

BOROUGH OF RIDGEFIELD

A G E N D A

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

Date: February 25, 2013

Open Public Meetings Statement by Mayor Suarez

Work Session: 6:00 P.M. C.T.O.:
Adjourn:

- Millennium Strategies – Grant Presentation
- Senior Housing

Mayor Suarez – Adjournment into closed Executive Session in accordance with the “Open Public Meetings Act”

Executive Session: 6:30 P.M. C.T.O.:
Adjourn:

Public Session: 7:30 P.M. C.T.O.:
Adjourn:

Pledge of Allegiance

Citizens Comment on Agenda:

Correspondence:

ROLL CALL-WORK SESSION

	PRESENT	ABSENT
Mayor Suarez		
Castelli		
Severino		
Acosta		
Jimenez		
Penabad		
Shim		

ROLL CALL-EXEC. SESSION

	PRESENT	ABSENT
Mayor Suarez		
Castelli		
Severino		
Acosta		
Jimenez		
Penabad		
Shim		

ROLL CALL-PUBLIC SESSION

	PRESENT	ABSENT
Mayor Suarez		
Castelli		
Severino		
Acosta		
Jimenez		
Penabad		
Shim		

As advertised, hearing will be held on Ordinance No. 2218 entitled, “AN ORDINANCE AMENDING CHAPTER 115 OF THE CODE OF THE BOROUGH OF RIDGEFIELD, ENTITLED AFFORDABLE HOUSING”

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

Public Hearing

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

Final Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2219 entitled, "A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$291,000 FOR BANTA PLACE IMPROVEMENTS WITHIN THE BOROUGH TO BE UNDERTAKEN BY THE BOROUGH OF RIDGEFIELD AND TO APPROPRIATE \$291,000 FROM A BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT"

First Reading of Ordinance

Roll Call

PROPOSED CONSENT AGENDA:

105-2013	Councilman Castelli	Award Bid-Tennis Court Improvements
106-2013	Councilman Acosta	Award Bid-Elm Avenue Roadway Improvements
107-2013	Councilman Jimenez	Appointment to Anti-Bullying Committee
108-2013	Councilman Acosta	Accept Remington, Vernick & Arango Proposal for LSRP Completion of Remedial Investigation at 515 Church Street
109-2013	Councilman Jimenez	Professional Service Agreement-Public Defender
110-2013	Councilman Jimenez	Professional Service Agreement-Substitute Public Defender
111-2013	Mayor Suarez	Proclamation-Read Across America-NJ
112-2013	Councilman Jimenez	Approve Emergency Repair to Edgewater Avenue Sanitary Sewer
113-2013	Councilman Jimenez	Authorize Preparation of Capital Ordinance for Emergency Sewer Repairs
114-2013	Councilman Acosta	Authorize Sewer Flow Monitoring Proposal from Flow Assessment Services, LLC
115-2013	Councilman Jimenez	Authorize Council President to Sign Checks and Documents
116-2013	Councilman Jimenez	Professional Service Agreement-Waste Water Monitoring
117-2013	Councilman Castelli	Authorize Next Step in Furthering Senior Housing

COUNCIL VOTE

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

RESOLUTIONS:

118-2013	Councilman Jimenez	Temporary Capital Budget
119-2013	Councilman Jimenez	Warrants

COMMENTS BY MAYOR:

Use of Borough Bus:

Friends of the Ridgefield Library
Saturday, June 15, 2013
11:00 am – 4:00 pm

Application for Raffles License:

St. James Episcopal Church
Tricky Tray
April 13, 2013 – 12:00-4:00 p.m.
514 Abbott Avenue

COMMENTS BY COUNCILMEN:

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

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

Respectfully submitted,

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 25, 2013

Presented by Mayor Suarez

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

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

COUNCIL VOTE				
	YES	NO	ABSTAIN	ABSENT
Castelli				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
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 February 25, 2013

Presented by Councilman Jimenez

ORDINANCE NO. 2218

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 115 OF THE CODE OF THE BOROUGH OF RIDGEFIELD, ENTITLED AFFORDABLE HOUSING”

introduced on the 11th day of February, 2013, 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				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 11, 2013

Presented by Councilman Jimenez

ORDINANCE NO. 2218

“AN ORDINANCE AMENDING CHAPTER 115 OF THE CODE OF THE BOROUGH OF
RIDGEFIELD, ENTITLED AFFORDABLE HOUSING”

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

Section I.

Section 115-9 be and hereby is amended by deleting the existing language of said section in its entirety and replacing same with the following:

To provide assurances that low-and moderate-income units built for COAH credit are created with controls on affordability over time and that low-and moderate-income households occupy these units, the Borough of Ridgefield will designate the COAH Administrator with the responsibility of assuring the affordability of sales and rental units over time. The COAH Administrator will be responsible for those activities detailed in N.J.A.C. 5:93-9.1(a).

A. In addition, the COAH Administrator will be responsible for utilizing the verification and certification procedures outlined in N.J.A.C. 5:93-9.1(b) in placing households in low-and moderate-income units.

B. Newly constructed low-and moderate-income sales units will remain affordable to low-and moderate-income households for at least 30 years. The COAH Administrator will require all conveyances of newly constructed units to contain the deed restriction and mortgage lien adopted by COAH and referred to as Technical Appendix E as found in N.J.A.C. 5:93.

C. Housing Units created through the conversion of a non-residential structure will be considered a new housing unit and will be subject to 30 year controls on affordability. The COAH Administrator will require COAH's appropriate deed restriction and mortgage lien.

Section II.

Section 115-11 be and hereby is amended by deleting the existing language of said section in its entirety and replacing same with the following:

Regarding rental units built for COAH credit:

A. Newly constructed low-and moderate-income rental units will remain affordable to low-and moderate-income households for at least 30 years. The COAH Administrator will require the deed restriction and lien and deed of easement referred to as Technical Appendix H as found in N.J.A.C. 5:93.

B. Affordability controls in accessory apartments will be for a period of at least 10 years, except if the apartment is to receive rental bonus credit pursuant to N.J.A.C. 5:93-5.13, then the controls on affordability will extend for 30 years.

C. Alternative living arrangements will be controlled in a manner suitable to COAH, that provides assurances that such facility will house low-and moderate-income households for at least 10 years except if the alternative living arrangement is to receive a rental bonus credit pursuant to N.J.A.C. 5:93-5.13, then the controls on affordability will extend for 30 years.

Section III.

Section 115-13D(1) be and hereby is amended by deleting the existing language of said section in its entirety and replacing same with the following:

The Borough shall appoint and contract with a qualified firm or individual to serve as COAH Administrator to administer the affirmative marketing program. The COAH Administrator has the responsibility to income-qualify low-and moderate-income households; to place income-eligible households in low-and moderate-income units upon initial occupancy; to provide for the initial occupancy of low-and moderate-income units with income-qualified households; to continue households for reoccupancy of units as they become vacant during the period of affordability control; to assist with advertising and outreach to low-and moderate-income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C. 5:93-9.1. The COAH Administrator shall provide counseling services to low-and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements and landlord/tenant law.

Section IV.

Section 115-13D(5) be and hereby is amended by deleting the existing language of said section in its entirety and replacing same with the following:

The COAH Administrator will comply with monitoring and reporting requirements as per N.J.A.C. 5:93-11.6 and 5:93-12.1.

Section V.

Section 115-14 be and hereby is amended by deleting the existing language of said section in its entirety and replacing same with the following:

The Borough of Ridgefield, if required to meet a COAH obligation, will undertake a rehabilitation program to rehabilitate substandard housing units occupied by low-and moderate-income households. The COAH Administrator will administer the rehabilitation program. The COAH

Administrator will prepare a marketing plan for the rehabilitation program. The rehabilitation program will be consistent with N.J.A.C. 5:93-5.2(b) through 5:93-5.2(1).

Section VI. Repealer.

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

Section VII. Severability.

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

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 25, 2013

Presented by Councilman Jimenez

ORDINANCE NO. 2219

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

“A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$291,000 FOR BANTA PLACE IMPROVEMENTS WITHIN THE BOROUGH TO BE UNDERTAKEN BY THE BOROUGH OF RIDGEFIELD AND TO APPROPRIATE \$291,000 FROM A BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT”

introduced on the 25th day of February, 2013, do now pass a first reading and that said Ordinance be further considered for final passage at a regular meeting to be held on the 11th day of March, 2013 at 7:30 PM or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Community Center, 725 Slocum Avenue, in the Borough of Ridgefield, and that at such time and place, all persons interested be given an opportunity to be heard concerning the same, that the Borough Clerk be and she is hereby authorized and directed to publish in The Record, a newspaper circulating in the Borough of Ridgefield said Ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place when and where said Ordinance will be further considered for final passage.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 25, 2013

Presented by Councilman Jimenez

ORDINANCE NO. 2219

“A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$291,000 FOR BANTA PLACE IMPROVEMENTS WITHIN THE BOROUGH TO BE UNDERTAKEN BY THE BOROUGH OF RIDGEFIELD AND TO APPROPRIATE \$291,000 FROM A BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT”

BE IT ORDAINED, by the Governing Body of the Borough of Ridgefield in the County of Bergen, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

SECTION 1. The improvement described in Section 2 of this Ordinance is hereby respectively authorized as a general improvement to be made by the Borough of Ridgefield, New Jersey, for the said improvements or purposes stated in Section 2, there are hereby appropriated the sum of money therein stated as the appropriation made for said improvement or purpose, said sum being inclusive of all appropriations heretofore made thereof and amounting in the aggregate to \$291,000 from a Bergen County Community Development Block Grant(FY2009-\$100,000, FY2011-\$100,000, FY2012-\$91,000).

SECTION 2. The Borough of Ridgefield, in the County of Bergen, State of New Jersey, is hereby authorized to provide for the following:

Banta Place Improvements within the Borough of Ridgefield.	<u>\$291,000</u>
---	------------------

SECTION 3. It is hereby determined and stated:

(a) That said purpose is not a current expense. That the same is an improvement which the municipality may lawfully make and that no part of the cost of said improvement has been or shall be specifically assessed on properties specifically benefited.

It is not necessary to finance said appropriation by the issuance of obligations by the Borough of Ridgefield pursuant to the Local Bond Law of the State of New Jersey, for the reason that monies sufficient to cover the appropriation thereof shall be available from a Bergen County Community Development Block Grant.

SECTION 4. The Capital Budget of the Borough of Ridgefield is hereby amended or established to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing all detail of the

amended or temporary Capital Budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and is available for public inspection.

SECTION 5. The sum of \$291,000 is hereby appropriated for the aforementioned purpose.

SECTION 6. It is hereby determined and stated that no supplemental debt statement is required to be made and signed in connection with said appropriation, since the gross debt of the municipality, as defined under the Local Bond Law, is not increased by this Ordinance and no obligations in the matter of notes or bonds are authorized by this Ordinance.

SECTION 7. This Ordinance shall take effect after publication thereof and final passage as required by law.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 25, 2013

Presented by Councilman Castelli

RESOLUTION NO. 105-2013

WHEREAS, the Borough of Ridgefield previously advertised for bids for "Tennis Court Improvements"; and

WHEREAS, sealed bids were received and opened on Wednesday, February 13, 2013 at 11:00 a.m.; and

WHEREAS, four bids were submitted, one by Sport-Tech Construction Corp. in the amount of \$44,000, one by Nickolaus Construction Company, Inc. in the amount of \$45,700, one by MJ D'Arminio, Inc. in the amount of \$45,900, and one by Copeland Coating Company, Inc. in the amount of \$53,900; and

WHEREAS, the Borough Engineer, the Borough Attorney and the Borough Purchasing Agent have reviewed the bid submissions; and

WHEREAS, all parties are agreed to recommend the award of the contract to the low bidder Sport-Tech Construction Corp.;

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

1. The bid for Tennis Court Improvements be and hereby is awarded to the low bidder Sport-Tech Construction Corp.
2. The Borough Attorney be and hereby is authorized to prepare a contract consistent with that award.
3. The Mayor and Borough Clerk be and hereby are authorized and directed to execute on behalf of the Borough such contract when prepared by the Borough Attorney. The Borough Clerk shall notify both the successful and unsuccessful bidders of the action taken by the Mayor and Council by providing them with a copy of this Resolution.
4. Funds for this award are certified by the Chief Financial Officer from Ordinance 2191.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 25, 2013

Presented by Councilman Acosta

RESOLUTION NO. 106-2013

WHEREAS, the Borough of Ridgefield previously advertised for bids for “Elm Avenue Roadway Improvements”; and

WHEREAS, sealed bids were received and opened on Wednesday, February 13, 2013 at 10:00 a.m.; and

WHEREAS, four bids were submitted, one by AJM Contractors, Inc. in the amount of \$123,169.50, one by Crossroads Pavement Maintenance LLC. in the amount of \$134,005.40, one by J.J. Sinisi, Inc.. in the amount of \$155,183.75, and one by Covino & Sons in the amount of \$168,511.00; and

WHEREAS, the Borough Engineer, the Borough Attorney and the Borough Purchasing Agent have reviewed the bid submissions; and

WHEREAS, all parties are agreed to recommend the award of the contract to the low bidder AJM Contractors, Inc.;

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

1. The bid for Elm Avenue Roadway Improvements be and hereby is awarded to the low bidder AJM Contractors, Inc.
2. The Borough Attorney be and hereby is authorized to prepare a contract consistent with that award.
3. The Mayor and Borough Clerk be and hereby are authorized and directed to execute on behalf of the Borough such contract when prepared by the Borough Attorney. The Borough Clerk shall notify both the successful and unsuccessful bidders of the action taken by the Mayor and Council by providing them with a copy of this Resolution.
4. Funds for this award are certified by the Chief Financial Officer from Ordinance 2207(1).

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 25, 2013

Presented by Councilman Jimenez

RESOLUTION NO. 107-2013

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

JOYCE SHULTZ and ELI CROZIER

be appointed to the Anti-Bullying Committee as Alternate Members for the remainder of Calendar Year 2013.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 25, 2013

Presented by Councilman Acosta

RESOLUTION NO. 108-2013

WHEREAS, there is a need for engineering services at the DPW facility on 515 Church Street to continue remediation of contamination from former underground fuel storage tanks; and

WHEREAS, Remington, Vernick, & Arango presently serves as the Licensed Site Remediation Professional (LSRP); and

WHEREAS, Remington, Vernick & Arango has presented a proposal dated January 4, 2013 for Completion of the Remedial Investigation of the soil and groundwater and submission of an Interim Remedial Measures Report in an amount not to exceed \$55,000.00; and

WHEREAS, it is in the best interest of the Borough of Ridgefield to accept said proposal for Task Order for Geotechnical Services at 515 Church Street:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the proposal of Remington, Vernick & Arango not to exceed \$55,000.00 for LSRP Completion of the Remedial Investigation at 515 Church Street is and hereby accepted.

BE IT FURTHER RESOLVED that funds for this proposal are certified by the Chief Financial Officer from the Engineering Services line item of the CY 2013 Budget.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Silvestri,
Borough Clerk

COUNCIL VOTE

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 25, 2013

Presented by Councilman Jimenez

RESOLUTION NO. 109-2013

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

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

WHEREAS, a duly constituted evaluation committee recommended that Edania C. Rondon, Esq. be awarded the professional services contract to serve as the Public Defender for calendar year 2013; and

WHEREAS, Edania C. Rondon, Esq. was previously appointed Public Defender to the Borough of Ridgefield for calendar year 2013; and

WHEREAS, the Borough now wishes to enter into a professional services agreement with Edania C. Rondon, 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 Edania C. Rondon, Esq. as required by law.
2. This contract is awarded for the following reasons: There is a need for a 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 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. The award of this contract is subject to the certification of availability of funds by the Borough's Financial Officer.

6. 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				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

CONTRACT FOR PROFESSIONAL SERVICES WITH
BOROUGH 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 Edania C. Rondon, having offices at 3700 Bergenline Avenue, Suite 201, Union City, New Jersey, hereinafter called the "PUBLIC DEFENDER".

WHEREAS, the Mayor and Council of the Borough of Ridgefield previously appointed Edania C. Rondon, Esq. as Borough Public Defender for calendar year 2013; and

WHEREAS, pursuant to law, the Mayor and Council have authorized the Mayor and Borough Clerk to enter into an agreement with the PUBLIC DEFENDER for professional services as Borough 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 PUBLIC DEFENDER to serve as Borough PUBLIC DEFENDER for calendar year 2013, or until her/his successor qualifies. The PUBLIC DEFENDER hereby accepts such engagement and agrees to provide the services required under this agreement.
2. **SCOPE OF SERVICES:** The 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.
3. **PAYMENT FOR SERVICES:** The BOROUGH agrees to pay to the PUBLIC DEFENDER for services rendered pursuant to this agreement the sum of \$200 for each court session attended. The 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 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 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 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. Silvestri,
Borough Clerk

WITNESS:

DATE:

EDANIA C. RONDON, ESQ.

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 25, 2013

Presented by Councilman Jimenez

RESOLUTION NO. 110-2013

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

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

WHEREAS, a duly constituted evaluation committee recommended that Carl Losito, Esq. be awarded the professional services contract to serve as the Substitute Prosecutor for calendar year 2013; and

WHEREAS, Carl Losito, Esq. was previously appointed Substitute Prosecutor to the Borough of Ridgefield for calendar year 2013; and

WHEREAS, the Borough now wishes to enter into a professional services agreement with Carl 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 Losito, Esq. as required by law.
2. This contract is awarded for the following reasons: There is a need for a Substitute Prosecutor 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 Prosecutor.
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. The award of this contract is subject to the certification of availability of funds by the Borough's Financial Officer.

6. 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				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
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 2013; 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 2013, 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. Silvestri,
Borough Clerk

WITNESS:

DATE:

CARL M. LOSITO, ESQ.

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 25, 2013

Presented by Mayor Suarez

RESOLUTION NO. 111-2013

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, the Mayor and Council 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 1, 2013, the day before what would have been the 109th 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 the Mayor and Council 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 1, 2013; and

BE IT FURTHER RESOLVED that this body 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. Silvestri,
Borough Clerk

COUNCIL VOTE

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 25, 2013

Presented by Councilman Jimenez

RESOLUTION NO. 112-2013

WHEREAS, an emergency has arisen under N.J.S.A.40A:11-6 requiring immediate repair of a sanitary sewer main located at 550 Edgewater Avenue, near Studio Road which occurred on February 14, 2013; and

WHEREAS, expedient repairs to the above named sanitary sewer by Gallen Contracting in the amount of \$34,000.00 is 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 CY2013 Budget or a Capital Improvement Ordinance to be introduced:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the emergency repair to the Edgewater Avenue sanitary sewer in the amount not to exceed \$34,000.00 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 CY 2013 Current Budget or a Capital Improvement Ordinance to be introduced.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Silvestri,
Borough Clerk

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 25, 2013

Presented by Councilman Jimenez

RESOLUTION NO, 113-2013

WHEREAS, there have been two sanitary sewer breaks that have required emergency repairs and replacement on January 11, 2013 on Hoyt Avenue and February 14, 2013 on Edgewater Avenue resulting in unplanned expenditures of approximately \$170,000; and

WHEREAS, the State Budget law restricts total budget expenditure increases to 2% of the previous years' total; and

WHEREAS, the expenditure of funds would not be available from the proposed CY 2013 municipal budget without exceeding the 2% cap and negatively affecting the current level of services provided; and

WHEREAS, the useful life of the repaired/replaced sewer lines exceeds the five year lifespan needed for a capital expense:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that Bond Counsel is and hereby authorized to prepare a Capital Ordinance in the amount of \$170,000 to fund the emergency repairs to the Borough sanitary sewers at the Hoyt Avenue and Edgewater Avenue locations.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Silvestri,
Borough Clerk

COUNCIL VOTE

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

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 25, 2013

Presented by Councilman Acosta

RESOLUTION NO. 114-2013

WHEREAS, there is a need in the Borough of Ridgefield for sewer flow monitoring in connection with the sewer system at or near the Palisades Park outlet; and

WHEREAS, the Borough Engineer has received a proposal from Flow Assessment Services, LLC, in the form as attached hereto; and

WHEREAS, the cost of the proposal is well below the bid threshold; and

WHEREAS, the award of this contract has been recommended by the Borough Engineer and approved by the Borough's Finance Officer;

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

1. A contract to furnish and install a flow meter and provide 12 months of monitoring services in the form as attached hereto be and hereby is awarded to Flow Assessment Services, LLC.
2. The Borough Attorney be and he hereby is authorized and directed to prepare a contract with Flow Assessment Services, LLC and incorporate the attached proposal
3. This award is subject to proof of compliance by the contractor with pay to play legislation and ordinances, and certification of the availability of funds.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Silvestri,
Borough Clerk

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

FLOWAssessment

SERVICES L.L.C.

804 Plumtry Drive · West Chester, PA 19382 · Phone: (610) 918-3857

Mayor and Council
604 Broad Avenue
Ridgefield, NJ 07657

February 13, 2013

Re: Ridgefield, NJ Permanent Metering Station

Dear Mayor and Council:

Thank you for the opportunity to offer the permanent flow monitoring station as described to Brian Conroy. In our proposal below we are offering to furnish and install an Isco area-velocity flow monitor at or near the Palisades Park Outlet. We recommend that this meter be maintained at least monthly, and we offer this option in our proposal below. We also offer our flow data reporting service.

For this flow monitoring application we break-out our pricing as follows:

- Flow meter installation: one-time charge, and includes rigorous site analysis
- Flow meter maintenance: shown on monthly basis
 - Consists of our crew visiting the site every month to:
 - Enter the manhole to inspect, clean and adjust the sensor
 - Download the data and analyze the current period for data quality
 - Make any adjustments necessary to improve data quality
 - Communicate with our client on each site
- Optional Flow data reduction & presentation: shown on a per-month basis. Each month's data download is uploaded to our data analysts, who perform a QA/QC analysis on each site. After this analysis, the data is available via internet access to you as the client, and can be shared with others as you direct. For a sample of this presentation, visit our website:
<http://69.84.144.148/TWM/DesktopLoginPage.aspx?ReturnUrl=%2ftwm%2fdefault.aspx>
 - User name = demo
 - Password = guest

A monthly data report follows in electronic and paper format showing flow hydrographs and flow tables with daily minimum flows, maximum flows, average flows, total flows along with monthly totals.

T-Y-LIN FOR RIDGEFIELD, NJ
February 13, 2013
Flow Monitoring

Item #	Task Description	Quantity	Units	Unit Cost	Total Cost
1	Flow Meter Installation Installation of the 2150 Flow Monitoring System. Install sensor in band secured in the influent pipe. Attach sensor cables to flow meter data logger. Affix flow meter data logger inside manhole below manhole cover. Start-up and calibrate system.	1	Installation	\$1,000.00	\$1,000.00
2	Furnish Flow Meter 2150 Flow Module with 2191 Battery Module. Includes Area Velocity Sensor with 10 ft. (3 m) level measurement range and 33 ft. (10 m) cable, 2 battery holders, and carrying handle with suspension strap. Requires Flowlink software and computer connect cable (sold separately). Flow Assessment will use Flow Assessment-owned software.	1	Flow Meter	\$4,115.00	\$4,115.00
Total of Above:					\$5,115.00
A	Monthly Maintenance Monthly site visit to enter manhole, check sensor, clean if needed, check calibration, download data	12	Monthly Maintenance X 12 Months	\$250.00	\$3,000.00
B	Monthly Data QA/QC and Reporting Provide QA/QC of flow meter data, post data to our online enterprise data platform, provide monthly report including hydrograph and table	12	Monthly Data X 12 Months	\$400.00	\$4,800.00
Total of Above:					\$12,915.00

If you opt to have Flow Assessment provide monthly maintenance and data reporting, it will not be necessary to purchase the software or connect cable. If you wish to purchase these, the cost for the connect cable is \$235.00 and the light version of the software is \$300.00.

I. CLIENT RESPONSIBILITIES

While developing this proposal, I have assumed that Ridgefield, NJ (hereafter referred to as Client) or the engineer would provide the following at no additional charge to Flow Assessment Services (hereafter referred to as sub-consultant):

- A. Furnish copies of the necessary plot maps of all sewers to be studied (already provided).
The sewer lines and manholes should be clearly marked and labeled with a numbered reference system.
- B. Make arrangements to provide traffic control as required by local public safety authorities; FAS will provide normal traffic control with our vans and cones.
- C. Make arrangements to provide access to and exposure for entry those manholes within the study area which are buried, covered or otherwise not readily accessible.
- D. Provide free and legal access to all sites of work.
- E. Assure the prompt clearance of major blockages or obstructions in the sewer system, if any, should such clearance be required for performance of the work.
- F. Provide the shutdown of certain pump stations, upon prior request, should it become necessary for the satisfactory performance of the work.

II. MUTUAL AGREEMENTS

- A. Sub consultant shall not be held liable to the Client if delayed or prevented from performing the work as specified herein through any cause beyond the control of Sub consultant and not caused by his own fault or negligence, including acts of God, or the public enemy, weather conditions; acts of government, including changes in state and/or federal requirements governing sewer system evaluation surveys after the effective date of this contract; fires, floods, epidemics, strikes, jurisdictional disputes, lockouts, and freight embargoes. Sub consultant shall advise the Client, in writing, of any such delays
- B. Sub consultant is an equal opportunity employer.
- C. Sub consultant agrees to carry
 - a. Comprehensive Public Liability, Property Damage, Personal Injury and Independent Contractors – not less than \$500,000 per accident.
 - b. Automobile Liability, Bodily Injury, Property Damage – not less than \$500,000 per person/1,000,000 per occurrence.
 - c. Workman's Compensation Insurance covering any liability of the Consultant during the course of the services performed and as described herein.

- D. The provisions of the Agreement may be revised upon written notice by either party, and the written acceptance of the revisions by both parties to this Agreement.
- E. Sub consultant shall not assign, sublet, or transfer his interest in this Agreement without the written consent of the Client.

III. METHOD OF PAYMENT

The Method of Payment for Professional Services outlined above shall be in the form of progress invoices to be submitted to the Client for the items above as the fieldwork is actually completed. Such invoices are due and payable within thirty (30) days.

Thank you for the opportunity to offer our services.

Very truly yours,



Jeff J. Cantwell

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 25, 2013

Presented by Councilman Jimenez

RESOLUTION NO. 115-2013

WHEREAS, there are occasions, from time to time, when the Mayor is unable to sign a check or document on behalf of the Borough of Ridgefield, either because of physical absence, conflict of interest or recusal; and

WHEREAS, the Mayor and Council wish to establish a policy to provide for the execution of checks and documents by the Council President in those instances when the Mayor is unable to do so; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that heretofore it shall be the policy and procedure of the Borough of Ridgefield that in those instances when the Mayor is unable to execute a check or document on behalf of the municipality, either because of his absence, conflict of interest or recusal, the then serving Council President be authorized to sign in place of the Mayor. The procedure shall be that the Mayor will notify the Council President in those instances when he is unable to sign, and the Council President may then sign in place of the Mayor. A certified copy of this Resolution may be appended to any such document to provide assurance to third parties that the Council President has that authority.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 25, 2013

Presented by Councilman Jimenez

RESOLUTION NO. 116-2013

WHEREAS, there is a need in the Borough of Ridgefield for an engineer to perform waste water monitoring services; and

WHEREAS, the Borough of Ridgefield previously published a Request for Qualifications for the position of Engineer for Waste Water Monitoring Services; and

WHEREAS, a duly constituted evaluation committee recommended that Remington Vernick & Arango Engineers be awarded the professional services contract to serve as the Engineer for Waste Water Monitoring Services for calendar year 2013; and

WHEREAS, Remington Vernick & Arango Engineers was previously awarded the contract to provide engineering waste water monitoring services for the Borough of Ridgefield for calendar year 2013; and

WHEREAS, the Borough now wishes to enter into a professional services agreement with Remington Vernick & Arango Engineers 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 Remington Vernick & Arango Engineers as required by law.
2. This contract is awarded for the following reasons: There is a need for an engineer to provide waste water monitoring services 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 Engineer for Waste Water Monitoring Services.
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. The award of this contract is subject to the certification of availability of funds by the Borough's Financial Officer.

6. 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				
Severino				
Acosta				
Jimenez				
Penabad				
Shim				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

CONTRACT FOR PROFESSIONAL SERVICES WITH
ENGINEER FOR WASTE WATER MONITORING SERVICES

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 Remington Vernick & Arango Engineers, 300 Penhorn Avenue, Secaucus, New Jersey 07094 hereinafter called the "ENGINEER".

