

BOROUGH OF RIDGEFIELD

A G E N D A

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

Date: March 22, 2010

Open Public Meetings Statement by Mayor Suarez

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

- Animal Control
- Sewer House Connections
- Proposed Zoning Ordinance Amendments
- Steep Slope Ordinance
- Retaining Wall Ordinance

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 Donald Sheehan, St. Matthews Roman Catholic Church

Citizens Comment on Agenda:

Correspondence:

Approval of Minutes of February 8, 2010 Public Session Meeting

132-2010 Councilman Lonzisero Appointment of Patrolman

Swearing in of Patrolman

ROLL CALL-WORK SESSION

	PRESENT	ABSENT
Mayor Suarez		
Lonzisero		
Todd		
Vincenz		
Severino		
Castelli		
Acosta		

ROLL CALL-EXEC. SESSION

	PRESENT	ABSENT
Mayor Suarez		
Lonzisero		
Todd		
Vincenz		
Severino		
Castelli		
Acosta		

ROLL CALL-PUBLIC SESSION

	PRESENT	ABSENT
Mayor Suarez		
Lonzisero		
Todd		
Vincenz		
Severino		
Castelli		
Acosta		

As advertised, hearing will be held on Ordinance No. 2124 entitled, "AN ORDINANCE AMENDING CHAPTER 375, VEHICLES AND TRAFFIC, ARTICLE II AND ARTICLE X, OF THE CODE OF THE BOROUGH OF RIDGEFIELD"

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

Public Hearing

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

Roll Call

As advertised, hearing will be held on Ordinance No. 2125 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 390 "ZONING, DEVELOPMENT AND CONSTRUCTION" SECTION 390-39.1 "O-LR OFFICE LOW-RISE ZONE" AND SECTION 390-46 "WORD USAGE AND DEFINITION" IN ACCORDANCE WITH RECOMMENDATIONS OF BOROUGH PLANNER"

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

Public Hearing

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

Roll Call

PROPOSED CONSENT AGENDA:

	Motion:	Second:
133-2010	Councilman Vincentz	Hire Part Time Employee for Clerks Office
134-2010	Councilman Vincentz	Professional Service Agreement-Nolan
135-2010	Councilman Vincentz	Cancel Erroneous Billing
136-2010	Councilman Vincentz	Redemption of Tax Title Lien #06-01
137-2010	Mayor Suarez	Proclamation-National Infant Immunization Week
138-2010	Councilman Vincentz	NJMC 2005 MAP Grant
139-2010	Councilman Lonziser	Consent to Lightpath to Install Fiber-optic Cable

COUNCIL VOTE

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

RESOLUTIONS:

140-2010 Councilman Vincentz Warrants

COMMENTS BY MAYOR:

Application for Special Permit for Social Affair:

Ridgefield Fire Department
725 Slocum Avenue
April 17, 2010 – 6:00 pm-12:00 midnight

Raffles License Application:

Lions Club of Fairview
533 Shaler Boulevard
50/50
June 6, 2010 – 8:00 pm

Ridgefield Memorial High School PTA
555 Walnut Street
Carnival
April 28-April 30, 2010 – 6:00 pm-12:00 midnight
May 1, 2010 – 1:00 pm-12:00 midnight
May 2, 2010- 12:00 noon-10:00 pm

Ridgefield Memorial High School Booster Club
555 Walnut Street
50/50
May 2, 2010 – 6:00 pm

St. James Episcopal Church
514 Abbott Avenue
50/50
May 1, 2010 – 5:30-11:30 pm

St. James Episcopal Church
514 Abbott Avenue
Tricky Tray
May 1, 2010 – 5:30-11:30 pm

St. Matthews Church
555 Prospect Avenue
50/50
April 25, 2010 – 1:15 pm

St. Matthews Church
555 Prospect Avenue
50/50
May 30, 2010 – 1:15 pm

COMMENTS BY COUNCILMEN:

COMMENTS BY ADMINISTRATOR:

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

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

Respectfully submitted,

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 22, 2010

Presented by Mayor Anthony R. Suarez

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

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

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

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

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 22, 2010

Presented by Councilman Lonisero

RESOLUTION NO. 132-2010

BE IT RESOLVED, that the Mayor and Council appoint:

JOSEPH SCHNACKENBERG

as Patrolman of the Ridgefield Police Department.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 22, 2010

Presented by Councilman Lonzisero

ORDINANCE NO. 2124

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 AND ARTICLE X, OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

introduced on the 8th day of March, 2010 do now pass a final reading and be adopted, and that the Borough Clerk be and she is authorized and directed to publish once, the aforesaid title, together with a notice of the date of its passage on final reading and approval thereof in The Record, a newspaper circulating in the Borough of Ridgefield.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 8, 2010

Presented by Councilman Lonzisero

ORDINANCE NO. 2124

“AN ORDINANCE AMENDING CHAPTER 375, VEHICLES AND TRAFFIC, ARTICLE II AND ARTICLE X, OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Ridgefield, County of Bergen, State of New Jersey, that Chapter 375 “Vehicles and Traffic” Article II “Parking, Stopping and Standing on Specific Streets” Section 376-6 “Limited duration parking areas” is hereby amended and supplemented by adding to subsection A the following:

§ 376-6 Limited duration parking areas

- (9) On the westerly side of Broad Avenue starting at the intersection of the southerly line of Elm Avenue and the westerly line of Broad Avenue and travelling in a southerly direction to a point of 652 feet.

BE IT FURTHER ORDAINED, by the Mayor and Council of the Borough of Ridgefield, County of Bergen, State of New Jersey, that Chapter 375 “Vehicles and Traffic” Article X “Alternate Side of Street Parking” Section 376-36 “Provisions specified” is hereby amended and supplemented as follows:

§ 376-36 Provisions specified

Existing Language:

Broad Avenue	East	9:00 am to 3:00 pm Thursday	Maple Avenue to Virgil Avenue from end of post office to Broad, River and Grand intersection
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New Language:

Broad Avenue	East	9:00 am to 3:00 pm Friday	Maple Avenue to Elm Avenue
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Existing Language:

Post Office	West side curb	12:00 midnight to 6:00 am Wednesday	Entire Length
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New Language:

Broad Avenue	West	12:00 midnight to 6:00 am Wednesday	Elm Avenue in a southerly direction a distance of 652 feet
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BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 22, 2010

Presented by Councilman Lonzisero

ORDINANCE NO. 2125

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

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 390 “ZONING, DEVELOPMENT AND CONSTRUCTION” SECTION 390-39.1 “O-LR OFFICE LOW-RISE ZONE” AND SECTION 390-46 “WORD USAGE AND DEFINITION” IN ACCORDANCE WITH RECOMMENDATIONS OF BOROUGH PLANNER”

introduced on the 8th day of March, 2010 do now pass a final reading and be adopted, and that the Borough Clerk be and she is authorized and directed to publish once, the aforesaid title, together with a notice of the date of its passage on final reading and approval thereof in The Record, a newspaper circulating in the Borough of Ridgefield.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 8, 2010

Presented by Councilman Lonzisero

ORDINANCE NO. 2125

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 390 “ZONING, DEVELOPMENT AND CONSTRUCTION” SECTION 390-39.1 “O-LR OFFICE LOW-RISE ZONE” AND SECTION 390-46 “WORD USAGE AND DEFINITION” IN ACCORDANCE WITH RECOMMENDATIONS OF BOROUGH PLANNER”

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Ridgefield, County of Bergen, State of New Jersey, being the governing body thereof, that Chapter 390 “Zoning, Development and Construction” Section 390-239.1 “O-LR Office Low-Rise Zone” and Section 390-46 “Word usage and definition” is hereby amended as follows:

§ 390-39.1 O-LR – Office – Low Rise Zone

§390-39.1(E) Conditionally permitted uses

(4) Hotels & Assisted Living Uses

§390-39.1(I) Area and yard requirements: conditionally permitted uses

(3) Hotels & Assisted Living Uses:

(a) Minimum lot area: 45,000 square feet

(b) Minimum lot width: 300 feet

(c) Minimum lot depth: 200 feet

(d) Minimum front yard: 25 feet

§390-39.1(J) Off-street parking requirements

(12) Hotels & Assisted Living / Active Adult Uses:

(a) There shall be 1 parking space per Hotel guest bedroom and 1 space for every 2 hotel employees.

(b) There shall be 0.5 parking space per each Assisted Living residence. §390-39.1 R
Other restrictions

All habitable Hotel guest bedrooms and Assisted Living residences shall be on separate floors from structured parking.

§390-46 Word usage and definitions.

Assisted living facilities – A facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bedroom, a kitchenette and a lockable door on the unit entrance.

BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 22, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 133-2010

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

STEPHANIE SINCLAIR

be hired as a part-time clerical worker for the Borough Clerk's Office effective immediately; and

BE IT FURTHER RESOLVED that Stephanie Sinclair shall be paid at the rate of \$10.00 per hour not to exceed 19.5 hours per week.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 22, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 134-2010

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

1. Florence Nolan is hereby appointed as Special Tax Appeal Counsel for calendar year 2010 according to the terms and conditions of a certain professional services agreement which is attached hereto.
2. The Borough Administrator and the Borough Clerk be and hereby are authorized and directed to execute the attached Professional Services Agreement with Florence Nolan.
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

Linda M. Prina,
Acting Borough Clerk

CONTRACT FOR PROFESSIONAL SERVICES WITH
TAX APPEAL COUNSEL

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 Florence Nolan, having offices at _____, _____, New Jersey, hereinafter called the "TAX APPEAL COUNSEL".

WHEREAS, the Mayor and Council of the Borough of Ridgefield previously appointed Florence Nolan as TAX APPEAL COUNSEL for calendar year 2010; and

WHEREAS, pursuant to law, the Mayor and Council have authorized the Borough Administrator and Borough Clerk to enter into an agreement with the Tax Appeal Counsel for professional services as TAX APPEAL COUNSEL 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 TAX APPEAL COUNSEL to serve as Borough TAX APPEAL COUNSEL for calendar year 2010, or until her/his successor qualifies. The TAX APPEAL COUNSEL hereby accepts such engagement and agrees to provide the services required under this agreement.
2. **SCOPE OF SERVICES:** The TAX APPEAL COUNSEL shall perform all appropriate services on an as needed basis for the BOROUGH, including all matters which in the reasonable opinion of the Mayor and Council should be referred to the TAX APPEAL COUNSEL and all matters which by law and/or tradition should be referred to and handled by the TAX APPEAL COUNSEL.
3. **PAYMENT FOR SERVICES:** The BOROUGH agrees to pay to the TAX APPEAL for services rendered pursuant to this agreement the sum of \$85.00 per hour. The TAX APPEAL COUNSEL 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 attorneys 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 TAX APPEAL COUNSEL 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 TAX APPEAL COUNSEL 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

Gary Bonacci, Borough Administrator

ATTEST:

Linda M. Prina,
Acting Borough Clerk

WITNESS:

DATE:

Florence Nolan

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 22, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 135-2010

WHEREAS, Block 3305 Lot 10, also known as 351 Shaler Blvd and Block 1103 Lot 1, known as 1030 Elm Avenue and Block 2601 Lot 10, known as 485 Chestnut Street in the Borough of Ridgefield were erroneously billed for the return of the Senior Deduction amounts of \$250.00 each during the fourth quarter 2008.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Tax Collector is authorized to cancel said billing for Block 3305 Lot 10, Block 1103 Lot 1 and Block 2601 Lot 10.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 22, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 136-2010

WHEREAS, Steven Wojciechowski has deposited a check in the amount of \$35,882.97 into the Suspense Account for the redemption and subsequent taxes of Tax Lien # 06-01, Block 2706 Lot 19, further known as 743 Clark Avenue, sold to Robert U. Delvecchio Pension, PO Box 196 Hawthorne, NJ 07507 and whereas \$7,600.00 was previously deposited into the Trust Account at the time of tax sale for the premium.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Chief Financial Officer be and he is hereby authorized to issue and sign a check in the amount of \$35,882.97 from the Suspense Account and a check for \$7,600.00 from the Trust Account for the return of the premium;

BE IT FURTHER RESOLVED that the check in the amount of \$35,882.97 be drawn on the Borough of Ridgefield Suspense Account and the check for \$7,600.00 be drawn on the Borough of Ridgefield Trust account and be made payable to Robert U. Delvecchio Pension and be mailed to PO Box 196, Hawthorne, New Jersey 07507.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 22, 2010

Presented by Mayor Suarez

Proclamation
RESOLUTION NO. 137-2010

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 24-May 1, 2010 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 24-May 1, 2010, 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

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 22, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 138-2010

WHEREAS, the Borough of Ridgefield was awarded a 2005 MAP/Magnet Grant from the New Jersey Meadowlands Commission in the amount of \$75,000 to address Wolf Creek Flooding issues; and

WHEREAS, Borough Officials met with NJMC Officials in December 2009 to ascertain if the remaining \$54,000 of the Grant was still active and received an affirmative answer; and

WHEREAS, based on this information, the Borough proceeded on the repair of a drainage line in the amount of \$12,195 which is being covered by the Grant, leaving a balance of \$41,805 for further flood control projects; and

WHEREAS, the Borough of Ridgefield instructed its Engineer to prepare a proposal for continuing stream maintenance that was completed on March 4, 2010; and

WHEREAS, the Borough received an undated letter from the NJMC on March 3, 2010 informing the Borough that all unused 2005 MAP Grant funds have expired; and

