

BOROUGH OF RIDGEFIELD

A G E N D A

Executive Session and Regular Meeting of the Mayor and Council

Date: February 14, 2011

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 January 25, 2010 Work Session Meeting, March 8, 2010 Public Session Meeting, and March 22, 2010 Work Session Meeting

90-2011 Mayor Suarez Appointment of Patrolman

Swearing of Patrolman

As advertised, hearing will be held on Ordinance No. 2160 entitled, “AN ORDINANCE ABOLISHING THE POSITION OF MUNICIPAL ADMINISTRATOR AND DEPUTY MUNICIPAL ADMINISTRATOR”

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

ROLL CALL-PUBLIC SESSION

	Adj. to Ex.		Public	
	Pres.	Abs.	Pres.	Abs.
Mayor Suarez				
Castelli				
Todd				
Vincenz				
Severino				
Acosta				
Jimenez				

ROLL CALL-EXEC. SESSION

	PRESENT	ABSENT
Mayor Suarez		
Castelli		
Todd		
Vincenz		
Severino		
Acosta		
Jimenez		

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. 2161 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 92 "SALARIES AND COMPENSATION", SECTION 92-1, "SALARIES" TO REDUCE COMPENSATION FOR THE MAYOR AND COUNCIL MEMBERS BY TEN PERCENT"

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2162 entitled, "AN ORDINANCE AMENDING ARTICLE V OF CHAPTER 333 OF THE CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED "SEWER CONNECTIONS; MAINTENANCE; WASTE WATER TREATMENT"

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2163 entitled, "AN ORDINANCE AMENDING CHAPTER 328 OF THE CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED "RETAIL BUSINESS HOURS"

First Reading of Ordinance

Roll Call

PROPOSED CONSENT AGENDA:

	Motion:	Second:
91-2011	Mayor Suarez	Appointment of Rent Leveling Attorney
92-2011	Mayor Suarez	Appointment for Appraisal Services
93-2011	Councilman Jimenez	Authorize CFO to Pay Certain Obligations Prior to Regular Payment of Bills
94-2011	Councilman Jimenez	Appointment of Fund Commissioner to PAIC

95-2011	Mayor Suarez	Appointment to Planning Board- NO COUNCIL VOTE NECESSARY
96-2011	Councilman Acosta	Award Janitorial Services Contract
97-2011	Councilman Acosta	Approve Request for Private Inspection Facility at 520 Broad Avenue
98-2011	Councilman Jimenez	Return of Escrow Monies
99-2011	Councilman Acosta	Appointment of Housing Inspector
100-2011	Councilman Jimenez	Professional Services Agreement-Borough Attorney
101-2011	Councilman Jimenez	Green Communities Grant Agreement
102-2011	Councilman Jimenez	Emergency Repair-Sanitary Sewer Lateral
103-2011	Mayor Suarez	Proclamation-Read Across America-NJ
104-2011	Councilman Jimenez	Professional Services Agreement-Architect
105-2011	Councilman Jimenez	Professional Services Agreement-Substitute Public Defender
106-2011	Councilman Jimenez	Professional Services Agreement-Borough Auditor
107-2011	Councilman Jimenez	Engage Special Auditor to Perform Necessary Functions to Convert from Fiscal to Calendar Year
108-2011	Councilman Jimenez	Authorize Emergency Management Agency Assistance Grant for 2011

COUNCIL VOTE

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

RESOLUTIONS:

109-2011 Councilman Jimenez Warrants

COMMENTS BY MAYOR:

Coin Toss Request:

Ridgefield Boro Athletic Organization
 Saturday, April 9, 2011 - 9:00 am-2:00 pm
 Saturday, June 4, 2011 – 9:00 am-2:00 pm

Special Permit for Social Affair:

Ridgefield PBA Local 330
 Special Olympics Fundraiser
 725 Slocum Avenue
 Saturday, April 2, 2011 – 7:00-11:00 pm

Raffles License Application:

Ridgefield Music Parents Organization
50/50
March 4-5, 2011 – 7:30-10:30 pm
555 Walnut Street

Ridgefield Music Parents Organization
50/50
May 4, 2011 – 7:30-10:30 pm
555 Walnut Street

Ridgefield Music Parents Organization
50/50
May 18, 2011 – 7:30-10:30 pm
555 Walnut Street

St. James Episcopal Church
Tricky Tray
March 26, 2011 – 12:00-4:00 pm
514 Abbott Avenue

Ridgefield Memorial High School PTA
50/50
March 12, 2011 – 7:00-11:00 pm
725 Slocum Avenue

COMMENTS BY COUNCILMEN:

COMMENTS BY ADMINISTRATOR:

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

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

Respectfully submitted,

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Mayor Anthony R. Suarez

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

		COUNCIL VOTE			
		YES	NO	ABSTAIN	ABSENT
_____	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.				

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

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Mayor Suarez

RESOLUTION NO. 90-2011

BE IT RESOLVED, that the Mayor and Council appoint:

MICHAEL GRECO

as Patrolman of the Ridgefield Police Department.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Jimenez

ORDINANCE NO. 2160

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

“AN ORDINANCE ABOLISHING THE POSITION OF MUNICIPAL ADMINISTRATOR
AND DEPUTY MUNICIPAL ADMINISTRATOR”

introduced on the 24th of January, 2011, 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				
Todd				
Vincentz				
Severino				
Acosta				
Jimenez				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting January 24, 2011

Presented by Councilman Jimenez

ORDINANCE NO. 2160

“AN ORDINANCE ABOLISHING THE POSITION OF MUNICIPAL ADMINISTRATOR
AND DEPUTY MUNICIPAL ADMINISTRATOR”

WHEREAS, Borough ordinances currently provide for the positions of Borough Administrator and Deputy Administrator; and

WHEREAS, the Mayor and Council are concerned about the cost effectiveness of the present system and its efficiency; and

WHEREAS, the Mayor and Council is desirous of abolishing the position of Municipal Administrator and Deputy Municipal Administrator, where administration functions of the Borough are centered on one individual, the Administrator; and

WHEREAS, the Mayor and Council is desirous of replacing this system instead with a system whereby several individuals, would divide responsibilities for various functions of the Borough's management;

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

Section I:

Article IV of the Code of the Borough of Ridgefield be, and hereby is, amended as follows:

The existing provisions of Article IV, including Code Section 66-12 through 66-18, be and hereby are deleted in their entirety.

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Jimenez

ORDINANCE NO. 2161

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

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 92 “SALARIES AND COMPENSATION”, SECTION 92-1, “SALARIES” TO REDUCE COMPENSATION FOR THE MAYOR AND COUNCIL MEMBERS BY TEN PERCENT”

introduced on the 14th of February, 2011, do now pass a first reading and that said Ordinance be further considered for final passage at a regular meeting to be held on the 28th day of February, 2011 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				
Todd				
Vincentz				
Severino				
Acosta				
Jimenez				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Jimenez

ORDINANCE NO. 2161

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 92 “SALARIES AND COMPENSATION”, SECTION 92-1, “SALARIES” TO REDUCE COMPENSATION FOR THE MAYOR AND COUNCIL MEMBERS BY TEN PERCENT”

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:

Section 92-1 Salaries.

(A) 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>Range</u>
Mayor	\$6,750
Councilmen	\$4,500

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

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Acosta

ORDINANCE NO. 2162

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

“AN ORDINANCE AMENDING ARTICLE V OF CHAPTER 333 OF THE CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED “SEWER CONNECTIONS; MAINTENANCE; WASTE WATER TREATMENT”

introduced on the 14th of February, 2011, do now pass a first reading and that said Ordinance be further considered for final passage at a regular meeting to be held on the 28th day of February, 2011 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				
Todd				
Vincentz				
Severino				
Acosta				
Jimenez				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Acosta

ORDINANCE NO. 2162

“AN ORDINANCE AMENDING ARTICLE V OF CHAPTER 333 OF THE CODE OF THE
BOROUGH OF RIDGEFIELD ENTITLED “SEWER CONNECTIONS; MAINTENANCE;
WASTE WATER TREATMENT”

WHEREAS, there is a need to amend certain provisions of Article V of Chapter 333 of the Code of the Borough of Ridgefield entitled “Sewer Connections; Maintenance; Waste Water Treatment”; and

WHEREAS, said amendments have been recommended by the Public Works Committee of the Mayor and Council and the Superintendent of Public Works;

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

Section I:

Sections 333-24 through 333-32 of Article V of Chapter 33 of the Code of the Borough of Ridgefield be, and hereby are, amended so as to provide as follows:

§ 333-24. Maintenance of sewers.

Maintenance of the public sewer, and all connections to the public sewer and all work performed on the public sewer system shall be performed by the Sewer Inspector, Department of Public Works or by a contractor selected by the Borough. The contractor shall be governed by the terms of the ordinances of the Board of Health and the Borough relating to sewer installation and maintenance, and shall comply with plans and specifications of the Borough Engineer and the Sewer Inspector on file with the Borough Clerk. The contractor shall be required to post a performance bond suitable to the Mayor and Council. The amount of work done by the contractor will depend on the number of applications for connections to the public sewer received and accepted by the Borough.

§ 333-25. Installation of a new house sewer lateral; fee.

Where there is no house sewer lateral available, the property owner shall apply to the Department of Public Works for a permit to construct a new house sewer lateral from the sewer main to the curb. The full cost of the required construction, including the cost to obtain the house sewer lateral and road opening permits (including fees) shall be the responsibility of the property

owner. A minimum fee of \$150 will be charged for the house sewer lateral permit. Where because of the nature and extent of the work to be done, the minimum permit fee is not sufficient to cover the costs and expenses of the Borough, the Sewer Inspector shall fix the fee at a higher figure to fully cover the costs and expenses of inspection of the house sewer lateral connection.

§ 333-25A. Repair or replacement of a house sewer lateral; fee.

Where an existing house sewer lateral must be repaired or replaced, the property owner shall apply to the Department of Public Works for a permit to repair/replace the house sewer lateral. The full cost of the required construction, including the cost to obtain the house sewer lateral and road opening permits (including fees) shall be the responsibility of the property owner. A minimum fee of \$150 will be charged for the house sewer lateral permit. Where because of the nature and extent of the work to be done the minimum permit fee is not sufficient to cover the costs and expenses of the Borough, the Sewer Inspector shall fix the fee at a higher figure to fully cover the costs and expenses of inspection of the house sewer lateral connection.

§ 333-26. Costs incident to house connections and house sewer lateral.

All costs and expenses incident to the installation, connection maintenance and repair of the house connection and house sewer lateral shall be borne by the owner. The owner shall indemnify the Borough from any loss or damage that may directly or indirectly be occasioned by the installation of the house connection.

§ 333-27. Connection of house plumbing system inspection.

Before any portion of the existing plumbing system outside of the house is connected to the house connection, the owner shall prove to the satisfaction of the Plumbing Inspector that it is clean and conforms in every respect to the ordinances of the Board of Health and the ordinances of the Borough; and before any portion of the house connection is connected to the sewer extension, the Plumbing Subcode Official shall be satisfied that the house connection is in good order and conforms in every respect to the requirements for construction thereof.

§ 333-28. Trenches for house connections and house sewer laterals. [Amended 3-24-2003 by Ord. No. 1811]

Trenches for house connections shall conform, in all manner and respects, to the provisions of Article III of Chapter 350, entitled "Street Openings and Excavations," of the Code of the Borough of Ridgefield.

§ 333-29. Means of making plumbing connection.

Where connection is made between the portion of the house plumbing system outside of the building and the house connection, a long radius bend shall appropriately be installed at this connection along with a cleanout as required by the Plumbing Code. This connection shall be subject to the approval of the Plumbing Subcode Official who shall be given ample notice prior to such work.

§ 333-30. Tests by Plumbing Subcode Official.

The Plumbing Subcode Official may apply any appropriate test to the pipes, and the plumber and contractor at their own expense shall furnish all necessary tools, labor, materials and assistants for such tests and shall remove or repair any defective materials when so ordered by the Plumbing Subcode Official.

§ 333-31. Bond required.

Each contractor or other person performing work on Borough public property for the purpose of installing house connections shall post a bond or cash acceptable to the Department of Public Works or the Sewer Inspector. All work shall be adequately guarded with barricades, lights and other measures for protection to the public from hazard. Streets, sidewalks, parkways, curbs and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Borough.

§ 333-32. Schedule of fees and charges.

A. Establishment. There is hereby established the following schedule of fees and charges in connection with the use, operation, maintenance and construction of the public sewer system in the Borough of Ridgfield which is connected to a sewer metering station owned by the Bergen County Utilities Authority (BCUA).

B. For the purpose of accurately calculating and recovering the industry related costs of the BCUA wastewater service charges, Ridgfield requires by municipal ordinance that certain industries install wastewater flow monitoring and sampling facilities.

C. Large industrial users. Those contributors defined and identified as large industrial users by the Bergen County Utilities Authority or as indicated in Section 11 shall also be charged a surcharge for actual use of wastewater treatment services for biochemical oxygen demand, total suspended solids and total flow, less a credit for the general sewer assessment in accordance with Section 17 Sanitary Sewers, Industrial Cost Recovery and User Charge System based upon the current annual sewer service rate as determined by the Bergen County Utilities Authority. Surcharge shall be based on excess over Bergen County Utilities Authority criteria for large industrial users.

D. Time and place of payment. All such charges shall be payable quarterly at the time and place set forth as printed on the bill and shall be prorated to take effect from the date of connection to an operating sewer.

E. Reduction of sewer charges.

(1) For each connection for service to a commercial business or industrial establishment wherein the metered premises is not discharging the entire volume of water into the sanitary sewer system, the user will be allowed a reduction in the charge, provided that the

said user installs facilities satisfactory to the Borough for measuring the volume either discharged or not discharged into the sanitary sewer system.

(2) The Borough may require the installation of facilities for measuring or determining the volume of sewerage discharge into the sanitary sewer system. The Borough may require any customer who is allowing well water or unmetered water from any source to enter the sanitary sewerage system to install facilities for measuring or determining the volume of the water entering the sanitary sewer system. All meters required by the terms of this section shall be read quarterly by a member of the Department of Public Works.

F. Timing or scheduling of biochemical oxygen demand and total suspended solids sampling/testing. The surcharge for biochemical oxygen demand and suspended solids in large industrial users will be based upon a minimum of one sample per quarter or the average of all samples that quarter.

G. Charges as a municipal lien. The aforesaid charges for the use of public sewers shall draw the same rate of interest from the date they became due as taxes upon real estate and shall be a lien upon the premises connected until paid, and the Borough shall have the same remedies for the collection thereof, with interest, costs and penalties as it has by law for the collection of taxes upon real estate.

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Acosta

ORDINANCE NO. 2163

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 328 OF THE CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED “RETAIL BUSINESS HOURS”

introduced on the 14th of February, 2011, do now pass a first reading and that said Ordinance be further considered for final passage at a regular meeting to be held on the 28th day of February, 2011 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				
Todd				
Vincentz				
Severino				
Acosta				
Jimenez				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Acosta

ORDINANCE NO. 2163

“AN ORDINANCE AMENDING CHAPTER 328 OF THE CODE OF THE BOROUGH OF
RIDGEFIELD ENTITLED “RETAIL BUSINESS HOURS”

WHEREAS, §328-1 only allows retail businesses to operate between the hours of 6:00 a.m. and 11:00 p.m.

WHEREAS, Route 46 is a strategic intrastate highway which has extensive motor vehicle traffic 24 hours per day, 7 days per week.

WHEREAS, it is in the best interest of the motoring public and the residents of Ridgefield to have retail businesses which border Route 46.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Ridgefield that §328-2 be amended to read as follows:

§328-2. Exceptions.

A. Any business heretofore operating as an exception to §328-1 pursuant to the previous language of this §328-2EN shall be permitted to continue in operation, except that any continuous six-month cessation of operation by such prior excepted business shall be deemed a waiver and forfeiture of this right to continue, and said business shall be subject to the current language of §§328-1 and 328-2(A)(B).

B. Any retail business which borders Route 46 shall be exempt from §328-1 and shall be able to operate 24 hours per day, 7 days per week.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Mayor Suarez

RESOLUTION NO. 91-2011

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

LEDESMA, DIAZ, LOPEZ & NORIS, P.C.

be appointed as Rent Leveling Board Attorney for calendar year 2011.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Mayor Suarez

RESOLUTION NO. 92-2011

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

APPRAISAL SYSTEMS

be appointed to provide Appraisal Services for calendar year 2011.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 93-2011

WHEREAS, it is in the best interest of the Borough of Ridgefield to grant authority to the Chief Financial Officer to pay certain obligations when due and owing prior to the regular payment of bills in accordance with the encumbrance accounting system which provides a tool for the CFO to use in order to certify the availability of funds under N.J.A.C. 5:30-5.7 (Local Finance Notice 2003-14):

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Chief Financial Officer be designated to pay the following as needed and is necessary for the orderly operation of the Borough of Ridgefield:

Bergen County Taxes – Regular, Added, and Open Space
Borough Payrolls including Social Security/Medicare
Debt Payments – Bonds, Notes & Loans, Principal and Interest
Ridgefield Board of Education
Ridgefield Postmaster
Insurance Premiums – JIF and Health
Lease Payments – Previously authorized
Judgments – Previously authorized
Petty Cash
Sewer Disposal – BCUA
State or County Permit Applications
Utilities

BE IT FURTHER RESOLVED, that all payment of above category bills will be formally signed and approved at the next scheduled Council meeting.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Prina,
Acting Borough Clerk

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 94-2011

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield , County of Bergen, State of New Jersey, that it hereby appoints ERIK LENANDER as the Fund Commissioner and RUSSELL CASTELLI as the Alternate Fund Commissioner to the Public Alliance Coverage Fund; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the following:

1. Erik Lenander
2. Russell Castelli
3. Public Alliance Insurance Coverage Fund

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Mayor Suarez

RESOLUTION NO. 95-2011

BE IT RESOLVED that the Mayor appoints:

JOHN QUAREGNA

as Class II Member of the Planning Board for calendar year 2011; and

ISABEL PLASENCIA

to fill the unexpired term of John Quaregna as Alternate through December 31, 2011.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Acosta

RESOLUTION NO. 96-2011

WHEREAS, the Borough of Ridgefield has a need to acquire janitorial services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and,

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one (1) year(s) and may be extended as approved by this governing body; and

WHEREAS, Maverick Building Services has submitted a proposal dated January 12, 2011 indicating they will provide janitorial services for Borough buildings for the price of \$22,300; and

WHEREAS, Maverick Building Services has completed and submitted a Business Entity Disclosure Certification which certifies that Maverick Business Services has not made any reportable contributions to a political or candidate committee in the Borough of Ridgefield in the previous one year, and that the contract will prohibit the Maverick Building Services from making any reportable contributions through the term of the contract, and

WHEREAS, the Borough's Chief Financial Officer has confirmed the availability of such funds for the award of the Contract.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ridgefield authorizes the Mayor and Borough Clerk to enter into a contract with Maverick Building Services as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Prina, Acting Borough Clerk

COUNCIL VOTE

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Acosta

RESOLUTION NO. 97-2011

WHEREAS, Grand KH Lee, Inc. has made application with the Motor Vehicle Commission to operate a private inspection facility at 520 Broad Avenue, Ridgefield, New Jersey; and

WHEREAS, as the Mayor and Council of the Borough of Ridgefield must approve grant approval prior to submission to the Motor Vehicle Commission;

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

1. The establishment located at 520 Broad Avenue, Ridgefield, New Jersey is approved to operate a private inspection facility.
2. The Borough Clerk be and is hereby authorized to sign the necessary paperwork for submission to the Motor Vehicle Commission.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 98-2011

WHEREAS, the following applicants have posted legal and engineering fees for development with the Planning Board or Zoning Board of Adjustment;

<u>Block</u>	<u>Lot</u>	<u>Applicant</u>	<u>Amount</u>
1104	3	Sungard Trading Systems, 1008 Virgil Ave.	\$2,928.02

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

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

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Acosta

RESOLUTION NO. 99-2011

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

GREGORY YFANTIS

be appointed as Housing Inspector on an interim basis.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 100-2011

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

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

WHEREAS, a duly constituted evaluation committee recommended that Stephen F. Pellino of Basile Birchwale & Pellino, LLP be awarded the professional services contract to serve as the Borough Attorney for calendar year 2011; and

WHEREAS, Stephen F. Pellino, Esq. of Basile Birchwale & Pellino, LLP was previously appointed Borough Attorney to the Borough of Ridgefield for calendar year 2011; and

WHEREAS, the Borough now wishes to enter into a professional services agreement with Stephen F. Pellino, Esq. of Basile Birchwale & Pellino, LLP 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 Stephen F. Pellino, Esq. of Basile Birchwale & Pellino, LLP as required by law.
2. This contract is awarded for the following reasons: There is a need for a Borough 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 Borough Attorney.
3. 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.
4. A notice of this action shall be printed in *The Record*.

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

CONTRACT FOR PROFESSIONAL SERVICES WITH
BOROUGH 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 Stephen F. Pellino, Esq. of Basile Birchwale & Pellino, LLP, 865 Broad Avenue, Ridgefield, New Jersey, hereinafter called the "ATTORNEY".

WHEREAS, the Mayor and Council of the Borough of Ridgefield previously appointed Stephen F. Pellino, Esq. of Basile Birchwale & Pellino, LLP as Borough Attorney for calendar year 2011; and

WHEREAS, pursuant to law, the Mayor and Council have authorized the Mayor and Borough Clerk to enter into an agreement with the ATTORNEY for professional services as Borough 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 ATTORNEY to serve as Borough ATTORNEY for calendar year 2011, or until her/his successor qualifies. The ATTORNEY hereby accepts such engagement and agrees to provide the services required under this agreement.
2. SCOPE OF SERVICES: The ATTORNEY shall perform all legal services for the BOROUGH as assigned by the Mayor and Council, and will interface with other attorneys engaged by the BOROUGH to handle specialized areas, such as tax appeal attorney, labor attorney and bond counsel.
3. PAYMENT FOR SERVICES: The ATTORNEY'S fees for work performed will be divided into two categories. The ATTORNEY shall receive a retainer of \$45,600 per annum payable in biweekly or other regular installments. The retainer amount shall include compensation for the following categories of legal work to be performed by the ATTORNEY: attendance at all regular and specially scheduled Mayor and Council meetings; preparation of routine ordinances and resolutions, availability for and consultation with, both telephonic and in person, with individual members of the Mayor and Council and such administrative personnel as the Mayor and Council shall authorize and routine interfacing with special labor counsel and tax appeal counsel. In addition, the ATTORNEY shall be compensated on an hourly basis at the rate of \$100 per hour for ***all other legal work including but not limited to*** the following categories of legal work to be performed by the ATTORNEY: participation in litigation assigned by the Mayor and Council; participation in regulatory matters assigned by the Mayor and

Council including but not limited to the Council on Affordable Housing or such other and further entities as may be created or determined by statute regarding the necessity to provide low and middle income housing pursuant to law and applications before the BCUA that the Mayor and Council assign to the Borough Attorney; participation in redevelopment issues; and the drafting of ordinances of a non-routine nature, such as amendments to significant portions of the Borough's zoning code or other code sections. The parties agree that the ATTORNEY may have other partners in the law firm of Basile Birchwale & Pellino, LLP perform services in connection with this agreement. The 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 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 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 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 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. Prina,
Acting Borough Clerk

BASILE BIRCHWALE & PELLINO, LLP

WITNESS:

DATE:

By:_____
Stephen F. Pellino, Esq.

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 101-2011

BE IT RESOLVED that the Mayor and Council of the Borough of Ridgefield desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$3,000 to fund the Community Forestry Management Plan Green Communities Grant;

NOW, THEREFORE, BE IT RESOLVED that Anthony R. Suarez, Mayor is authorized to make application for such a grant and if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$3,000.00 and not more than \$3,000.00 and to execute any amendments thereto which do not increase the Grantee's obligations; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Ridgefield authorizes and agrees to match 33.3% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 100% of the match will be made up of in-kind services.

BE IT FURTHER RESOLVED that the Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 102-2011

WHEREAS, an emergency has arisen under N.J.S.A.40A:11-6 requiring immediate repair of a sanitary sewer lateral at 829 Elm Street which occurred on January 20, 2011; and

WHEREAS, expedient repairs to the above named sanitary sewer lateral in the amount of \$6,000.00 are necessary to provide for the health safety and welfare of the Borough of Ridgefield; and

WHEREAS, the Chief Financial Officer and Purchasing Agent have certified that proper procedures have been utilized in the Request for Emergency Purchases and that funds will be available from the Department of Public Works Line of the FY 2010/2011 Budget:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the emergency repair to the sanitary sewer lateral at 829 Elm Street in the amount not to exceed \$6,000.00 is and hereby approved.

BE IT FURTHER RESOLVED that the funds for this emergency repair will be available from the Department of Public Works Operating Expense line item of FY 2010/2011 Current Budget.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Mayor Suarez

PROCLAMATION
RESOLUTION NO. 103-2011

WHEREAS, the citizens of the Borough of Ridgefield stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, Mayor and Council of the Borough of Ridgefield has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is the key to the community's well-being and long-term quality of life; and

WHEREAS, NEA's *Read Across America*, a national celebration of reading, will be conducted on March 2, 2011, which would have been the 107th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, *Read Across America-NJ* is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, and their local affiliates across the state to promote reading and adult involvement in the education of our community's students:

NOW, THEREFORE, BE IT RESOLVED that Mayor Anthony R. Suarez calls on the citizens of the Borough of Ridgefield to assure that every child is in a safe place reading together with a caring adult on March 2, 2011;

AND BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Ridgefield enthusiastically endorses NEA'S Read Across America and Read Across America-NJ and recommits our community to engage in programs and activities to make America's children the best readers in the world.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Prina, Acting Borough Clerk

COUNCIL VOTE

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 104-2011

WHEREAS, there is a need in the Borough of Ridgefield for a Borough Architect; and

WHEREAS, the Borough of Ridgefield previously published a Request for Qualifications for the position of Borough Architect; and

WHEREAS, a duly constituted evaluation committee recommended that DMR Architects be awarded the professional services contract to serve as the Borough Architect in connection with the Borough's intended construction of a recreation facility; and

WHEREAS, DMR Architects was previously appointed Borough Architect to the Borough of Ridgefield in connection with the Borough's intended construction of a recreation facility; and

WHEREAS, the Borough now wishes to enter into a professional services agreement with DMR Architects 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 DMR Architects as required by law.
2. This contract is awarded for the following reasons: There is a need for a Borough Architect 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 Borough Architect.
3. 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.
4. A notice of this action shall be printed in *The Record*.

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

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

CONTRACT FOR PROFESSIONAL SERVICES WITH
BOROUGH ARCHITECT

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 DMR Architects, 777 Terrace Avenue, Suite 607, Hasbrouck Heights, New Jersey, hereinafter called the "ARCHITECT".

WHEREAS, the Mayor and Council of the Borough of Ridgefield previously appointed DMR Architects as Architect in connection with the intended construction of a recreation facility; and

WHEREAS, pursuant to law, the Mayor and Council have authorized the Mayor and Borough Clerk to enter into an agreement with the ARCHITECT for professional services as Architect in connection with the intended construction of a recreation facility 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 ARCHITECT to serve as an architect in connection with the BOROUGH'S intended construction of a recreation facility. The ARCHITECT hereby accepts such engagement and agrees to provide the services required under this agreement.
2. **SCOPE OF SERVICES:** The ARCHITECT shall perform all appropriate architectural and other related services for the BOROUGH in connection with the BOROUGH'S intended construction of a recreation facility. Said services shall include those attached hereto as Schedule A.
3. **PAYMENT FOR SERVICES:** The ARCHITECT will receive for payment of its services a fee based on a percentage of the construction cost of the facility that is constructed. The fee shall be 5% if the total cost of the project is between 0 to \$500,000; 4.5% if the total cost of the project is over \$500,000 to \$1,000,000; and 4% if the total cost of the project is over \$1,000,000. Services not included in the proposal, such as studies and reports, shall be by negotiated fee commensurate with the task; or a fee to be performed on an hourly basis based on the hourly rates attached hereto as Schedule B. Reimbursable expenses will be billed at 1.0 times cost in addition to the above fees and include the following: plotting, reproduction, and printing of all documents; faxes, postage, express mail and messenger services; application fees paid to authorities having jurisdiction over the project if agreed to be fronted by the ARCHITECT; and rendering and models requested by the BOROUGH. Exclusions from the percentage fee are as follows:

(1) Items not specifically stated in the proposed scope of service; (2) site civil engineering; (3) boundary/topographic survey; (4) geotechnical engineering; (5) IT/Security Engineering /Consulting; (6) Traffic Study/Engineering; (7) Planning Board fees/permit fees; (8) additional bid documents; (9) environmental engineering; (10) Phase I/II/III environmental site assessments, investigations/remediation; (11) legal; (12) professional planning; (13) LEED Design/certification; (14) solar system analysis/design; (15) agency/governmental reviews/approvals other than local planning board and construction department; (16) utility service capacity, flows and delivery capability; and (17) boost pump designs.

5. ENGAGING OTHERS: Nothing in this agreement shall prohibit the BOROUGH from engaging other engineers for specific matters if in the opinion of the Mayor and Council such is necessary.
5. 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 ARCHITECT 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 ARCHITECT 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 ARCHITECT'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. Prina,
Acting Borough Clerk

DMR ARCHITECTS

WITNESS:

DATE:

By: _____

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 105-2011

WHEREAS, there is a need in the Borough of Ridgefield for a Substitute Public Defender; and

WHEREAS, the Borough of Ridgefield previously published a Request for Qualifications for the position of Substitute Public Defender; and

WHEREAS, a duly constituted evaluation committee recommended that Carl M. Losito, Esq. be awarded the professional services contract to serve as the Substitute Public Defender for calendar year 2011; and

WHEREAS, Carl M. Losito, Esq. was previously appointed Substitute Public Defender to the Borough of Ridgefield for calendar year 2011; and

WHEREAS, the Borough now wishes to enter into a professional services agreement with Carl M. Losito, Esq. 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 Carl M. Losito, Esq. as required by law.

2. This contract is awarded for the following reasons: There is a need for a Substitute Public Defender 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 Substitute Public Defender.

3. 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.*

4. A notice of this action shall be printed in *The Record*.

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

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

CONTRACT FOR PROFESSIONAL SERVICES WITH
SUBSTITUTE PUBLIC DEFENDER

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 Carl M. Losito, having offices at 75 Summit Avenue, Hackensack, New Jersey, hereinafter called the "SUBSTITUTE PUBLIC DEFENDER".

WHEREAS, the Mayor and Council of the Borough of Ridgefield previously appointed Carl M. Losito, Esq. as Substitute Public Defender for calendar year 2011; and

WHEREAS, pursuant to law, the Mayor and Council have authorized the Mayor and Borough Clerk to enter into an agreement with the SUBSTITUTE PUBLIC DEFENDER for professional services as Substitute Public Defender 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 SUBSTITUTE PUBLIC DEFENDER to serve as Borough SUBSTITUTE PUBLIC DEFENDER for calendar year 2011, or until her/his successor qualifies. The SUBSTITUTE PUBLIC DEFENDER hereby accepts such engagement and agrees to provide the services required under this agreement.

2. **SCOPE OF SERVICES:** The SUBSTITUTE PUBLIC DEFENDER shall perform all appropriate services on an as needed basis for the BOROUGH and its Municipal Court, including acting as defense attorney for those persons assigned to the PUBLIC DEFENDER by the Municipal Court, where the PUBLIC DEFENDER is unable to serve.

3. **PAYMENT FOR SERVICES:** The BOROUGH agrees to pay to the SUBSTITUTE PUBLIC DEFENDER for services rendered pursuant to this agreement the sum of \$200.00 for each court session attended. The SUBSTITUTE PUBLIC DEFENDER shall submit appropriate vouchers on a periodic basis for services rendered.

4. **ENGAGING OTHERS:** Nothing in this agreement shall prohibit the BOROUGH from engaging other public defenders 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 SUBSTITUTE PUBLIC DEFENDER 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 SUBSTITUTE PUBLIC DEFENDER 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 SUBSTITUTE PUBLIC DEFENDER'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. Prina,
Acting Borough Clerk

WITNESS:

DATE:

CARL M. LOSITO, ESQ.

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 106-2011

WHEREAS, there is a need in the Borough of Ridgefield for Borough Auditor; and

WHEREAS, the Borough of Ridgefield previously published a Request for Qualifications for the position of Borough Auditor; and

WHEREAS, a duly constituted evaluation committee recommended that Garbarini & Co., P.C. be awarded the professional services contract to serve as the Borough Auditor for calendar year 2011; and

WHEREAS, Garbarini & Co., P.C. was previously appointed Borough Auditor to the Borough of Ridgefield for calendar year 2011; and

WHEREAS, the Borough now wishes to enter into a professional services agreement with Garbarini & Co., P.C. 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 Garbarini & Co., P.C. as required by law.
2. This contract is awarded for the following reasons: There is a need for a Borough Auditor 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 Borough Auditor.
3. 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.
4. A notice of this action shall be printed in *The Record*.

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

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

CONTRACT FOR PROFESSIONAL SERVICES WITH
BOROUGH AUDITOR

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 Garbarini & Co., P.C., having offices at Division Avenue and Route 17 South, Carlstadt, New Jersey, hereinafter called the "BOROUGH AUDITOR".

WHEREAS, the Mayor and Council of the Borough of Ridgefield previously appointed Garbarini & Co., P.C. as Borough Auditor for calendar year 2011; and

WHEREAS, pursuant to law, the Mayor and Council have authorized the Mayor and Borough Clerk to enter into an agreement with the BOROUGH AUDITOR for professional services as Borough Auditor 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 BOROUGH AUDITOR to serve as BOROUGH AUDITOR for calendar year 2011, or until her/his successor qualifies. The BOROUGH AUDITOR hereby accepts such engagement and agrees to provide the services required under this agreement.
2. SCOPE OF SERVICES: See attached schedule consisting of pages 1, 2 and 3 of correspondence dated January 13, 2011 from Garbarini & Co., P.C. to the BOROUGH, as attached hereto.
3. PAYMENT FOR SERVICES: The BOROUGH agrees to pay BOROUGH AUDITOR for services rendered by BOROUGH AUDITOR for services rendered pursuant to this agreement the fees generated at the hourly rates of the personnel of BOROUGH AUDITOR as listed below, with the following estimates of total fees for assignment:

SFY Audit	\$32,500.00
SFY Annual Debt Statement	\$1,750.00
SFY Annual Financial Statement	\$7,500.00
SFY Annual Budget (not to exceed)	\$6,500.00
SFY Secondary Market disclosures filled with the Municipal Securities Rulemaking Board for posting on "EMMA", the electronic municipal market access, the official source for municipal disclosures and market data	\$2,500.00

SFY Review of Deferred Compensation Plan	\$2,750.00
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SFY Review of L.O.S.A.P.

\$2,500.00

Hourly Rates:

Partners:	\$170 per hour
Managers:	\$125 per hour
Senior Accountants/Supervisors:	\$100 per hour
Staff Accountants:	\$80 per hour

4. ENGAGING OTHERS: Nothing in this agreement shall prohibit the BOROUGH from engaging other auditors 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 BOROUGH AUDITOR 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 BOROUGH AUDITOR 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 BOROUGH AUDITOR'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. Prina,
Acting Borough Clerk

GARBARINI & CO., P.C.

WITNESS:

DATE:

By: _____

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 107-2011

WHEREAS, the Borough of Ridgefield has considered changing over from a fiscal year to a calendar year; and

WHEREAS, such a changeover will require the services of an auditor to prepare and produce the proper filings, reports and documents to accomplish same; and

WHEREAS, Steve Wielkocz of the firm Ferraioli, Cerullo, Cuva & Wielkocz has vast experience, not only as a Borough Auditor, but in doing changeovers from fiscal year to calendar year; and

WHEREAS, his fee proposal is below the bid threshold;

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

1. Steve Wielkocz of the firm Ferraioli, Cerullo, Cuva & Wielkocz be and hereby is engaged as Special Auditor to perform all necessary functions and prepare the necessary documents, reports and applications to permit the Borough to convert from fiscal year to a calendar year, at the hourly rates listed below, for a total fee not to exceed \$5,000:

Partner: \$135 to \$175
Manager: \$110 to \$125
Senior: \$75 to \$100
Staff: \$60 to \$70
Administrative: \$55

2. The Borough Attorney be, and he hereby is, authorized and directed to prepare a professional services contract with the Special Auditor as stated herein.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Prina, Acting Borough Clerk

COUNCIL VOTE

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 108-2011

BE IT RESOLVED, that the Mayor and Council of the Borough of Ridgefield wishes to make application to Emergency Management Agency Assistance (EMAA) grant for 2011 in the amount of \$5,000.00 for the purpose of enhancing the Borough's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies which will be matched dollar for dollar cash match for the award; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Michael Handschin to be a signatory to aforesaid Grant Application; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorized Chief Financial Officer Joseph Luppino to sign all vouchers submitted in connection with the aforesaid project.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk

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

Joseph Luppino,
Chief Financial Officer

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 14, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 109-2011

BE IT RESOLVED, that warrants totaling \$1,660,538.47
be drawn on the following accounts:

CURRENT	\$1,469,419.08
TRUST	\$34,101.01
CAPITAL	\$155,005.53
POOL	\$2,012.85
TOTAL	\$1,660,538.47

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Prina,
Acting Borough Clerk