required meetings of the Borough or Borough Agency
- 4) Any other factors demonstrated to be in the best interest of the Borough or Borough Agency.

BE IT FURTHER RESOLVED, that on or before January 16, 2013 the Borough Clerk be and she is hereby authorized and directed to publish notice of the RFQs for the professional services and extraordinary unspecifiable services enumerated above by the following means:

(1) on the Borough's internet web site. (The Borough Clerk is also authorized to publish the RFQ documents themselves on the Borough Website.); (2) on the Borough's bulletin Board at Town Hall; and (3) in The Record, a newspaper circulating in the Borough of Ridgefield. The notice of RFQs shall include the following:

- 1) A description of the requested professional or extraordinary unspecifiable service for which the RFQ is made;
- 2) A statement that Qualifications must be submitted by 10:00 AM on February 6, 2013
- 3) A statement that the RFQs are being made by the Borough
- 4) The address and phone number of the Borough Clerk's office and a statement that applicants may obtain the RFQ document from the Clerk's office if they cannot obtain the RFQ documents from the Borough's website;
- 5) A statement that the RFQ is being made through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

BE IT FURTHER RESOLVED, that the Borough Attorney is authorized and directed, in consultation with the members of the Finance Committee of the Mayor and Council, to effectuate the drafting of the RFQs, which shall include the evaluation criteria hereinabove stated.

BE IT FURTHER RESOLVED, that the Borough Clerk or her designee shall publicly open and read aloud the submissions responding to the RFQs, including the name of the applicant and any other pertinent information on February 6, 2013, at 10:00 AM in the Council Chambers at Borough Hall.

BE IT FURTHER RESOLVED, that those positions included hereinabove are those which the Borough of Ridgefield reasonably believes will be subject to appointment for the year 2013. However, all such appointments are subject to the availability of funds and the continuing needs of the Borough. Accordingly, inclusion of a position in this resolution is not a representation or warranty that such position will be filled, or that if filled, it will be subject to the process contained herein.

BE IT FURTHER RESOLVED, that the Borough Council has determined that the terms of this Resolution constitute a fair and open process as to all positions included herein.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting January 14, 2013

Presented by Councilman Jimenez

RESOLUTION NO. 62-2013

WHEREAS, the following applicants have posted legal fees for development with the Borough for Right of Way Access review

<u>Applicant</u>	<u>Amount</u>
AboveNet Communications	\$3,925.00

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

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

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting January 14, 2013

Presented by Councilman Jimenez

RESOLUTION NO. 63-2013

WHEREAS, the Borough of Ridgefield is attempting to obtain from its insurance carriers monies to pay the legal fees incurred by Mayor Anthony Suarez in the successful defense of criminal charges emanating from the exercise of his official duties; and

WHEREAS, the Mayor has made a direct claim against the carrier, and the Borough has made its own claim against the carrier; and

WHEREAS, those claims are presently pending in a binding arbitration proceeding by three arbitrators, one appointed by the claimant, one appointed by the carrier, and a neutral selected by the two other arbitrators; and

WHEREAS, the claimants are required to pay their arbitrator, the carrier is obligated to pay its arbitrator, and the parties are to jointly share the costs of the neutral arbitrator; and

WHEREAS, the neutral arbitrator, the Honorable Justice James Zazzali, Ret., has asked for an additional retainer of \$5,000 from each side; and

WHEREAS, the Borough had previously adopted Resolution 197-2012 authorizing the payment by the Borough of the fees due to the arbitrators as they came due; and

WHEREAS, it is in the best interests of the Borough to pursue the arbitration proceeding and to pay the additional retainer to the neutral arbitrator Honorable Justice James Zazzali, Ret.;

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

1. The Borough be and hereby is authorized to pay the additional retainer of \$5,000 to the Honorable Justice James Zazzali, Ret., as requested.
2. The Borough is further authorized to pay one-half of the continuing fees of neutral arbitrator, Honorable Justice James Zazzali, Ret., and further to pay the reasonable fees of arbitrator Daniel Mecca, Esq., who serves as the Claimant's arbitrator, when billed to the Borough and approved by payment voucher.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Russell Castelli, Council President

Linda M. Silvestri,
Borough Clerk

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

Joseph Luppino,
Chief Financial Officer

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting January 14, 2013

Presented by Councilman Jimenez

RESOLUTION NO. 64-2013

BE IT RESOLVED, that warrants totaling \$2,301,417.40
Be drawn on the following accounts:

CURRENT	\$2,236,947.14
TRUST	\$31,594.15
CAPITAL	\$32,512.80
POOL	\$363.31
TOTAL	\$2,301,417.40

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk