

BOROUGH OF RIDGEFIELD

A G E N D A

Executive Session and Regular Meeting of the Mayor and Council

Date: May 4, 2016

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

Invocation

Citizens Comment on Agenda:

Correspondence:

**ROLL CALL-PUBLIC SESSION**

	Adj. to Ex.		Public	
	Pres.	Abs.	Pres.	Abs.
Mayor Suarez				
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				

**ROLL CALL-EXEC. SESSION**

	PRESENT	ABSENT
Mayor Suarez		
Castelli		
Acosta		
Penabad		
Shim		
Todd		
Vincentz		

---

Earth Day Poster Contest Winners

---

166-2016	Councilman Penabad	Introduction of CY2016 Budget
167-2016	Councilman Penabad	Self-Examination of Budget

---

As advertised, hearing will be held on Ordinance No. 2300 entitled, “AN ORDINANCE AMENDING CHAPTER 92 ENTITLED “SALARIES AND COMPENSATION” 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

Final Reading of Ordinance

Roll Call

---

As advertised, hearing will be held on Ordinance No. 2301 entitled, "AN ORDINANCE AMENDING SECTION 66-34 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

Final Reading of Ordinance

Roll Call

---

Introduction of Ordinance No. 2302 entitled, "CALENDAR YEAR 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)"

First Reading of Ordinance

Roll Call

---

Introduction of Ordinance No. 2303 entitled, "AN ORDINANCE AMENDING THE BOROUGH OF RIDGEFIELD'S POLICY AND PROCEDURES MANUAL AS IT APPLIES TO THE BOROUGH'S DRIVER'S LICENSE POLICY"

First Reading of Ordinance

Roll Call

---

Introduction of Ordinance No. 2304 entitled, "AN ORDINANCE AMENDING THE PROVISIONS OF ARTICLE I, FEES FOR MARRIAGES AND CIVIL UNIONS, OF CHAPTER 183 OF THE CODE OF THE BOROUGH OF RIDGEFIELD"

First Reading of Ordinance

Roll Call

---

Introduction of Ordinance No. 2305 entitled, "AN ORDINANCE AMENDING CHAPTER 131 OF THE CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED "ANIMALS" BY ADDING A NEW ARTICLE, ARTICLE V, ENTITLED "TNR PROGRAM FOR FERAL CATS" FOR THE PURPOSE TO ESTABLISH A TNR COLONY IN RIDGEFIELD TO CONTROL AND EVENTUALLY REDUCE THE FERAL CAT POPULATION WITHIN RIDGEFIELD. A COLONY IS SUCCESSFUL BECAUSE OF TNR AND THAT IT IS THE ONLY PERMITTED OUTDOOR LOCATION FOR FEEDING OF CATS"

First Reading of Ordinance

Roll Call

---

CONSENT AGENDA:

168-2016	Councilman Penabad	Authorize Cancellation of Outstanding Checks
169-2016	Councilman Penabad	Authorize Cooperative Pricing Agreement with Middlesex Regional Educational Services Commission
170-2016	Councilman Castelli	Professional Service Agreement-Tax Appeal Attorney
171-2016	Councilman Acosta	Waive Balance Due EMS Services-Yurman

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

RESOLUTIONS:

172-2016 Councilman Penabad Warrants

COMMENTS BY MAYOR:

**Application for Social Affair Permit:**

Sts. Vartanantz Church  
May 21, 2016 – 7:00 pm-Midnight  
461 Bergen Boulevard

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 May 4, 2016

Presented by Mayor Suarez

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

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

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

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

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

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 4, 2016

Presented by Councilman Penabad

RESOLUTION NO. 166-2016

BE IT RESOLVED that the following statements of revenue and appropriations attached hereto constitute the local Budget of the Borough of Ridgefield, Bergen County, New Jersey for Calendar Year 2016.

BE IT FURTHER RESOLVED that said Budget be published in The Record in the issue of May 7, 2016, and that a hearing on the Budget and Tax Resolution will be held at the Ridgefield Community Center on June 1, 2016 at 7:30 P.M. or as soon thereafter as the matter may be reached.

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

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

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

**2016 Municipal Budget**  
of the            Borough            of            Ridgefield           ,  
County of            Bergen            for the year 2016

**Revenue and Appropriation Summaries**

Summary of Revenues	Anticipated	
	2016	2015
1. Surplus	600,000.00	1,031,318.00
2. Total Miscellaneous Revenues	10,169,514.38	9,516,386.14
3. Receipts from Delinquent Taxes	514,000.00	570,000.00
4. a) Local Tax for Municipal Purposes	9,545,990.00	9,331,834.00
b) Addition to Local District School Tax		
c) Minimum Library Tax	568,628.00	590,542.00
Tot Amt to be Rsd by Taxes for Sup of Mun. Bud	10,114,618.00	9,922,376.00
<b>Total General Revenues</b>	<b>21,398,132.38</b>	<b>21,040,080.14</b>
Summary of Appropriations	2016 Budget	Final 2015 Budget
1. Operating Expenses: Salaries & Wages	7,331,214.00	7,206,090.00
Other Expenses	9,870,176.38	9,644,567.14
2. Deferred Charges & Other Appropriations	1,657,817.00	1,643,888.00
3. Capital Improvements	50,000.00	50,000.00
4. Debt Service (Include for School Purposes)	1,652,925.00	1,659,535.00
5. Reserve for Uncollected Taxes	836,000.00	836,000.00
<b>Total General Appropriations</b>	<b>21,398,132.38</b>	<b>21,040,080.14</b>
Total Number of Employees		

2016 Dedicated Swim Pool Utility Budget		
Summary of Revenues	Anticipated	
	2016	2015
1. Surplus		
2. Miscellaneous Revenues	220,448.00	231,000.00
3. Deficit (General Budget)	83,386.00	62,500.00
<b>Total Revenues</b>	<b>303,834.00</b>	<b>293,500.00</b>
Summary of Appropriations	2016 Budget	Final 2015 Budget
1. Operating Expenses: Salaries & Wages	170,000.63	170,000.00
Other Expenses	110,000.00	110,000.00
2. Capital Improvements		
3. Debt Service	0.00	0.00
4. Deferred Charges & Other Appropriations	23,833.37	13,500.00
5. Surplus (General Budget)		
<b>Total Appropriations</b>	<b>303,834.00</b>	<b>293,500.00</b>
Total Number of Employees		

Balance of Outstanding Debt		
	General	Utility - Other
Interest	430,000.00	
Principal	1,100,000.00	
<b>Outstanding Balance</b>	<b>9,966,000.00</b>	

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 4, 2016

Presented by Councilman Penabad

RESOLUTION NO. 167-2016

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Ridgefield has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2016 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the *[insert name of municipality]* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

**CERTIFICATION OF APPROVED BUDGET**

It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and N.J.A.C. 5:30-7.

It is further certified that the municipality has met the eligibility requirements of N.J.A.C. 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with N.J.A.C. 5:30-7.6.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Chief Financial Officer

This certification form and resolution of the governing body executing such certification should be annexed to the adopted budget (N.J.A.C. 5:30-7.6(e))

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 4, 2016

Presented by Councilman Penabad

ORDINANCE NO. 2300

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 92 ENTITLED “SALARIES AND COMPENSATION” OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

introduced on the 20<sup>th</sup> day of April 2016, do now pass a final reading and be adopted, and that the Borough Clerk be and she is authorized and directed to publish once, the aforesaid title, together with a notice of the date of its passage on final reading and approval thereof in The Record, a newspaper circulating in the Borough of Ridgefield.

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting April 20, 2016

Presented by Councilman Penabad

ORDINANCE NO. 2300

“AN ORDINANCE AMENDING CHAPTER 92 ENTITLED “SALARIES AND  
COMPENSATION” OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

Section I: 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 92 “Salaries and Compensation”, Section 92-1 “Salaries” of the Code of the Borough of Ridgefield be and is hereby amended and supplemented as follows:

The rate of compensation of each of the following officers and employees shall be in the amounts as hereinafter set forth as follows: Where a salary range is indicated, the standards to be evaluated in fixing a specific salary for a specific individual shall include education, training, professional certifications, experience, management skills as well as work and salary history and recommendations from other employers.

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Chief Financial Officer/Treasurer	\$15,000	\$100,000
Board Secretaries		
Planning Board (Monthly)	\$600	\$1,100

Section II: In all other respects, the terms, conditions and provisions of Chapter 92 of the Code of the Borough of Ridgefield are hereby ratified and affirmed.

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

Section IV: 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 May 4, 2016

Presented by Councilman Castelli

ORDINANCE NO. 2301

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

“AN ORDINANCE AMENDING SECTION 66-34 OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

introduced on the 20<sup>th</sup> day of April 2016, do now pass a final reading and be adopted, and that the Borough Clerk be and she is authorized and directed to publish once, the aforesaid title, together with a notice of the date of its passage on final reading and approval thereof in The Record, a newspaper circulating in the Borough of Ridgefield.

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

---

Anthony R. Suarez, Mayor

---

Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting April 20, 2016

Presented by Councilman Castelli

ORDINANCE NO. 2301

“AN ORDINANCE AMENDING SECTION 66-34 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:

Inasmuch as the Borough has now established the position of Municipal Administrator, the provisions of Section 66-34 in subpart C are no longer necessary. Accordingly, Ordinance Section 66-34 be, and hereby is, amended to delete subsection C of that ordinance.

In all other respects, the terms, conditions and provisions of Chapter 66, Article IX, be and hereby are ratified and affirmed.

Section II. Repealer.

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

Section III. Severability.

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

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

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

Approved:

Attest:

---

Anthony R. Suarez, Mayor

---

Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 4, 2016

Presented by Councilman Penabad

ORDINANCE NO. 2302

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

“CALENDAR YEAR 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)”

introduced on the 4<sup>th</sup> day of May, 2016, 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 18<sup>th</sup> day of May, 2016 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				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 4, 2016

Presented by Councilman Penabad

ORDINANCE NO. 2302

“CALENDAR YEAR 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)”

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Borough of Ridgefield in the County of Bergen finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and WHEREAS, the Borough of Ridgefield hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

NOW THEREFORE BE IT ENACTED, by the Council of the Borough of Ridgefield in the County of Union, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Borough of Ridgefield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by an amount up to 3.5% and that the CY 2016 Municipal Budget for the Borough of Ridgefield be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ENACTED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ENACTED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ENACTED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption

Approved:

Attest:

---

Anthony R. Suarez, Mayor

---

Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 4, 2016

Presented by Councilman Penabad

ORDINANCE NO. 2303

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

“AN ORDINANCE AMENDING THE BOROUGH OF RIDGEFIELD’S POLICY AND PROCEDURES MANUAL AS IT APPLIES TO THE BOROUGH’S DRIVER’S LICENSE POLICY”

introduced on the 4<sup>th</sup> day of May, 2016, 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 18<sup>th</sup> day of May, 2016 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				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 4, 2016

Presented by Councilman Penabad

ORDINANCE NO. 2303

“AN ORDINANCE AMENDING THE BOROUGH OF RIDGEFIELD’S POLICY AND  
PROCEDURES MANUAL AS IT APPLIES TO THE BOROUGH’S DRIVER’S LICENSE  
POLICY”

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

Section I:

The driver’s license policy of the Borough of Ridgefield’s Policy and Procedures Manual, appearing on page 18 of that manual be, and hereby is amended, by deleting the existing language of same and replacing it with the following:

**Driver’s License Policy:**

Any employee or volunteer whose work or service requires the operation of a Municipal motor vehicle must hold a valid New Jersey State Driver’s License.

All new employees and volunteers who will be assigned work, or will perform service, entailing the operation of a Municipal vehicle will be required to submit to a New Jersey Motor Vehicle Commission driving record background check as a condition of employment or volunteer service. A report indicating a suspended or revoked license status may be cause to deny or terminate employment, or to prohibit or limit the service of a prospective volunteer.

Employees and volunteers whose work or service entails the operation of a Municipal motor vehicle shall submit to periodic checks of their drivers’ licenses through visual and formal Motor Vehicle Commission review to be made by Supervisors and/or police personnel. Any employee or volunteer who does not hold a valid driver’s license will not be allowed to operate a Municipal motor vehicle until such time as a valid license is obtained.

Any employee or volunteer working or performing a service, which entails the operation of a Municipal vehicle must notify the immediate supervisor in those cases where the employee’s or volunteer’s license is expired, suspended or revoked and/or who is unable to obtain an occupational permit from the State Department of Licensing. Any employee or volunteer that fails to report such a circumstance will be subject to disciplinary action, including suspension, demotion, termination or other form of discipline. An employee or volunteer who fails to immediately report a driver’s license revocation or suspension to their supervisor, and who

continues to operate a Municipal vehicle, shall be subject up to and including possible termination.

Any information obtained by the Borough in accordance with this section shall be used by the Municipality only for carrying out its lawful functions and for other lawful purposes in accordance with the Driver's Privacy Protection Act (18 U.S.C. S 2721 et. seq.)

Section II. Severability.

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

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

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

Approved:

Attest:

---

Anthony R. Suarez, Mayor

---

Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 4, 2016

Presented by Councilman Penabad

ORDINANCE NO. 2304

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

“AN ORDINANCE AMENDING THE PROVISIONS OF ARTICLE I, FEES FOR MARRIAGES AND CIVIL UNIONS, OF CHAPTER 183 OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

introduced on the 4<sup>th</sup> day of May, 2016, 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 18<sup>th</sup> day of May, 2016 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				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 4, 2016

Presented by Councilman Penabad

ORDINANCE NO. 2304

“AN ORDINANCE AMENDING THE PROVISIONS OF ARTICLE I, FEES FOR MARRIAGES AND CIVIL UNIONS, OF CHAPTER 183 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:

Article I, Fees for Marriages and Civil Unions of Chapter 183 of the Code of the Borough of Ridgefield be and is hereby amended as follows:

A. Subsection 183-2A(2) be and hereby is amended by deleting the existing language of said subsection and replacing same with the following:

(2) The Mayor in his or her discretion may waive or reduce the fee for said ceremony.

B. Subsection 183-2B(2) be and hereby is amended by deleting the existing language of said subsection and replacing same with the following:

(2) Disbursement of Fees for service shall be disbursed to the Mayor through the appropriate payment procedures through the Trust Fund at the same amount that was paid by the persons who were married by the Mayor.

Section II. Repealer.

In all other respects, the terms, conditions and provisions of Article V of Chapter 183 are ratified and affirmed. All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflicts.

Section III. Severability.

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

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

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

Approved:

Attest:

---

Anthony R. Suarez, Mayor

---

Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 4, 2016

Presented by Councilman Penabad

ORDINANCE NO. 2305

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 131 OF THE CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED “ANIMALS” BY ADDING A NEW ARTICLE, ARTICLE V, ENTITLED “TNR PROGRAM FOR FERAL CATS” FOR THE PURPOSE TO ESTABLISH A TNR COLONY IN RIDGEFIELD TO CONTROL AND EVENTUALLY REDUCE THE FERAL CAT POPULATION WITHIN RIDGEFIELD. A COLONY IS SUCCESSFUL BECAUSE OF TNR AND THAT IT IS THE ONLY PERMITTED OUTDOOR LOCATION FOR FEEDING OF CATS”

introduced on the 4<sup>th</sup> day of May, 2016, 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 18<sup>th</sup> day of May, 2016 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				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 4, 2016

Presented by Councilman Penabad

ORDINANCE NO. 2305

“AN ORDINANCE AMENDING CHAPTER 131 OF THE CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED “ANIMALS” BY ADDING A NEW ARTICLE, ARTICLE V, ENTITLED “TNR PROGRAM FOR FERAL CATS” FOR THE PURPOSE TO ESTABLISH A TNR COLONY IN RIDGEFIELD TO CONTROL AND EVENTUALLY REDUCE THE FERAL CAT POPULATION WITHIN RIDGEFIELD. A COLONY IS SUCCESSFUL BECAUSE OF TNR AND THAT IT IS THE ONLY PERMITTED OUTDOOR LOCATION FOR FEEDING OF CATS”

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

Section I:

Chapter 131 of the Code of the Borough of Ridgefield be and hereby is amended by adding to said chapter a new article, Article V, entitled “TNR Program for Feral Cats”, as follows:

§131-44: Definitions

*Animal Control Provider* shall mean any agency contracted or hired by the Borough to coordinate and monitor the TNR Program.

*Caregiver* shall mean any person who provides food, water or shelter to or otherwise cares for a cat.

*Cat* shall mean any cat that is not a feral cat and is over the age of six months.

*Cat Sanctuary* shall mean an area or areas designated by the Mayor and Council to serve as a sanctuary, meaning a place where feral cats can be placed and where provision is made for their living and well being. It is the intent of this Ordinance that the cat sanctuary be operated and maintained at no cost to the Borough.

*Code Official* shall mean any person or agency employed by the Board of Health or appointed by the Town who is authorized to investigate violations of laws and regulations concerning cats, and to issue citations in accordance with New Jersey law and this Code.

*Domesticated cat* shall mean a cat that is socialized to humans and is appropriate as a companion for humans.

*Dwelling Unit* shall mean a house, apartment, store or other building, whether or not used or designated for use as a dwelling.

*Ear Tipping* shall mean a straight-line cutting of the tip of the left ear of a cat by a licensed veterinarian while the cat is anesthetized.

*Family Group* shall mean the immediate “family group” occupying one dwelling unit.

*Feeding* shall mean to give, place, expose, deposit, distribute or scatter any edible material.

*Feral Cat* shall mean a cat which is completely or substantially unsocialized to humans. The usual and consistent temperament of a feral cat is extreme fear and resistance to contact with humans. Feral cats are either born in the wild, the offspring of tame or feral cats and not socialized; or formerly tame cats who have been abandoned and have reverted to an untamed state.

*Feral Cat Colony* shall mean an individual feral cat or group of cats which congregate together outside as a unit. Any non-feral cats who congregate with a multiple-cat colony shall be deemed part of it.

*Nuisance* shall mean a situation where one or more cats are disturbing the peace by habitually or continually howling, crying or screaming, or unreasonably destroying, desecrating or soiling on private property against the wishes of the owner of the property.

*Nuisance Cat* is a cat (domestic or feral) including ear clipped (feral) that free roams and creates a nuisance, either individually or in conjunction with other cats, as defined above.

*Owner* shall mean any person, firm, corporation, partnership, association, trust, estate, or any other legal entity.

*Stray Cat* shall mean a cat which is regularly off the property of the owner, is not under the physical control and restraint of the owner and is not regularly provided with food by the owner.

*Suitable Shelter* shall mean a shelter that provides protection from rain, sun, and other elements that is adequate to protect the health of the cat.

*Tame Cat* shall mean a cat which is socialized to humans and is appropriate as a companion for humans.

*TNR* shall mean trap, neuter and return.

*TNR Committee* shall mean a committee of unspecified number appointed by the Mayor and Council from time to time to serve for a term of one year, or the balance of a year, so all terms will expire on December 31, or until the successors qualify, in each and every year. The TNR Committee will be charged with the duties specified in Section 131-48 of this Ordinance.

*TNR Committee Leader* shall be a person appointed by the Mayor and Council who shall be a member of the TNR Committee, but who shall serve as the lead person on that committee.

*TNR Program* shall mean a program pursuant to which feral and stray cats are trapped, neutered or spayed, vaccinated against rabies, ear tipped and returned to the location where they congregate, or to the established cat sanctuary.

§131-45: Responsibilities of Owners of Domesticated Cats.

A. Adequate Food and Water: Owners of domesticated cats shall provide appropriate and adequate food, water and shelter for their cats.

B. Cat Not to Create a Nuisance: The owner of a domesticated cat shall exercise reasonable care to guard against the cat creating a nuisance.

C. Cats are not permitted to become free roaming.

D. Unspayed and Unneutered Cats: The owner of a sexually intact (not spayed or neutered) domesticated cat shall not permit the cat to roam unsupervised.

E. Abandonment Prohibited: An owner shall not abandon a domesticated cat. Domesticated cats may be surrendered to a shelter or a rescue organization (not the colony). The Ridgefield TNR Colony is not a depository for feral cats from other municipalities or by other persons.

§131-46: Feral Cat Colonies.

Feral Cat Colonies shall be permitted and Caregivers shall be entitled to maintain them in accordance with the terms and conditions of this subsection.

§131-47: Animal Control Provider Responsibilities.

It shall be the duty of the Animal Control Provider to:

- (a) Provide training for the cat colony Caregivers;
- (b) Help to resolve any complaints over the conduct of a cat colony Caregiver or of cats within a colony; and
- (c) Be responsible for any cost as provided in the Borough agreement with reference to the TNR Program.

(d) A feral cat(s) including abandoned domestic cats discovered on properties within the Borough of Ridgely outside of the TNR Colony are to be reported and will be addressed by Animal Control.

(e) Only the Animal Control provider can authorize the trapping of a nuisance cat.

§131-48: TNR Committee Responsibilities.

It shall be the duty of the TNR Committee to:

(a) Help resolve any complaints over the conduct of a colony caregiver or of cats within a colony;

(b) Maintain records provided by colony Caregivers on the registration, size and location of the colonies, as well as the vaccination and spay/neuter records of cats in the Caregiver's colonies;

(c) Report semiannually in writing to the Borough Code Official on the status of the colony, including data on the number and gender of all cats in the Colony, the number of cats who died or otherwise ceased being a part of the Colony during the prior six month period, the number of kittens born to the Colony cats and their disposition, the number of cats and kittens spayed and neutered and the number of cats and kittens placed in permanent homes as companion cats.

(d) Provide the semi-annual report forms to caregivers and provide assistance upon request by the Caregiver in the preparation of the forms.

(e) Suggest to the animal control provider that the provider authorize the trapping of a colony or free roaming nuisance cat. Only the animal control provider can authorize such trapping.

(f) See to it that the cat sanctuary is operated properly.

§131-49: Feral Cat Caregiver Responsibilities.

It shall be the duty of feral cat caregivers to:

(a) TNR cats are registered as Colony Cats. Colony registered cats are required to be vaccinated against rabies annually. Household domestic cats are subject to the Borough licensing ordinance and Borough allowable annual number ordinance.

(b) Take steps to vaccinate the Colony population for rabies and update the required vaccination protocols whenever possible; take steps to get all cats in the Colony population spayed/neutered by a licensed veterinarian;

(c) Maintain digital photos of each cat in the Colony and copies of documents evidencing that the cats have been vaccinated, spayed/neutered and ear tipped; providing food, water and, if feasible, suitable shelter for Colony cats;

(d) Observe the Colony cats and keep a record of any illnesses or unusual behavior noticed in any Colony cats;

(e) Obtain the written approval of the owner of any property to which the Caregiver requires access to provide Colony care;

(f) Take steps, in the event that kittens are born to a Colony cat, to remove the kittens from the Colony after they have been weaned, and place the kittens in homes, foster homes, or with animal shelters, rescue organizations or veterinary offices for the purpose of subsequent permanent placement;

(g) Report semiannually in writing to the TNR Committee on the status of the colony the total number of cats in the Colony, including data on the number and gender of all cats in the Colony, the number of cats who died or otherwise ceased being a part of the Colony during the prior six-month period, the number of kittens born to Colony cats and their disposition, the number of cats and kittens spayed and neutered and the number of cats and kittens placed in permanent homes as companion cats;

(h) Obtaining proper medical attention for any Colony cat who appears to require it;

(i) Undergoing training for themselves and their responsible substitutes in the proper management of a Colony as developed and verified by the Animal Control;

(j) Setting up consistent and monitored feeding schedules. Feeding shall be limited to daylight hours. All remaining food must be removed daily; and

(k) “Ear tip” all cats with a single cut preferably on the left ear.

(l) Make arrangements for the transport of trapped feral cats for the purpose of spay/neuter procedures and their subsequent return to the appropriate place under this Ordinance.

§131-50: Exemptions from Restrictive Ordinances.

The following sections of the Borough Code shall not apply to Feral Cat Colonies managed by the TNR Program or to any person or organization that is providing care for a Feral Cat Colony and is taking steps to trap and sterilize animals:

Section 131-27.3 Licensing

Section 131-22 Roaming at Large Prohibited.

Section 131-41 Prohibited Conduct, to allow members of the TNR Committee, and their volunteers, to feed at the established pursuant to procedures established under this Ordinance.

Section 440-28. To the extent it is inconsistent with the provisions of this Ordinance.

§131-51: Cat Colony Caregivers Registration-Ownership Exemption.

Any person undertaking the duties and responsibilities of a Cat Colony Caregiver shall first be registered with the Committee at no cost. Registration shall be permitted only within the first ninety (90) days following the adoption and publication of this ordinance. Thereafter, Cat Colony Caregivers shall no longer be permitted to be registered. A registered Caregiver shall not be considered an owner in or be subject to regulations governing ownership or control of an animal, except as specified in this subsection. Unregistered Cat Colony Caregivers shall not be exempt from the provisions of existing ordinances as provided in Section 131-50.

§131-52: Ordinance Enforcement.

The Borough shall retain the following rights:

A. The right to seize or remove from a Colony cats which have not been vaccinated against rabies and who are demonstrating signs of the disease.

B. The right to seize or remove from a Colony a cat which is creating a Nuisance after the Caregiver and Sponsor have been given 60 days to resolve the complaint or remove and relocate the cat and have failed to do so.

C. The right to seize or remove a Colony of cats when the Caregiver regularly fails to comply with the requirements of this Article and the TNR Committee has not been able to obtain a replacement or substitute Caregiver within 60 days of the Borough's notice to the Committee of the Caregiver's failure to comply with this subsection.

D. The right to replace or remove a Caregiver who fails to comply with the responsibilities and requirements of this Article after reasonable notice is provided to the Caregiver of noncompliance.

§131-53: Nuisance Complaints.

The requirements of this subsection notwithstanding, the Health Officer, code officials and police officers may investigate any Nuisance complaint. If a Health Officer, code official or police officer determines that an ear-tipped Feral Colony Cat is causing a Nuisance as defined by this subsection, the Health Officer, code official or police officer shall contact the TNR Committee and allow the TNR Committee 60 days to resolve the complaint or remove the cat before the officer takes further action. The Caregiver or TNR Committee must begin nuisance abatement procedures within 48 hours after being notified of a nuisance and must take all reasonable steps to resolve the Nuisance in as short a time period as possible, not to exceed 60 days. If the TNR Committee fails to resolve the Nuisance or remove the cat within the 60 days, the Health Officer, code official or police officer may remove the cat. If a Health Officer, code official or police officer reasonably determines that a cat is injured or poses a significant threat to public health, the Health Officer, code official or police officer may reduce the time that the TNR Committee has to resolve the complaint, as necessary to protect the cat and public health,

before taking further action. In the case of an emergency, the Health Officer, code official or police officer may remove the cat, but within 24 hours the Borough must provide the TNR Committee with notice of the cat's whereabouts and allow the TNR Committee an opportunity to retrieve the cat for treatment, return, or relocation. Only the Animal Control Officer can determine if the cat is eligible to be returned.

§131-54: Operation of Cat Sanctuary.

The operation of the cat sanctuary designated by the Mayor and Council shall be under the authority of the Health Officer and Animal Control Officer. The TNR Committee will see to it that the sanctuary is operated and maintained in accordance with generally accepted standards for operation of similar type facilities, as promulgated by the Health Officer and Animal Control Officer. The operation of same shall include the maintenance of a proper structure to provide protection from the elements, the scheduling of regular feedings followed by a clean up, and the maintenance of the overall health of the cats who congregate or live at the sanctuary.

§131-55: Enforcement.

This Article shall be enforced by the Health Officer, code official or Police Department and any other Department herein designated by the Borough Administrator.

§131-56: Study and Review.

Not later than March 1, 2017, the Borough shall assess the effectiveness of the TNR Program and the provisions of this Ordinance, and make recommendations for discontinuance, changes, etc. The Ordinance, however, shall continue as provided until specifically rescinded or amended.

Section II. Repealer.

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

Section III. Severability.

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

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

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

Approved:

Attest:

---

Anthony R. Suarez, Mayor

---

Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 4, 2016

Presented by Councilman Penabad

RESOLUTION NO. 168-2016

WHEREAS, the cash reconciliations for each bank account maintained by the Borough of Ridgefield have been completed for the month ending March 31, 2016; and

WHEREAS, a listing of outstanding checks in the reconciliation reflects check that have been outstanding for a period in excess of one year; and

WHEREAS, it is prudent financial management to cancel these outstanding sale dated checks into the appropriate fund of origin;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of he Borough of Ridgefield that the checks listed below are canceled.

Payroll Account 2		
Issuance Date	Check Number	Amount
2/19/2014	204286	113.08
3/5/2014	204354	92.19
3/19/2014	204445	70.45
6/11/2014	204861	24.10
7/9/2014	205098	765.02
7/10/2014	205231	135.16
9/3/2014	205749	60.60
9/17/2014	205843	174.32
10/29/2014	206151	58.70
1/7/2015	206476	108.07
1/21/2015	206599	249.85
2/4/2015	206687	357.11
2/18/2015	206715	92.40
2/18/2015	206776	92.41
<b>TOTAL</b>		<b>2,393.46</b>

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

---

Anthony R. Suarez, Mayor

---

Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 4, 2016

Presented by Councilman Penabad

RESOLUTION NO. 169-2016

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Middlesex Regional Educational Services Commission, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on May 4, 2016 the governing body of the Borough of Ridgefield, County of Bergen, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

**TITLE**

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Ridgefield.

**AUTHORITY**

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Mayor or his designee is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

**CONTRACTING UNIT**

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

**EFFECTIVE DATE**

This resolution shall take effect immediately upon passage.

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

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

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

**CERTIFICATION**

I hereby certify that the above resolution was adopted by the Mayor and Council of the Borough of Ridgefield at a meeting of said governing body held on May 4, 2016.

\_\_\_\_\_

COOPERATIVE PRICING SYSTEM AGREEMENT

THE MIDDLESEX REGIONAL EDUCATIONAL  
SERVICES COMMISSION  
65MCESCCPS

AGREEMENT FOR A COOPERATIVE PRICING SYSTEM

This Agreement made and entered into this     day of     , 20     , by and between the, MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION and the     who desire to participate in the MIDDLESEX REGIONAL EDUCATIONAL COOPERATIVE PRICING SYSTEM.

WITNESSETH

WHEREAS, *N.J.S.A. 40A:11-11(5)*, specifically authorizes two or more contracting units to establish a Cooperative Pricing System for the provision and performance of goods and services and enter into a Cooperative Pricing Agreement for its administration; and

WHEREAS, the MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION is conducting a voluntary Cooperative Pricing System with other contracting units; and

WHEREAS, this Cooperative Pricing System is to effect substantial economies in the provision and performance of goods and services; and

WHEREAS, all parties hereto have approved the within Agreement by Resolution' in accordance with the aforesaid statute; and

WHEREAS, it is the desire of all parties to enter into such Agreement for said purposes;

NOW, THEREFORE, IN CONSIDERATION OF the promises and of the covenants, terms and conditions hereinafter set forth, it is mutually agreed as follows:

The goods or services to be priced cooperatively may include supplies and materials, time and material bids, energy aggregation and such other items that two or more participating contracting units in the system agree can be purchased on a cooperative basis.

1 The items and classes of items which may be designated by the participating contracting units hereto may be purchased cooperatively for the period commencing with the execution of this Agreement and continuing until terminated as hereinafter provided.

2 The Lead Agency, on behalf of all participating contracting units, shall upon approval of the registration of the System and annually thereafter IN JANUARY OF EACH SUCCEEDING YEAR publish a legal ad in such format as required by *N.J.A.C. 5:34-7.9(a)* in its official newspaper normally used for such purposes by it to include such information as:

- (A) The name of Lead Agency soliciting competitive bids or informal quotations.
- (B) The address and telephone number of Lead Agency.
- (C) The names of the participating contracting units.
- (D) The State Identification Code assigned to the Cooperative Pricing System.
- (E) The expiration date of the Cooperative Pricing System.

3 Each of the participating contracting units shall designate, in writing, to the Lead Agency, the items to be purchased and indicate therein the approximate quantities if required, the location for delivery and other requirements, to permit the preparation of specifications as provided by law.

4 The specifications shall be prepared and approved by the Lead Agency and no changes shall be made thereafter except as permitted by law. Nothing herein shall be deemed to prevent changes in specifications for subsequent purchases.

5 A single advertisement for bids or the solicitation of informal quotations for the goods or services to be purchased shall be prepared by the Lead Agency on behalf of all of the participating contracting units desiring to purchase any item.

6 The Lead Agency when advertising for bids or soliciting informal quotations shall receive bids or quotations on behalf of all participating contracting units. Following the receipt of bids, the Lead Agency shall review said bids and on behalf of all participating contracting units, either reject all or certain of the bids or make one award to the lowest responsible bidder or bidders for each separate item. This award shall result in the Lead Agency entering into a Master Contract with the successful bidder(s) providing for two categories of purchases:

- (A) The quantities ordered for the Lead Agency's own needs, and
- (B) The estimated aggregate quantities to be ordered by other participating contracting units by separate contracts, subject to the specifications and prices set forth in the Lead Agency's Master Contract.

- 7 The Lead Agency shall enter into a formal written contract(s) directly with the successful bidder(s) only after it has certified the funds available for its own needs.
8. Each participating contracting unit shall also certify the funds available only for its own needs ordered; enter into a formal written contract, when required by law, directly with the successful bidder(s); issue purchase orders in its own name directly to successful vendor(s) against said contract; accept its own deliveries; be invoiced by and receive statements from the successful vendor(s); make payment directly to the successful vendor(s) and be responsible for any tax liability.
9. No participating contracting unit in the Cooperative Pricing System shall be responsible for payment for any items ordered or for performance generally, by any other participating contracting unit. Each participating contracting unit shall accordingly be liable only for its own performance and for items ordered and received by it and none assumes any additional responsibility or liability.
10. The provisions of Paragraphs 7, 8, 9, and 10 above shall be quoted or referred to and sufficiently described in all specifications so that each bidder shall be on notice as to the respective responsibilities and liabilities of the participating contracting units.
11. No participating contracting unit in the Cooperative Pricing System shall issue a purchase order or contract for a price which exceeds any other price available to it from any other such system in which it is authorized to participate or from bids or quotations which it has itself received.
12. The Lead Agency reserves the right to exclude from consideration any good or service if, in its opinion, the pooling of purchasing requirements or needs of the participating contracting units is either not beneficial or not workable.
13. The Lead Agency shall appropriate sufficient funds to enable it to perform the administrative responsibilities assumed pursuant to this Agreement.
14. *It is understood that all fees for each participating contracting unit are paid to the Lead Agency by the successful bidder as follows:*
  - *Supplies, materials, goods and services at 2.2% of sales.*
  - *Natural Gas .00325 per therm*

- *Electrical Aggregation.00125 per kilowatt hour*
- *Demand Response at 7% of reimbursement*

All fees are included within the bid price and are subject to change with new awards and notice to all cooperative members will be provided.

15 This Agreement shall become effective on 1/31/12 subject to the review and approval of the Director of the Division of Local Government Services and shall continue in effect for a period not to exceed five (5) years from said date unless any party to this Agreement shall give written notice of its intention to terminate its participation.

16. *Additional local contracting units may from time to time, execute this Agreement by means of a Rider annexed hereto, which addition shall not invalidate this Agreement with respect to other signatories. The Lead Agency is authorized to execute the Rider on behalf of the members of the System.*

17.All records and documents maintained or utilized pursuant to terms of this Agreement shall be identified by the System Identifier assigned by the Director, Division of Local Government Services, and such other numbers as are assigned by the Lead Agency for purposes of identifying each contract and item awarded.

18.This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and executed by their authorized corporate officers and their respective seals to be hereto affixed the day and year above written.

FOR THE LEAD AGENCY

BY: \_\_\_\_\_  
Patrick M Moran  
Business Administrator/Board Secretary

ATTEST BY: \_\_\_\_\_  
Name and Title

For: \_\_\_\_\_  
Participating Unit

BY: \_\_\_\_\_  
Name and Title

ATTEST BY: \_\_\_\_\_  
Name

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 4, 2016

Presented by Councilman Castelli

RESOLUTION NO. 170-2016

WHEREAS, there is a need in the Borough of Ridgefield for a Tax Appeal Attorney; and

WHEREAS, the Borough of Ridgefield previously published a Request for Qualifications for the position of Tax Appeal Attorney; and

WHEREAS, a duly constituted evaluation committee recommended that Waters, McPherson, McNeill, PC be awarded the professional services contract to serve as the Tax Appeal Attorney for the balance of calendar year 2016; and

WHEREAS, Waters, McPherson, McNeill, PC was previously appointed Tax Appeal Attorney to the Borough of Ridgefield for the balance of calendar year 2016; and