WHEREAS, it is in the best interests of the people of the Borough of Ridgefield that the remaining 2005 MAP Grant funds be made available to the Borough based on the Borough's good faith efforts to properly and expediently address Wolf Creek flooding issues following the December 2010 meeting;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield, that the remaining \$41,805 in funding from NJMC 2005 MAP Grant be made available to the Borough of Ridgefield and that the decision to deem the Grant as expired be reversed.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Executive Director and Board Chairman of the New Jersey Meadowlands Commission.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Prina, Acting Borough Clerk

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting March 22, 2010

Presented by Councilman Lonzisero

RESOLUTION NO. 139-2010

WHEREAS, the general laws of the State of New Jersey grant the Council the authority to review an application made by a certified local telephone exchange carrier to install a telecommunications network that is designed to provide telecommunications services within the municipality; and

WHEREAS, PURSUANT TO N.J.S.A. 48:17-10, The Council may grant its consent to the running of a telecommunications network in, upon, along, over or under any public road, street or highway of the municipality via the passage of a resolution; and

WHEREAS, Cablevision Lightpath-NJ, Inc. and its subsidiary company 4Connections, LLC (collectively referred to herein as "Lightpath") ("Lightpath"), are qualified to do business in New Jersey with offices located at 200 Jericho Quadrangle, Jericho, New York 11753; and

WHEREAS, Cablevision Lightpath-NJ, Inc. and its subsidiary company 4Connections LLC are certified local exchange carriers and are authorized to provide telecommunications services in the State of New Jersey under authority granted to it by the New Jersey Board of Public Utilities; and

WHEREAS, Lightpath seeks consent from the Council to install a telecommunications network within public rights-of-way controlled by the municipality; and

WHEREAS, the Council is satisfied that it is in the public interest to promote competition in the telecommunications market within the municipality by providing this authorization to Lightpath; and

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

1. Permission is hereby granted to Lightpath to install fiber optic cable and other telecommunications related facilities in and over the public rights-of-way for the purpose of operating a telecommunications network within the municipality's public right of way.
2. Any and all expenses related to the installation of the telecommunications network approved herein shall be borne by Lightpath.
3. Lightpath shall be required, at its own expense, to obtain all necessary permits and approvals as required by applicable law and regulations.

4. Lightpath shall adhere to all applicable safety requirements related to the installation, operation, maintenance, and use of the telecommunications network within the municipality.
5. The permission granted herein shall be extend to Lightpath, its successors, and/or assignees, for twenty-five years, and at the end of said term, Lightpath, its successors and/or assignees, at its sole option, may choose to extend the permission granted herein for an additional twenty-five years.
6. Lightpath, its successors and assigns shall defend, indemnify, and hold the municipality harmless from any and all liability for damage to property or injury directly resulting from the installation, operation, maintenance or use of the telecommunications network authorized herein.
7. Lightpath shall maintain and keep in force and effect, at its sole cost and expense, and at all times during the term of this resolution, sufficient liability insurance naming the municipality as an additional insured and insuring against loss by any such claim, suit, judgment, execution or demand In the minimum amount of one million dollars (\$1,000,000.00) for bodily injury or death to any one person, and one million dollars (\$1,000,000.00) for bodily injury or death resulting from any one accident or occurrence stemming from or arising out of Lightpath’s exercise of its rights hereunder.
8. Lightpath shall be responsible for the repair of damage to paving, existing utility lines, or any surface or subsurface instillations, arising from the installation or maintenance of the telecommunications system authorized herein.
9. Lightpath shall maintain,, at its sole cost and expense, a performance bond in the amount of twenty-five thousand dollars (\$25,000) to ensure faithful performance of its undertakings.
10. Lightpath shall consult with the Borough regarding any route within the right of way for the installation of Lightpath’s telecommunications equipment and telephone lines and the Borough shall not unreasonably withhold its approval of any particular route proposed by Lightpath in the Borough’s right of way.

Approved:

 Anthony R. Suarez, Mayor

Attest:

 Linda M. Prina, Acting Borough Clerk

COUNCIL VOTE				
	YES	NO	ABSTAIN	ABSENT
Lonziserio				
Todd				
Vincenz				
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 March 22, 2010

Presented by Councilman Vincentz

RESOLUTION NO. 140-2010

BE IT RESOLVED, that warrants totaling \$1,897,497.18
be drawn on the following accounts:

CURRENT	\$1,847,750.55
TRUST	\$47,223.57
CAPITAL	\$1,332.55
POOL	\$1,174.31
DOG LICENSE	\$16.20
TOTAL	\$1,897,497.18

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk