

BOROUGH OF RIDGEFIELD

A G E N D A

Executive Session and Regular Meeting of the Mayor and Council

Date: December 9, 2019

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:

Approval of Minutes of November 25, 2019 Public Session Meeting

Presentation by Slocum Skewes School Robotics Club

As advertising, hearing will be held on Ordinance No. 2373 entitled, “AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE PLACEMENT OF FACILITIES AND THE ESTABLISHMENT OF CABLE TELEVISION SERVICE IN THE BOROUGH OF RIDGEFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY”

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

Public Hearing

ROLL CALL-PUBLIC SESSION

	Adj. to Ex.		Public	
	Pres.	Abs.	Pres.	Abs.
Mayor Suarez				
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				

ROLL CALL-EXEC. SESSION

	PRESENT	ABSENT
	Mayor Suarez	
Castelli		
Penabad		
Shim		
Jimenez		
Kontolios		
Larkin		

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

Final Reading of Ordinance

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Introduction of Ordinance No. 2374 entitled, "AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 375-52 DESIGNATING HANDICAPPED PARKING SPACES"

First Reading of Ordinance

Roll Call

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Introduction of Ordinance No. 2375 entitled, "AN ORDINANCE AMENDING CHAPTER 375-5, NO PARKING AREAS, OF THE CODE OF THE BOROUGH OF RIDGEFIELD"

First Reading of Ordinance

Roll Call

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Introduction of Ordinance No. 2376 entitled, "AN ORDINANCE AMENDING THE PROVISIONS OF CHAPTER 366 ENTITLED "TOW TRUCKS"

First Reading of Ordinance

Roll Call

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Introduction of Ordinance No. 2377 entitled, "AN ORDINANCE ESTABLISHING THE POSITION OF TENANT ADVOCATE IN THE BOROUGH OF RIDGEFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY"

First Reading of Ordinance

Roll Call

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CONSENT AGENDA:

284-2019	Councilman Penabad	Temporary Clerical Employee-Castel
285-2019	Councilman Jimenez	Chapter 159-Firehouse Sub Public Safety Grant
286-2019	Councilman Jimenez	Tax Appeal Settlement-1012 Hoyt Avenue
287-2019	Councilman Castelli	Extend Appointment of Temporary Code Enforcement Officers
288-2019	Councilman Castelli	2018 CDBG Repurposed Funds

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

RESOLUTIONS:

289-2019      Councilman Jimenez      Warrants

COMMENTS BY MAYOR:

**New Jersey State Firemen's Association Membership Application:**

Kevin Nunes  
16 Bryant Place  
Company 1

**Coin Toss Request:**

RMHS Project Graduation  
May 16, 2020 (if not used by RMHS Softball as rain date); rain date May 17, 2020 or  
May 30, 2020 (if May 16 used by RMHS Softball); rain date May 31, 2020

Ridgefield Music Parents  
April 18, 2020; rain date April 19, 2020

COMMENTS BY COUNCIL:

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. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 9, 2019

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.

<b>COUNCIL VOTE</b>				
	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
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 December 9, 2019

Presented by Councilman Kontolios

ORDINANCE NO. 2373

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

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

introduced on the 25<sup>th</sup> day of November, 2019, do now pass a final reading and be adopted, and that the Borough Clerk be and she is authorized and directed to publish once, the aforesaid title, together with a notice of the date of its passage on final reading and approval thereof in The Record, a newspaper circulating in the Borough of Ridgefield.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting November 25, 2019

Presented by Councilman Kontolios

ORDINANCE NO. 2373

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

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

WHEREAS, on March 23, 2009, the Mayor and Council of the Borough adopted Ordinance No. 2084, which granted its continued consent to TWFanch, predecessor-in-interest to Time Warner Entertainment Company, L.P., which in turn was a predecessor-in-interest to Spectrum New York Metro, LLC, formerly known as Time Warner Cable New York City LLC (the “Company”), to place in and upon certain highways, streets, alleys, sidewalks, public ways and other public places in the Borough, poles, wires, cables, underground conduits, manholes and other television conductors and fixtures necessary for the maintenance and operation of a cable television system in the Borough; and

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

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

Section I. Purpose of the Ordinance

The Municipality hereby grants to Spectrum New York Metro, LLC, an indirect subsidiary of Charter Communications, Inc., its non-exclusive consent to place in, upon, along, across, above, over and under the highways, streets, alleys, sidewalks, public ways and public places in the Municipality, poles, wires, cables, underground conduits, manholes and other television conductors and fixtures necessary for the maintenance and operation in the Municipality of a cable television system.

## Section II. Definitions.

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

- (a) “Municipality” is the Borough of Ridgefield, County of Bergen, in the State of New Jersey.
- (b) “Company” is the grantee of rights under this Ordinance and is known as Spectrum New York Metro, LLC.
- (c) “Act” or “Cable Television Act” is Chapter 186 of the General Laws of New Jersey, 1972, Section 48:5A-1 etseq., as amended.
- (d) “BPU” or “Board” is the New Jersey Board of Public Utilities.
- (e) “Standard Installation” means installations to residences and buildings that are located up to 125 aerial feet from the point of connection to Company’s existing distribution system.

## Section III. Statement of Findings.

A public hearing concerning the franchise herein granted to the Company was held after proper public notice pursuant to the terms and conditions of the Act and pursuant to communications with the Board. The hearing having been held as above stated and having been fully open to the public, and the Municipality having received at the hearing all comments regarding the qualifications of the Company to receive this franchise, the Municipality hereby finds that the Company possesses the necessary legal, technical, character, financial and other qualifications, and that the Company’s operating and construction arrangements are adequate and feasible.

## Section IV. Duration of Franchise.

The consent herein granted shall expire ten (10) years from the date of issuance by the BPU of a new Certificate of Approval based upon this Ordinance.

## Section V. Franchise Expiration and Renewal.

If the Company seeks a successive consent, it shall, prior to the expiration of this consent, apply for a municipal consent and Certificate of Approval in accordance with the Cable Television Act and applicable state and federal rules and regulations, and this consent shall continue in effect during the period following expiration of the consent granted herein and until such time that a

decision is made relative to the renewal of this municipal consent. Nothing herein shall be construed as a waiver of the Company's rights concerning the renewal of this consent under applicable law, including without limitation Section 626 of the Cable Act, 47 U.S.C. Section 546.

#### Section VI. Public, Educational or Governmental Access Channels.

The Company shall provide access time for non-commercial use to non-commercial public, governmental and educational entities on one PEG Access Channel, which the Municipality will share with other municipalities in Bergen County, New Jersey, with which the Company has a cable franchise.

#### Section VII. Franchise Fee.

Pursuant to the terms and conditions of the Act, the Company shall, during each year of operation under the consent granted herein, pay to the Municipality three and one-half percent (3.5%) of the gross revenues as defined in section 3 of P.L. 1972 c. 186 (C.48:5A-3), that the Company derives during the calendar year from cable television service charges or fees paid by subscribers in the Municipality to the Company, or such other amount as may be required under the Act, subject to federal law.

#### Section VIII. Franchise Territory.

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

#### Section IX. Extension of Service.

The Company shall be required to proffer service along any public right-of-way to any person's residence or business located in those areas of the franchise territory described herein, in accordance with the proposal for the provision of services as described in the Application for Renewal of Municipal Consent, filed with the Borough on March 30, 2011 ("Application"). Any additional extension of the system shall be made in accordance with the Company's line extension policy.

#### Section X. Construction Requirements.

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

**Relocation:** If at any time during the period of this consent the Municipality shall, for itself and not for, on behalf of or at the request of any third party, alter or change the grade of any street, alley or other public way or place, the Company, upon reasonable notice by the Municipality, to be not less than ten (10) business days, shall remove, re-lay or relocate its equipment, at the expense of the Company, provided, however, that all other users of the rights-of-way are likewise required to bear such costs under such circumstances.

**Temporary Removal of Cables:** Upon reasonable advance written notice, the Company shall temporarily move or remove appropriate parts of its facilities to allow the moving of buildings or machinery or in other similar circumstances. The expense thereof shall be borne by the party requesting such action except when requested by the municipality for itself and not for, on behalf of or at the request of any third party. In such event, that is, where the request is made by the Municipality for itself and not for, on behalf of or at the request of any third party, the Company shall bear the cost, provided, however, that all other users of the rights-of-way in the Municipality are likewise required to bear such costs under such circumstances. For the purposes of this section, “reasonable advance written notice” shall be no less than ten (10) business days in the event of a temporary relocation and no less than one hundred twenty (120) days for a permanent relocation.

**Trimming Trees:** During the exercise of its rights and privileges under this franchise, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks, or other public places of the Municipality so as to prevent the branches of such trees from coming in contact with the wires and cables of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance for the Company’s facilities and shall comply with the Municipality’s generally applicable ordinances governing tree trimming in the public rights of way.

#### Section XI. Local Office.

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

#### Section XII. Municipal Complaint Officer.

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

#### Section XIII. Performance Bond.

During the life of the franchise, the Company shall give a performance bond to the Municipality in the sum of twenty-five thousand dollars (\$25,000.00). Such bond shall be to insure the faithful performance of all undertakings of the Company as represented in its Application.

#### Section XIV. Rates for CATV Reception Service.

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

#### Section XV. Basic Service.

The Company's Basic Service shall include those channels that the Company is required to carry by FCC rules and any other channel that the Company may choose to carry without a separate or additional charge.

#### Section XVI. Liability Insurance.

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

#### Section XVII. Indemnification.

The Company hereby agrees to indemnify and hold the Municipality, including its agents and employees, harmless from any claims or damages resulting from the negligent actions of the Company in constructing, operating or maintaining the Cable System. The Municipality agrees to give the Company written notice of its obligation to indemnify the Municipality within ten (10) days of receipt of a claim or action pursuant to this section. Notwithstanding the foregoing, the Company shall not be obligated to indemnify the Municipality for any damages, liability or claims resulting from the willful misconduct or negligence of the Municipality or for the Municipality's use of the Cable System.

#### Section XVIII. Free Service.

Subject to applicable law, the Company shall provide, without charge, Standard Installation and one outlet and equipment of Basic Cable Service to the locations identified in Attachment A. The Basic Cable Service provided pursuant to this Section 18 shall not be used for commercial purposes. The Municipality shall take reasonable precautions to prevent any inappropriate use or loss or damage to the Company's Cable System.

#### Section XIX. Severability.

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

#### Section XX. Force Majure.

The Company shall not be liable or responsible for, in whole or in part, any delay or failure to perform any of its obligations hereunder which may result from accidents, floods, fires, earthquakes, tornadoes or other acts of God; war, acts of war (whether or not a declaration or war is made), civil disobedience; civil disturbance, sabotage or vandalism, customer tampering or interference, or act of public enemy; strikes, other labor or job actions or unavailability of materials or equipment; or other events or circumstances beyond the reasonable control of the Company.

Section XXI. Consistency with Future Federal and State Rules, Regulations and Orders.

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

Section XXII. New Regulatory Regime Provision.

(a) The Company and the Borough acknowledge that there is a law currently in effect in new Jersey authorizing cable television companies to elect to seek state-issued franchises. The Company has chosen not to do so at this time but rather to seek a municipal ordinance that will be approved by the issuance of a Certificate of Approval by the Board. However, the Company's decision at this time not to do so shall not be deemed or construed as a waiver of the Company's right to do so in the future, should it so choose.

(b) Should there be any change in local, state or federal law during the term of the franchise granted herein which reduces the regulatory or economic burdens for persons desiring to construct, operate or maintain a cable television system in the Borough, the Municipality, at Company's request, shall agree with the Company to amend this Ordinance to similarly reduce the regulatory or economic burdens on the Company. All such amendments must have Board approval to the extent required by applicable law. It is the intent of this section that, at the Company's election, the Company shall be subject to no more burdensome regulation or provided no lesser benefits under this Ordinance than any other persons that might provide cable television service in the Municipality.

Section XXIII. Effective Date of the Ordinance.

This municipal consent shall become effective as of the date upon which the Municipality receives written notification that the Company accepts the terms and conditions hereof, and approval of the Board of Public Utilities.

Approved:

Attest:

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Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk

## **Attachment A**

Slocum Skewes School – 650 Prospect Avenue, Ridgefield, NJ 07657

Ridgefield Police Department – 604 Broad Avenue, Ridgefield, NJ 07657

Ridgefield Health Department – 725 Slocum Avenue, Apartment 1, Ridgefield NJ 07657

Ridgefield Ambulance – 403 Shaler Boulevard, Ridgefield, NJ 07657

Ridgefield Recreation – 555 Walnut Street, Ridgefield, NJ 07657

Firehouse No. 1 – 803 Broad Avenue, Ridgefield, NJ 07657

Firehouse 2 – 588 Bergen Boulevard, Ridgefield, NJ 07657

Firehouse 3 – 530 Shaler Boulevard, Ridgefield, NJ 07657

Fire Prevention – 515 Church Street, Ridgefield, NJ 07657

OEM – 515 Church Street, Ridgefield, NJ 07657

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 9, 2019

Presented by Councilman Castelli

ORDINANCE NO. 2374

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 SECTION 375-52 DESIGNATING HANDICAPPED PARKING SPACES”

introduced on the 9<sup>th</sup> day of December, 2019, 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 23<sup>rd</sup> day of December, 2019 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				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 9, 2019

Presented by Councilman Castelli

ORDINANCE NO. 2374

“AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 375-52 DESIGNATING  
HANDICAPPED PARKING SPACES”

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

Section I: Section 375-52 of the Code of the Borough of Ridgefield, entitled “Designated Areas” subpart B, be and hereby is amended by the following:

1. Adding a single handicapped parking space adjacent to 830 Elizabeth Street (on the west side of Elizabeth Street) beginning at a point 29 feet north of the north west corner of Elizabeth Street and Abbott Avenue and continuing north a distance of 22 feet.

Section II: In all other respects, the terms, conditions and provisions of Section 375-52 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:

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Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 9, 2019

Presented by Councilman Castelli

ORDINANCE NO. 2375

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 375-5, NO PARKING AREAS, OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

introduced on the 9<sup>th</sup> day of December, 2019, 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 23<sup>rd</sup> day of December, 2019 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**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 9, 2019

Presented by Councilman Castelli

ORDINANCE NO. 2375

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

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

Section I. Chapter 375-5 be and hereby is amended by adding the following no parking areas:

On the southern side of Elite Court in two noncontiguous sections, the first section beginning at a point 78 feet east from the point where the southern side of Elite Court intersects with Shaler Boulevard at the southeastern corner of that intersection, and continuing in an easterly direction from that point a distance of 12 feet; and a second section beginning at a point 108 feet east from the point where said southern side of Elite Court intersects with Shaler Boulevard at the southeast side of that intersection and continuing in an easterly direction from that point a distance of 7 feet.

Section II. This ordinance shall take effect upon final publication according to law.

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

Section IV. 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.

Approved:

Attest:

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Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 9, 2019

Presented by Councilman Castelli

ORDINANCE NO. 2376

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 CHAPTER 366 ENTITLED “TOW TRUCKS”

introduced on the 9<sup>th</sup> day of December, 2019, 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 23<sup>rd</sup> day of December, 2019 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**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 9, 2019

Presented by Councilman Castelli

ORDINANCE NO. 2376

“AN ORDINANCE AMENDING THE PROVISIONS OF CHAPTER 366 ENTITLED “TOW  
TRUCKS”

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

Section I:

The existing provisions of Chapter 366, entitled “Tow Trucks”, be and hereby is deleted in its entirety.

Section II:

Chapter 366 of the Code of the Borough of Ridgefield is replaced with the following:

Chapter 366. Towing and Storage of Vehicles

§366-1. Purpose.

The purpose of this chapter is to provide standards, regulations and rates for police-requested nonpreference towing and storage services without competitive bidding in accordance with N.J.S.A. 40:48-2.49 et seq. and N.J.S.A. 40A:11-5(u) under the supervision of the Ridgefield Police Department.

§366-2. Definitions.

The following words and terms shall have the following meanings, unless the context clearly indicates otherwise:

**ADMINISTRATIVE FEE**

Per-tow fee to cover Borough administrative costs. Total amount collected by each licensee shall be remitted to Borough Clerk monthly.

**BASIC TOWING SERVICE**

The removal and transportation of an automobile from a highway, street or other public or private road or a parking area or from a storage facility, and other services normally incident thereto, but does not include recovery of an automobile from a position beyond the right-of-way or berm.

#### INSIDE BUILDING

A vehicle storage facility that is completely indoors, having one or more openings in the walls for storage and removal of vehicles, and this is secured by a locking device on each opening.

#### LICENSEE

A towing operator.

#### MOTOR VEHICLE ACCIDENT

An occurrence in which any vehicle, commercial vehicle or passenger vehicle, comes in contact with any other object for which any vehicle, commercial vehicle or passenger vehicle, must be towed or removed from the scene and placed in a storage facility.

#### OUTSIDE SECURED

An automobile facility that is not indoor and is secured by a fence, wall or other man-made barrier that is at least six feet high and is installed with a passive alarm system or a similar on site security measure.

#### OUTSIDE UNSECURED

An automobile facility that is not indoor and is not secured by a fence, wall or other man-made barrier, and storage facilities not defined above as inside a building or outside secured.

#### POLICE

The Borough Police Department, State Police, County Police, or other such law enforcement agency that may have jurisdiction upon the roadways of the Borough.

#### STORAGE CHARGES FOR A TWENTY-FOUR HOUR PERIOD

The maximum allowable amount to be charged by a storage facility for a twenty-four hour period or fraction thereof. A new twenty-four hour period begins at 12:01 a.m.

#### TOWING OPERATOR

A person, corporation or other form of business entity engaged in the business of providing a basic towing service to the general public and storage facilities for vehicles towed.

#### TOWING OPERATORS BASE OF SERVICE

The towing operator's principal place of business; where the tow trucks are stationed when not in use.

#### TOW TRUCK

Those vehicles equipped with a boom or booms, winches, slings, tilt beds, wheel lifts or an underreach specifically designed by a manufacturer that is nationally recognized by the towing industry for the removal or transport of motor vehicles.

#### §366-3. Approved Towing and Storage Service Providers.

The Mayor and Council of the Borough of Ridgefield shall select four (4) towers to be utilized by the Police Department on a rotational basis to provide towing and storage services for abandoned, wrecked or impounded vehicles at rates and charges to be set by the Borough pursuant to the

provisions of this ordinance. The selected towers shall be entered on and alphabetical list by the Police Department. The list shall contain the names, addresses and twenty-four hour telephone numbers of all approved towing and storage service providers.

- A. Only towing operators who meet the standards set forth in this chapter may be considered for selection for a license.
- B. Each such licensed towing operator shall be put on a rotational list compiled by the Chief of Police of the Borough and shall be called to respond to the needs of the police on a rotating basis.
- C. A maximum of four entities shall be selected as licensed towing operators for the Borough of Ridgefield in any license cycle in accordance with the provisions set forth in this ordinance.

§ 366-4:

Minimum Requirements for Licensure: In order to be considered for a towing license, towers must meet the following minimum requirements:

A. Storage facilities meeting the following minimum requirements:

- 1. A storage facility sufficient in size to properly accommodate a minimum of 15 vehicles for the Borough of Ridgefield. The storage facility shall be fenced in and secured and must be located within a one (1) mile radius of the Borough of Ridgefield within Bergen County in an area that permits the towing and storage of vehicles. The one (1) mile radius shall be measured from the border perimeter of the Borough of Ridgefield.
- 2. All land proposed to be used as a storage facility must be level and clear of debris and must be clearly marked as having the capacity necessary to store a minimum of 15 vehicles for the Borough of Ridgefield.
- 3. The tower must present an up to date (within 1 year) zoning certification issued by the Municipal Zoning Officer or Construction Official and a fire subcode certification issued by the Fire Sub code Official indicating the suitability of the storage lot for that purpose.
- 4. Towers must present either a deed or lease agreement for the storage location indicating the tower's right to use the location throughout the period of licensure.

B. Tow truck equipment meeting the following minimum requirements.

The tower must have equipment which meets the following requirements:

1. Minimum vehicle requirements.

- (a) Every official tower shall maintain and have available to render services required by this chapter a minimum of two regular tow trucks and one flatbed tow truck, and one heavy-duty tow truck, if available; if not available, the next company on the list will be contacted.

2. Tow truck equipment.

- (a) Regular tow trucks must be equipped with a boom or winch assembly mounted on the chassis, a dolly assembly, a towing sling, wheel lift assembly or under-reach, at least 100 feet of three-eighths inch or seven-sixteenths cable attached to a motor driven winch.
- (b) Flatbed vehicles must be equipped with a winch or hydraulically operated bed which slides or tilts to accommodate transporting of vehicles.
- (c) Each applicant shall submit, along with its application, proof of ownership or lease of the tow trucks which will be utilized to provide services pursuant to this chapter.
- (d) All tow trucks shall have two-way communications capability with dispatching available on a twenty-four hour basis.

3. Every tow truck will be equipped with:

- (a) At least one amber rotating beacon or strobe light mounted on the highest practical location, visible from 360 degrees when in use, and visible at a minimum distance of 500 feet during daylight hours.
- (b) One snatch block per winch.
- (c) Safety tow lights or magnetic tow lights for towing vehicles at night, amber in color.
- (d) Extra chains, cables or tie downs. At least one heavy-duty broom, a shovel, crowbar or pry bar, set of jumper cables, functioning flashlights, one two-pound or larger fire extinguisher of dry chemical type, one dozen flares or similar devices for placement at the scene of an accident or behind a disabled vehicle, at least 10 pounds of dry sand or a drying compound for gasoline and oil spills, and a sufficient quantity and type of tools to enable the tow truck operator to perform proper and adequate emergency repair services for the tow.
- (e) Every tow truck shall comply with any and all state, federal and local laws, regulations and ordinances pertaining to safety, lighting and towing equipment requirements and shall be subject to inspection by the Chief of Police or his designee at any time.
- (f) Every tow truck shall display the official towers' license and shall have the name of the official tower displayed on the tow truck in such a manner and of such lettering as conforms to the provisions of N.J.S.A. 39:4-46.

C. Personnel:

The personnel of all licensed towers must meet the following requirements:

1. All owners of 10% or more of the towing entity, and all employees who perform tow services, must demonstrate they are free of any prior conviction for a crime of moral turpitude. For purposes of this ordinance, the owners of 10% or more of any towing entity, and all personnel, shall submit to a background check to be conducted by the Borough.
- D. Performance:  
Licensees must agree to meet the performance standards set forth in §366-10.

§ 366-5.:

Selection of Towers and Issuance of Licenses:

The Mayor and Council shall, once every three (3) years, select up to four (4) towing companies experienced in the field of towing to perform towing work pursuant to this chapter and to be licensed pursuant to this chapter for a term to commence on January 1 of the year of licensing to the last day of December of the third year following the grant of a license. Year 2020, however, shall be a shortened year as per Section 366-7B. The Mayor and Council, or its designated committee, may interview representatives of each applicant. The Mayor and Council shall award the license based on the following criteria, after reviewing the applications, criminal background checks, driver's license abstract reports and reports from the Chief of Police and other Borough agencies, results of interviews and references:

- A. Experience in the field.
- B. Number, quality and capacity of tow trucks and ability to respond to various towing situations.
- C. Criminal history.
- D. Prior problems in the towing business related to the applicant's towing company.
- E. Ability to provide safe, prompt and efficient towing service pursuant to the terms and provisions of this chapter.
- F. Locations of offices and yards in relation to the Borough of Ridgefield.
- G. Recommendations of the Police Department.
- H. Compliance with the terms of this chapter.
- I. Completeness and accuracy of the application.
- J. Past performance of towing services for the Borough of Ridgefield and/or other governmental entities.
- K. Reports from references.

L. Quality of interview.

§366-6. License Fees.

- A. Each towing operator shall be licensed. The fee for each selected towing operator shall be \$1,000 for the initial year of a three (3) year term. Each license shall be issued in duplicate. One copy of the license shall be kept at all times at the location at which the tower is domiciled. Each license is valid from the date of its issue through February 28 of year following its issuance. Licenses shall not be transferable.
- B. All licenses issued hereunder shall be subject to renewal for additional periods of one year up through the three (3) year term of the license, provided the licensee complies with the following:
  - (1) Submission to the Borough Clerk of renewal application containing the same information as required in §366-7.
  - (2) Presentation of renewed insurance certificates containing the same information.
  - (3) Payment to the Borough Clerk for a renewal fee in the amount of \$750 in accordance with §366-5A each following year. The Mayor and Council have the right to deny, within 45 days after the submission of all items required by the chapter, the renewal of any license if they find that the applicant no longer demonstrates the ability to comply with the terms of this chapter, for any reason specified in §366-8 hereof, or for other just cause. In the event any renewal of a license is denied, the applicant shall forthwith be notified in writing, which shall specify the reason for the denial. After receipt of such notification, the applicant shall have 10 days in which to appeal the denial. The appeal process will be conducted by the Borough Administrator and ultimately decided by the Mayor and Council.

§ 366-7. Licensing Procedure.

- A. Every applicant for a license shall complete, sign and verify a written application on forms furnished by the Borough Clerk. The application shall require the following information:
  - 1. Name, business address, residential address and telephone numbers (residence and business) of the towing operator, if an individual, and or all owners of ten (10) per cent or more of the stock, membership or partnership interest of the entity.
  - 2. Locations of outside secured and unsecured storage areas for tow trucks, towed vehicles and all other vehicles used in the towing operator's business.
  - 3. The application shall be accompanied by the following supporting documentation.
    - A. Zoning certification (issued by Municipal Zoning Officer/Construction Official) and fire subcode certification (issued by Fire Subcode Official) for the storage facility.
    - B. Deed of ownership or lease agreement for storage locations.
    - C. Proof of access to second and additional heavy-duty wrecker(s).
    - D. Roster of tow trucks and other vehicles registered (truck number, registration number and serial number).
    - E. Roster of employees (by name, address and social security number), including designation of those who perform towing services.
    - F. Certificates of garage liability insurance, automobile liability insurance, garage keepers' insurance, excess umbrella insurance and workers' compensation insurance.
    - G. Affirmative action certification.

- H. A certification listing the owners of the applicant, including the owner of a sole proprietorship, the entities owning 10% or more of a corporate applicant, partners owning 10% or more in a partnership or LLP, and members owning 10% or greater interest in a limited liability company.
  - I. A list of references of entities for whom the applicant has provided towing services over the most recent ten (10) year period.
  - J. Such other and further information as the Borough may request which is relevant to the criteria set forth in Sections 366-4 and 5 of this ordinance.
- B. Licenses shall expire on December 31 of each year, subject to annual renewal. Applications shall be filed with the Borough Clerk on or after November 1 and no later than November 30 of each year, together with the appropriate license and application fee. Notwithstanding the foregoing, for the first year following adoption of this ordinance (2020), the initial licensing period shall be March 1 through December 31. The \$1,000 fee will be prorated for the shortened first year. Thereafter, renewal dates and subsequent initial licensing dates will run from January 1 to December 31 of each year.
- C. No more than one license shall be granted any applicant. No licensee shall have interest, direct or indirect, in any other license.
- D. All licenses, once issued, are not transferable.
- E. The Chief of Police of the Borough is charged with the responsibility of investigating new and renewal licensees on an annual basis. Upon completion of an investigation, the Chief of Police shall report his findings and recommendations to the Borough Clerk. Those findings shall include the Chief's findings as to whether or not an applicant meets the minimum requirements for licensure as per §366-4 of this ordinance together with any other information or recommendations the Chief feels is relevant. The Chief's report shall include, but not be limited to, the following:
- 1. Whether the applicant and its employees who perform towing services have been convicted of a crime of moral turpitude. For purposes of this section, the applicant shall mean the towing operator, if an individual, and or all owners of ten (10) per cent or more of the stock, membership or partnership interest of the entity.
  - 2. If a previous licensee, whether the applicant has met the performance standard of this chapter, as hereinafter set forth.
  - 3. Whether the applicant meets the adequacy of equipment and facilities, availability and adequate response time and the security of the vehicles towed or stored all as specified in the standards of this chapter, hereinafter set forth.
- F. The Mayor and Council shall use the selection process set forth in §366-5 to select from among all qualified applicants the four towers who will be selected for a license for the three year license period.
- G. On or about March 1 of each year the Borough Clerk shall furnish the list of licensees for that year to the Chief of Police and to all applicants whether approved or not approved.
- H. Any applicant not so approved for initial licensure or renewal, may appeal to the Borough Administrator. Any such appeal shall be filed within 10 days after receipt of the list of licensees from the Borough Clerk. The Administrator shall undertake a review of the reasons for rejection by the Mayor and Council and/or the Chief of Police and shall make thereafter make a report to the Mayor and Council who shall have the right to overturn or sustain the rejection
- I. As a condition of licensure, the tower must agree in writing to remit monthly the administrative fees established under this ordinance.

§366-8. Towing, Winching and Storage Fees.

Each selected tower may only charge the fees set forth in this section. Towing fees include tow truck, flatbed or dolly services.

A. Towing fees.

<b>Road Service Fees</b>	
Passenger Cars, SUV and Trucks under 10,000 lbs.	\$50.00 per hour (includes up to 2 gallons of gas, jumpstart and tire changes). If tow results, there will be no charge for road service except for cost of gas supplied.
Medium / Heavy-Duty Trucks	\$175.00 an hour plus parts
<b>Towing-Basic Fees</b>	
Motorcycle / Motor scooter	\$125.00 plus \$25.00 administration fee
Passenger Cars, SUV and Trucks under 10,000 lbs.	\$125.00 plus \$25.00 administration fee (includes first 24 hours of storage)
Passenger Van	\$135.00 plus \$25.00 administration fee
Commercial Van	\$150.00 plus \$25.00 administration fee
Medium-Duty 10,001-16,000 lbs.	\$250.00 per hour plus \$25.00 administration fee
Heavy-Duty 16,001 lbs. and above	\$500.00 per hour plus \$25.00 administration fee
On-hook mileage (Medium/Heavy-Duty Only)	\$6.00 per loaded mile
Decoupling fee (if tow is not performed)	½ of the basic tow rate
Show up fee (no hook up/only arrive on scene). Follow tow rate once vehicle hook up is started	\$50.00
Additional Tow Vehicles	At normal tow rate
All Municipal Vehicles	\$0 (see §366-11E, F and G)*75 mile radius
Tow fee for victims of Crimes and Investigations as determined by the Police Department	\$0
Vehicles impounded and held for seizure	\$0 (if vehicle is subsequently released to the owner, they will be charged at the tow rate plus 3 days outside storage, storage rate will continue if owner fails to retrieve vehicle during the first three days)
<b>Recovery / Winching (In addition to Towing Fees)</b>	
Passenger cars, SUV and light trucks under 10,000 lbs. (Winching fees are not applicable to towing parked vehicles or minor maneuvering of vehicles prior to towing).	\$75.00
Passenger cars and light trucks under 10,000 lbs. off-road recovery or up-righting of vehicle	\$150.00 per hour
Medium-Duty 10,001-16,000 lbs.	\$350.00 per hour
Heavy-Duty 16,001 lbs. and above	\$600.00 per hour
<b>Specialized Recovery Equipment</b>	
Rotator / Crane Recovery Unit	\$1200.00 per hour
Tractor w/ Landoll Trailer or Detached Trailer	\$450.00 per hour

Tractor/Transport Hauler Only	\$250.00 per hour
Refrigerated Trailer w/ Tractor	\$450.00 per hour
Box Trailer w/ Tractor	\$400.00 per hour
Air Cushion Unit	\$1000.00 per hour
Illumination Light tower	\$250.00 per hour
Pallet jack	\$200.00 per hour
Rollers	\$200.00 flat rate
Any Other Specialized Equipment	\$250.00 per hour
Loader / Backhoe / Telescopic Handler / Bulldozer Bobcat / Forklift	\$300.00 per hour each
Dump Truck / Dump Trailer w/ Tractor	\$350.00 per hour
Roll-Off w/ Container	\$350.00 per hour plus disposal fees
Recovery Supervisor Vehicle	\$100.00 flat fee
Scene Safety Equipment, Communication Equipment, Traffic Management Equipment, Etc.	\$250.00 per hour each type used
Recovery Support Vehicle/Trailer Additional Recovery Equipment	\$350.00 per hour
<b>Labor</b>	
Passenger cars SUV, and trucks under 10,000 lbs. Accident excessive cleanup and disposal of debris	\$75.00 flat fee (incl. 1 <sup>st</sup> bag of speedy dry)
Speedy Dry (2 or more bags)	\$30.00 per bag
Extra Personnel/Manual Laborers (On all Towing Recovery Operations)	\$75.00 per hour per person
Recovery Supervisor and/or Level III Recovery Specialist	\$225.00 per hour
Certified Towing Operator	\$125.00 per person
<b>Storage (per 24 hour period)</b>	
Passenger car and trucks under 10,000 lbs.	\$35.00
Medium-Duty 10,001-16,000 lbs.	\$45.00
Heavy-Duty 16,001 lbs. and above: Tractor/ Dump Truck/ Tractor and Trailer Combo Trailer	\$125.00 per unit per day
Buses	\$150.00 per day
Roll-Off	\$125.00 per day
Cargo / Accident Debris / Load Storage Vehicle Components 10'x20' space	\$45.00 per space used per day
Rental of any tow company supplied trailer (Post Incident)	\$500.00 per day
<b>Additional Services / Notes</b>	
Fuel / Haz-Mat / Cargo Spills Clean-up and Disposal	Time and Material
Haz-Mat and Trash Recovery	Surcharged 10%
Subcontractor Mark-up	10%
Administrative Charge Only after the 3 <sup>rd</sup> visit to vehicle (Passenger Cars, SUV and Trucks Only)	\$50.00
Administrative Charge Only after the 3 <sup>rd</sup> visit to vehicle (Medium/Heavy-Duty Trucks Only)	\$200.00
After hours release	\$75.00
Notification and Documentation Fee	\$50.00

Tarping / Wrapping Vehicles (Passenger Cars and Trucks under 10,000 lbs.)	\$25.00 per side window \$40.00 per front and rear window \$90.00 max per vehicle
Tarping / Wrapping Vehicles (Medium-Duty / Heavy-Duty Trucks over 10,000 lbs.)	\$250.00 per truck

§ 366-9. Revocation and Suspension of License.

- A. The Borough Administrator may revoke any license issued under this chapter for good cause, upon the recommendation of the Chief of Police. As used herein, "good cause" shall mean that the licensee has, after notice and the opportunity to cure or otherwise explain the deficiency as hereinafter set forth:
  - 1. Failed to meet the performance standards and/or failed to meet licensing standards relating to equipment, insurance and/or the general standards of this chapter;
  - 2. Supplied fraudulent or inaccurate information on the application; or
  - 3. Violated municipal or state regulations, which relate specifically to performance hereunder.
- B. Written notice of the pendency of revocation action, together with the basis thereof, shall be given to the licensee. Within 10 days of receipt of said notice, the licensee may request a meeting with the Borough Administrator, who shall thereupon schedule same. Upon good cause shown, the Administrator may grant to the licensee 30 days to cure any deficiency. If the Administrator, after meeting with the licensee, determines that the license should be suspended, the licensee shall be given notice of the final action.
- C. Revocation by the Borough Administrator may be appealed to the Borough Council by written notice to the Borough Clerk within 10 days of receipt by the licensee of notice of final action of revocation. The Council shall decide the appeal summarily after reviewing a report by the Borough Administrator together with statements from any and all witnesses and interested parties including the towing company involved. The Council shall decide the appeal no later than 30 days after receipt of notice of appeal by the Borough Clerk and shall render its decision by a written resolution, stating its findings and conclusions.
- D. If a license has been revoked, the towing operator may be disqualified from reapplying for two successive licensing periods.
- E. The Chief of Police may temporarily suspend a license for just cause, including conviction of a crime involving moral turpitude.

§ 366-10. Performance Standards.

Licensees shall:

- A. When on call, provide towing on a twenty-four-hour, seven-day-a-week basis, including holidays.
- B. Dispatch a tow truck or trucks, as circumstances warrant, when requested by the police to respond, in such a manner that the tow truck arrives at the scene within 15 minutes under normal and reasonable circumstances. A failure to respond within 15 minutes on more than three occasions within a year may result in the tower being removed from the approved list.
- C. Maintain and operate all tow trucks in accordance with all existing traffic regulations and in a safe and prudent manner.

- D. Not stop at any accident scene unless directed by the police, except to notify police of an unattended accident and advise accident victims that police have contacted the licensee on rotation; and not solicit or attempt to divert patrons of another towing operator, whether or not licensed under this section, or solicit prospective patrons of a given repair service to any other repair service.
- E. Not respond to the scene of an accident except upon notification by police.
- F. Not tow vehicles without proper authorization from the police at the scene or the owner or driver at the scene. Upon such authorization and if not accompanied by the owner or the driver of the towed vehicle, the licensee shall disclose in writing the location of the storage facility.
- G. Not release any vehicle impounded or confiscated without proper authorization from the police.
- H. Notify the police on a monthly basis of unclaimed vehicles.
- I. Be responsible for all vehicles and their contents after towing. If the vehicle is unattended, the licensee shall make an inventory of any apparent valuable contents at the accident scene and maintain said inventory at least until the disposition of the vehicle.
- J. Cooperate with other towing operators in the case of emergency services at the scene of accidents, significant weather event and/or disasters.
- K. Comply with police instructions at the scene, even if it means countermanding towing requests by other drivers of disabled vehicles.
- L. Request police assistance during the course of servicing when negotiating difficult towing operations.
- M. Prior to departure from the accident scene, clean and clear streets of any debris resulting from any accident, and toward that end carry the necessary equipment to perform such cleaning services.
- N. Report any dispute between towing operators and/or persons at the scene to the police; and report to the police any observed disabled vehicles, accidents or any other activities that may require police attention.
- O. Not use flashing lights or sirens except as permitted by the police pursuant to law.
- P. Not tow a vehicle for illegal parking on public property unless so directed by the police.
- Q. Immediately notify the police in the event that the licensee is not operational due to mechanical failure, personnel deficiency or other incapacitating cause.
- R. Maintain written records for at least seven years from the date of the service of all tows performed and all signed acknowledgements of receipt of vehicles by owners or authorized agents.
- S. Post hours of operation on storage facilities so that the public may be informed as to when the facilities are open for recovery of motor vehicles.
- T. Maintain the public portions of storage facilities as a clean and safe environment for public invitees.
- U. Not park or store an impounded vehicle on any public street or sidewalk or any outside unsecured area.
- V. Not employ any Borough employee or allow any Borough employee to have a financial interest, direct or indirect, in the towing operator's business.
- W. Clear debris from roadway prior to departure from the scene.
- X. If called as a backup tow, the vehicle shall be towed to the yard of the backup tow.
- Y. Disconnect cables from disabled vehicle battery terminals as to avoid possible fire hazards.

- Z. Display fee cards, conspicuously indicating the maximum rates for towing and storage charges, in each tow truck, and present a card to the driver of the disabled vehicle to be towed. Such a fee card shall also be conspicuously posted at every storage facility and location where the vehicle is to be retrieved.
- AA. Accept at least one major credit card for towing services.
- BB. Remit administrative fees to the Borough Clerk monthly.
- CC. Maintain minimum hours for the retrieval of stored vehicles from storage facilities of 8:00 a.m. to 4:00 p.m. Monday through Friday, and 9:00 a.m. to 1:00 p.m. on Saturdays.

§ 366-11. Limitations on Towing and Storage Charges.

- A. The maximum rates for towing and storage of vehicles shall be as established by this ordinance provided, however, that no such rates shall exceed those permitted and as same may be amended or supplanted by state statute or regulation.
- B. Storage charges shall be calculated on the basis of a calendar day. For purposes of this ordinance, a calendar day shall mean the day on which a vehicle is towed to the storage yard, regardless of the time of day, to 12:01 a.m. of the following day. There shall be no storage charge due for the first day of storage, as defined in this ordinance, provided that the vehicle is properly removed from the storage yard within that first day. If the vehicle is retrieved thereafter, storage charges shall be charged for each day or part thereof that the vehicle is in the storage yard. In the event that the person claiming the towed vehicle reports to the police prior to 12:01 a.m. on the date the vehicle was towed on a day and time when, for whatever reason, licensee cannot release the vehicle, the claimant shall be given written confirmation of the date from the police department tour commander. If the vehicle is then claimed from the licensee on the next regular business day, no storage charge shall be exacted from the time the vehicle was first claimed until it was actually picked up.
- C. If the owner of an unattended vehicle appears on the scene and the vehicle does not need to be towed or impounded, the licensee shall not charge for the service call, unless the vehicle has been hooked up to the tow truck, in which event 50% of the authorized towing charge may be assessed against the owner or driver of the vehicle.
- D. There shall be no charge for towing, storage or impoundment if it is determined by the Chief of Police or his designee that such vehicles have been towed, stored or impounded due to an error by the towing operator or the police. This determination shall be in the sole discretion of the Police Chief or his designee and is binding upon the licensee, who shall make no claims against the Borough or the owner of the vehicle, and if payment has already been received, the payor shall be reimbursed.
- E. All licensees shall be obligated to tow and to make minor roadside service repairs to vehicles owned by the Borough in the event that they become disabled, without charge to the Borough and as long as it is within a seventy-five mile radius.
- F. The Borough of Ridgefield shall retain the right to tow abandoned vehicles to its own land and retain any money realized from the sale of such vehicles.
- G. In the event that the Ridgefield Police Department requires a vehicle to be impounded for possible evidentiary value, the licensed tow operator agrees that said tow shall be at no cost to the Borough of Ridgefield, provided that the vehicle is towed to a location within Bergen County.

§ 366-12. Operation by Other Tow Truck Operators.

This chapter shall not prevent the occasional operation at the scene of an accident, upon the request of an owner or driver of a vehicle, of a tow truck, that is owned by a person not a licensee hereunder, provided, however, that the Police shall have the discretion, based on the circumstances at the accident scene, to disallow an owner or driver from utilizing a non-licensed tower.

§ 366-13. Implementation.

Upon the adoption of this chapter, the Borough Clerk shall give 30 days' public notice by newspaper publication of the necessity of making application for a license to engage in the business of basic towing service as a licensee of the Borough. In addition, the Chief of Police shall give notice to all towing operations known to have engaged in basic towing service in the Borough for the last year.

§ 366-14. Violations and Penalties.

- A. Any person, firm or corporation violating the provisions of this chapter shall, upon conviction thereof, be subject to a fine of not more than \$500 or to imprisonment for not more than 90 days, or both, at the discretion of the Judge of the Municipal Court.
- B. An operator engaged in the removal of motor vehicles, or any employee, officer or agent thereof, who engages in a pattern of practice of knowingly violating the fee limits set forth in Section 3 of P.L. 1987. c. 127 (N.J.S.A. 40:48-2.50) may be liable to the municipality for a civil penalty of up to \$1,000 for each motor vehicle stored with the operator.

§ 366-15. Dispute Resolution and License Revocation.

- A. In the event that a complaint is received by the Borough involving the improper or unsatisfactory performance of services by an official tower or excessive charges or damage to a motor vehicle in the custody of the tower, written notice of same shall be provided by the Borough Clerk to the official tower involved. The tower shall have the opportunity to respond, in writing, within five days.
- B. Within 14 days of receipt of the tower's response, or within 21 days of receipt of complaint, if no response is received, the Borough Clerk shall present the matter to the Borough Administrator.
- C. The Borough Administrator shall conduct a hearing and may request that the complainant and the tower involved appear and give testimony regarding the complaint. The Borough Administrator will thereafter make a report and recommendation to the Mayor and Council, who will decide the matter at the next regularly scheduled Mayor and Council meeting.
- D. After considering the matter, the Mayor and Council shall determine whether or not a violation of the ordinance by the licensed tower has occurred and if so, whether revocation of the official tower license, or other discipline including suspension, shall be the appropriate remedy. The Mayor and Council may order the revocation of the tower license, which shall be surrendered to the Borough Clerk within one (1) day.
- E. Failure to surrender the license upon revocation shall constitute a violation of this chapter.
- F. Nothing contained herein shall prevent or limit the right of any person to commence or maintain an action for damages or any other relief directly against an official tower in a court of competent jurisdiction.

§ 366-16. Fee Limits.

- A. All fees to be paid to an operator by a municipality for the storage of removed motor vehicles shall not exceed the following:
  - 1. A limit of \$3 per day for the first 30 days storage per vehicle;
  - 2. A limit of \$2 per day for the 31st day of storage and any day thereafter; and
  - 3. A limit of \$400 per vehicle stored regardless of the duration of the storage, except that the Division of Local Government Services in the Department of Community Affairs may grant a waiver for good cause upon the request of a municipality.
- B. An operator engaged in the removal of motor vehicles, or any employee, officer or agent thereof, who engages in a pattern or practice of knowingly violating the fee limits set in Section 3 of P.L. 1987, c. 127 (N.J.S.A. 40:48-2.50) may be liable to the municipality for a civil penalty of not less than \$25 or more than \$50 for each motor vehicle stored with the operator.

§ 366-17. Insurance Requirements.

- A. Indemnity. The applicant shall agree in writing to defend, indemnify and hold harmless the municipality from any and all claims for bodily injury, personal injury or property damage against the municipality arising out of the operation of any towing services or repairs under this agreement. The applicant shall further defend the municipality in connection with any claim, demand, suit or action brought against the municipality arising out of the awarding or operation of any towing, garage or repair service under this agreement at the applicant's expense.
- B. Insurance requirements.
  - 1. Garage liability insurance. Limit of liability shall not be less than \$3,000,000 combined single limit (bodily injury and property damage) per occurrence including premises, operations and products/completed operations.
  - 2. Automobile liability insurance. Limit of liability shall not be less than \$ 3,000,000 combined single limit (bodily injury and property damage) per occurrence.
  - 3. Garagekeepers' insurance. Liability insurance shall be provided for vehicles in tow, possession of, or storage on property owned or controlled by the towing operator. Limit of said coverage shall not be less than \$3,000,000.
  - 4. On all liability policies, the municipality shall be added as an additional insured, and an insurance certificate shall indicate such coverage as primary coverage notwithstanding any insurance carried by the municipality.
  - 5. Workers' compensation insurance. Statutory coverage, including employee liability coverage with a limit of at least \$500,000/\$500,000/\$500,000.
  - 6. The contractor shall indemnify the municipality and the public against any loss due to injuries, accidents or damages of any type whatsoever where any such damage is the result of an act or omission of the towing operator, his agents or employees in or due to the execution of the work under the contract.
  - 7. The applicant shall provide the municipality with certificates of insurance, evidencing the coverage required above. Such certificates shall provide that the municipality shall be given 30 days' prior written notice of any cancellation of, intention not to renew, or material change in such coverage by certified mail, return receipt. Certificates must be

provided before commencing work in connection with the contract. Failure to submit this shall subject the towing operator to immediate disqualification.

8. The providing of any insurance required herein does not relieve the towing operator of any of the responsibilities or obligations assumed by the towing operator for which the towing operator may be liable by law or otherwise

Section III.

This ordinance shall take effect upon final publication according to law.

Section IV:

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

Section V.

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 VI.

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 December 9, 2019

Presented by Mayor Suarez

ORDINANCE NO. 2377

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

“AN ORDINANCE ESTABLISHING THE POSITION OF TENANT ADVOCATE IN THE BOROUGH OF RIDGEFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY”

introduced on the 9<sup>th</sup> day of December, 2019, 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 23<sup>rd</sup> day of December, 2019 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**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 9, 2019

Presented by Mayor Suarez

ORDINANCE NO. 2377

“AN ORDINANCE ESTABLISHING THE POSITION OF TENANT ADVOCATE IN THE  
BOROUGH OF RIDGEFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY”

WHEREAS, it has been recognized by the Mayor and Council of the Borough of Ridgefield that there is a need to inform tenants of their rights as tenants; and

WHEREAS, it has been recognized by the Mayor and Council that there are abuses against tenants because of the housing crisis exacerbated in times of economic downturn; and

WHEREAS, it has been recognized by the Mayor and Council that it is in the public interest to have an informed and educated renting public; and

WHEREAS, there are times when, due to a tenant’s limited means or knowledge about a tenant’s rights, such rights are not enforced and benefits foregone; and

WHEREAS, it is beyond debate that it is in the public interest to assure safe and adequate housing to all citizens of the Borough of Ridgefield; and

WHEREAS, the creation and maintenance of safe and adequate housing is a public concern and purpose, and of utmost interest to the Mayor and Council; and

WHEREAS, the furtherance of this interest is best served by the creation of a strong Office of Tenant Advocate Attorney;

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

Section I.

A new chapter in the Borough Code, the number and location of which to be determined by the Borough’s Code Publisher, be and hereby is established, to be titled “Tenant Advocate” and to have the following provisions:

§ \_\_\_\_\_-1: Establishment of the Position of Tenant Advocate; Term; Salary.

A. There is hereby established by and within the Borough of Ridgefield the position of Tenant Advocate.

B. The Tenant Advocate shall be an attorney at law licensed to practice in the State of New Jersey.

C. The Tenant Advocate shall be appointed by the Mayor with the consent of the Council for a term of one year or until the successor is appointed and qualified.

D. The salary range for said position shall be established by the Borough's salary ordinance and the actual salary, within that range, to be determined by the Mayor and Council when the professional services contract is awarded.

§\_\_\_\_\_-2 Duties.

The duties of said Tenant Advocate shall include, but not be limited to:

A. Providing and distributing information to tenants regarding federal, state and municipal laws affecting the rights and duties of landlords and tenants.

B. Distributing information specifically dealing with tenants' legal rights, including information on local legal aid agencies.

C. Writing and publishing information pamphlets, leaflets, and/or booklets providing information on tenant/landlord rights and duties in accord with applicable law within the Borough of Ridgefield.

D. Promoting, sponsoring and organizing tenants' rights workshops to disseminate information between tenants and tenant groups and to assist tenants' rights and to organize to protect tenants' rights.

E. Receiving and forwarding, to appropriate agencies of the Borough, complaints from tenants relating to the administrative action or inaction of any Borough department.

F. Referring tenants in the Borough with complaints regarding their tenancies to the appropriate Borough department.

G. Providing such reports as may be requested, necessary, or proper, to the Mayor and Council or any Borough department, body or agency regarding tenancies within the Borough of Ridgefield.

H. Advising both tenants and landlords as to their rights and obligations flowing from leases, Borough ordinances, and applications and to have such power, authority and/or duties to aid both landlords and tenants to conform with municipal ordinance and state statutes.

I. The Tenant Advocate shall be empowered to coordinate various Borough departments in order to ensure the rights, duties and obligations of tenants and landlords and the maintenance of safe and adequate rental housing within the Borough of Ridgefield.

J. On behalf of the Mayor and Council, the Tenant Advocate shall have standing to appear, as an interested party, before any department or board of the Borough of Ridgefield, including the Rent Control Board, the Code Enforcement Department, the Health Department, as well as in any administrative, judicial, or alternative dispute resolution proceeding, in regard to any matter dealing with, regarding, or touching upon any landlord-tenant relationship, or the condition of any rental structure or dwelling, within the Borough of Ridgefield.

K. Any other ordinance notwithstanding, the Tenant Advocate shall have the right to request an investigation or hearing by any department of the Borough regarding any landlord-tenant relationship, or the condition of any rental structure or dwelling, within the Borough of Ridgefield, unless contrary to any state or federal law. Any Borough department receiving such request shall conduct hearing or investigation forthwith in accordance with such department's standards and procedures, upon the receipt of such request from the Tenant Advocate.

L. The Tenant Advocate shall have all powers necessary and appropriate to carry out and execute the purposes of this chapter.

M. In the absence of a duly appointed Tenant Advocate, or at the request of the Mayor and Council, the Borough Attorney may assume all or any of the duties of the Tenant Advocate. The Borough Attorney may, in turn, delegate such responsibilities to any other attorney under employment or contract with the Borough or any of its boards.

N. The Tenant Advocate shall attend all meetings of the Ridgefield Rent Leveling Board.

O. The Tenant Advocate shall, when authorized by the Mayor and Council, appear in court proceedings on behalf of tenants. Any such service shall be outside of the annual fee to the Tenant Advocate and be billed on an hourly basis at the same rate as the Borough Attorney.

## Section II.

The salary ordinance of the Borough of Ridgefield be and hereby is amended by adding to the list of designated positions and salaries the following:

Tenant Advocate Attorney	Salary Range: \$4,000 to \$7,000
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## Section III.

This ordinance shall take effect upon final publication according to law.

## Section IV:

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

## Section V.

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.

Approved:

Attest:

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Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 9, 2019

Presented by Councilman Penabad

RESOLUTION NO. 284-2019

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

CAITLIN CASTEL

be hired as a temporary clerical employee for Fire Prevention at the hourly rate of \$11.00 beginning December 17, 2019 through January 24, 2020.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 9, 2019

Presented by Councilman Jimenez

RESOLUTION NO. 285-2019

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

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

WHEREAS, the Borough of Ridgefield has been awarded grants, and wishes to amend its 2019 Calendar Year Budget to include this amount as a item of revenue; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Mayor and Council hereby requests the Director of Government Services to approve the insertion of an item of revenue in the Calendar Year Budget of 2019 in the sum of \$28,306.68 which is now available as a revenue item from:

Miscellaneous Revenues

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

Public and Private Revenue Off-set with Appropriations:

Firehouse Sub Public Safety Grant      \$28,306.68

BE IT FURTHER RESOLVED that a like sum of \$28,306.68 be and the same is hereby appropriated under the caption:

General Appropriations

Operations excluded from CAPS

Public and Private Revenues Off-set by Appropriations:

Firehouse Sub Public Safety Grant      \$28,306.68

BE IT FURTHER RESOLVED that the Chief Financial Officer file an electronic copy of this resolution with the Director of Local Government Services for approval.

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 9, 2019

Presented by Councilman Jimenez

RESOLUTION NO. 286-2019

WHEREAS, Nathan P. Wolf, Esq., representing Benedetto, John M., filed a tax appeal challenging the assessment at 1012 Hoyt Avenue., Block 2303, Lot 8 for tax years 2012-2019; and

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

LAND:	\$ 576,600
IMPROVEMENTS:	\$ 1,088,300
TOTAL:	\$ 1,664,900

WHEREAS, the parties having exchanged discovery have entered into settlement discussions resulting in a proposed settlement to which taxpayer has agreed; and

WHEREAS, in light of the inherent risk and expense of Tax Court litigation, it is deemed to be in the best interest of the Borough to enter into a settlement of the pending tax appeal on the terms set forth below;

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

1. For 2014 & 2015, the assessment shall be adjusted to:

LAND:	\$ 576,600
IMPROVEMENTS:	\$ 873,400
TOTAL:	\$ 1,450,000

2. For 2016, 2017 & 2018, the assessment shall be adjusted to:

LAND:	\$ 576,600
IMPROVEMENTS:	\$ 773,400
TOTAL:	\$ 1,350,000

3. For 2019, the assessment shall be adjusted to:

LAND:	\$ 576,600
IMPROVEMENTS:	\$ 723,400
TOTAL:	\$ 1,300,000

4. Taxpayer agrees to waive statutory interest on the refunds due as a consequence of the settlement provided refunds are paid within sixty (60) days of the entry of Tax Court Judgment.

5. Special Tax Attorney is hereby authorized and directed to execute a Stipulation of Settlement for filing with the Tax Court conforming with the terms set forth above.
  
6. The Tax Collector is hereby authorized and directed, upon receipt of the Tax Court Judgment, to calculate the amount of the refund and cause same to be paid to the taxpayer, without statutory interest, within sixty (60) days from the date of the Tax Court Judgment.

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

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

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

**BOROUGH OF RIDGEFIELD**  
Bergen County, New Jersey

Meeting December 9, 2019

Presented by Councilman Castelli

**RESOLUTION NO. 287-2019**

WHEREAS, Resolution No. 240-2019 was adopted on September 9, 2019 appointing temporary Code Enforcement Officers in order to complete the performing of inspections and issuing certificates of inspection to an exceeding large number of apartment units in the Borough of Ridgefield; and

WHEREAS, Resolution No. 266-2019 adopted on October 28, 2019 extended the temporary appointed until November 30, 2019; and

WHEREAS, the temporary appointment of those Code Enforcement Officers needs to be extended further;

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

1. Paul Elenio and Thaier Abdallah are hereby hired on a temporary basis as part-time Code Enforcement Officers to be paid at a rate of \$30.00 per hour for actual hours worked in connection with the inspection program set forth above.
  
2. This temporary appointment will end on February 28, 2020.

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 9, 2019

Presented by Councilman Castelli

RESOLUTION NO. 288-2019

WHEREAS, a Bergen County Community Development grant of \$153,492.90 has been proposed by the Borough of Ridgefield for the *Maple Avenue Project* in the municipality of the Borough of Ridgefield; and,

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

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

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

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

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

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

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

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

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

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Francis J. Elenio,  
Chief Financial Officer

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting December 9, 2019

Presented by Councilman Jimenez

RESOLUTION NO. 289-2019

BE IT RESOLVED, that warrants totaling **\$2,537,947.77**  
be drawn on the following accounts:

CURRENT	\$2,308,473.20
TRUST	\$22,236.86
CAPITAL	\$206,621.91
POOL	\$615.80
<b>TOTAL</b>	<b>\$2,537,947.77</b>

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

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

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