WHEREAS, the Borough now wishes to enter into a professional services agreement with Waters, McPherson, McNeill, PC as required by law;

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

1. The Mayor and the Borough Clerk be and hereby are authorized and directed to execute the attached Professional Services Agreement with Waters, McPherson, McNeill, PC as required by law.
2. This contract is awarded for the following reasons: There is a need for a Tax Appeal Attorney within the Borough of Ridgefield; the service to be rendered constitutes a professional service as defined by New Jersey law; the Borough did publish a request for qualifications to which the contract recipient responded; and the contract recipient was recommended by the Evaluation Committee of the Mayor and Council to be awarded the professional services agreement as Tax Appeal Attorney.
3. Compensation for this position shall be as set forth in Paragraph 3 of the Professional Services Agreement attached hereto.
4. The within contract has been awarded pursuant to a "fair and open process" pursuant to the provisions of *N.J.S.A. 19:44A-20.4, et. seq.*
5. A notice of this action shall be printed in *The Record*.

6. The award of this contract is subject to the certification of availability of funds by the Borough's Financial Officer.

7. A copy of this Resolution and a copy of the attached contract shall be made available for public inspection as required by law.

<b>COUNCIL VOTE</b>				
	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

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

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

CONTRACT FOR PROFESSIONAL SERVICES WITH  
TAX APPEAL ATTORNEY

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 Waters, McPherson, McNeill, PC, having offices at 300 Lighting Way, Secaucus, New Jersey 07096, hereinafter called the "TAX APPEAL ATTORNEY".

WHEREAS, the Mayor and Council of the Borough of Ridgefield previously appointed Waters, McPherson, McNeill, PC as Tax Appeal Attorney for the balance of calendar year 2016; and

WHEREAS, pursuant to law, the Mayor and Council have authorized the Mayor and Borough Clerk to enter into an agreement with the TAX APPEAL ATTORNEY for professional services as Tax Appeal Attorney 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 ATTORNEY to serve as Borough TAX APPEAL ATTORNEY for the balance of calendar year 2016, or until her/his successor qualifies. The TAX APPEAL ATTORNEY hereby accepts such engagement and agrees to provide the services required under this agreement.
2. **SCOPE OF SERVICES:** The TAX APPEAL ATTORNEY shall perform all appropriate legal services in connection with tax appeals that are filed or are pending in connection with appeals of assessments on properties within the BOROUGH including matters before the Bergen County Board of Taxation and matters filed in the Tax Court of New Jersey.
3. **PAYMENT FOR SERVICES:** The TAX APPEAL ATTORNEY shall be paid at an hourly rate of \$90.00 for all legal work in the field of tax appeals as assigned to it by the Mayor and Council. The TAX APPEAL ATTORNEY shall submit periodic vouchers with detailed specifications of services performed.
4. **ENGAGING OTHERS:** Nothing in this agreement shall prohibit the BOROUGH from engaging other tax appeal attorneys for specific matters if in the opinion of the Mayor and Council such is necessary.
5. **FAIR AND OPEN PROCESS:** This contract is awarded pursuant to a fair and open process pursuant to the provisions of N.J.S.A. 19:44A-20.5, et. seq.

6. 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 ATTORNEY 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 ATTORNEY agrees to comply fully with the terms, provisions and obligations of said regulation.

7. RIGHT TO RESCIND: The award of this contract is subject to the BOROUGH'S right to rescind same within thirty (30) days of its issuance should the Mayor and Council determine that the TAX APPEAL ATTORNEY'S services are not performed satisfactorily in accordance with this contract.

8. COUNTERPARTS: The parties agree that this contract may be signed in separate counterparts, the effect of which will be the same as if one original were signed by both parties.

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:

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

WATERS, McPHERSON, McNEILL, PC

By:\_\_\_\_\_

WITNESS:

DATE:

\_\_\_\_\_

\_\_\_\_\_

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 4, 2016

Presented by Councilman Acosta

RESOLUTION NO. 171-2016

WHEREAS, the Borough of Ridgefield has instituted a third party billing program for services rendered by its emergency services; and

WHEREAS, the Borough, by its policies and procedures, bills its residents only for payments by applicable insurance; and

WHEREAS, the Borough of Fairview is a neighboring borough with a similar program; and

WHEREAS, on or about July 16, 2015 Ridgefield EMS did respond to a mutual aid call on behalf of a resident of Fairview; and

WHEREAS, after insurance payment, there remains a balance due of \$87.38; and

WHEREAS, the Borough of Fairview has respectfully requested that the Borough of Ridgefield, in the spirit of cooperation with the neighboring town, waive the balance due as an accommodation;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the balance due for EMS services from Fairview resident Antonia Yurman in the amount of \$87.38 be and hereby is waived, and will not be pursued for collection.

Approved:

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

Attest:

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

COUNCIL VOTE				
	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
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.

---

Diane Sherry,  
Chief Financial Officer

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting May 4, 2016

Presented by Councilman Penabad

RESOLUTION NO. 172-2016

BE IT RESOLVED, that warrants totaling **\$3,111,653.97**  
be drawn on the following accounts:

CURRENT	\$3,061,477.84
TRUST	\$50,011.14
POOL	\$163.79
DOG LICENSE	\$1.20
<b>TOTAL</b>	<b>\$3,111,653.97</b>

COUNCIL VOTE

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

Approved:

Attest:

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

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