WHEREAS, the Mayor and Council of the Borough of Ridgefield previously determined to award a contract to Remington Vernick & Arango Engineers for engineering waste water monitoring services for year 2013; and

WHEREAS, pursuant to law, the Mayor and Council have authorized the Mayor and Borough Clerk to enter into an agreement with the ENGINEER for waste water monitoring services 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 ENGINEER to provide waste water monitoring services for calendar year 2013, or until her/his successor qualifies. The ENGINEER hereby accepts such engagement and agrees to provide the services required under this agreement.

2. **SCOPE OF SERVICES:** The ENGINEER shall provide waste water monitoring services for Tier II sewer uses under Chapter 333, Article IV of the Code of the Borough of Ridgefield entitled "Tier II User Charge Program", and related ordinances. The services to be performed include sampling of waste water flow from designated sampling sites at two monitoring locations within the Borough. The work effort for each location consists of the setup of the sampling, which is a composite sample taken over a 24 hour period, and a return to the site the following day to retrieve the sample and delivery of the samples for laboratory analysis. In addition, services will also include the taking of flow meter data at the two locations. The results of the laboratory analyses and the flow meter data are to be used to prepare billing to the Tier II users based on sewer rates from the Bergen County Utilities Authority (BCUA). The bills will be in substantially the same format as previously provided by the Borough to the Tier II users and will require the data and computations set forth therein.

3. **PAYMENT FOR SERVICES:** The ENGINEER'S fees for work performed will be \$2,500 per month to include the presently established two Tier II monitoring sites. Any additional services over and above those provided in the Scope of Services are to be billed at the firm's normal hourly rates as set forth

in the ENGINEER'S response to the BOROUGH'S request for qualifications.

4. **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 ENGINEER 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 ENGINEER 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 ENGINEER'S services are not performed satisfactorily in accordance with this contract.
8. **COUNTERPARTS:** The parties agree that this contract may be signed in separate counterparts, the effect of which will be the same as if one original were signed by both parties.

IN WITNESS WHEREOF, the parties have set their hands and seals on the day and year affixed next to their respective signatures.

DATE:

BOROUGH OF RIDGEFIELD

Anthony R. Suarez, Mayor

ATTEST:

Linda M. Silvestri, Borough Clerk

REMINGTON VERNICK & ARANGO
ENGINEERS

WITNESS:

DATE:

By:_____

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 25, 2013

Presented by Councilman Castelli

RESOLUTION NO. 117-2013

WHEREAS, the Borough is interested in furthering the prospect of Senior Citizen Housing at a site adjacent to the Nature Center; and

WHEREAS, it has been proposed that the Borough lease the property in return for the property being developed with senior housing consistent with the Borough's specifications; and

WHEREAS, it is necessary to further this process by selecting a person or entity to build and operate the project;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council that the Borough Attorney be and hereby is authorized and directed to determine the appropriate mechanism to further this project, and is further authorized to draft appropriate documents and the Borough Clerk be and hereby is authorized and directed to advertise for RFQs, RFPs, or a competitive bid/auction, as the Borough Attorney deems appropriate.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 25, 2013

Presented by Councilman Jimenez

RESOLUTION NO. 118-2013

WHEREAS, the Borough of Ridgefield desires to establish the 2013 Temporary Capital Budget of said municipality by inserting therein the following project;

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

SECTION 1. The 2013 Temporary Capital Budget of the Borough of Ridgefield is hereby established by the adoption of the schedule to read as follows:

Temporary Capital Budget of the
Borough of Ridgefield
County of Bergen, New Jersey
Projects Scheduled for 2013
Method of Financing

Project	Est. Costs	Grants	Budget Appr. Fund	Capital Imp. Fund	Bonds	Self- Liquidating Bonds
Banta Place Improvements	291,000	291,000				

SECTION 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for 2013 Temporary Capital Budget, to be included in the 2013 Permanent Capital Budget as adopted.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Silvestri,
Borough Clerk

COUNCIL VOTE

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

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

Joseph Luppino,
Chief Financial Officer

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting February 25, 2013

Presented by Councilman Jimenez

RESOLUTION NO. 119-2013

BE IT RESOLVED, that warrants totaling \$618,084.70
Be drawn on the following accounts:

CURRENT	\$550,143.01
TRUST	\$25,316.50
CAPITAL	\$38,162.00
POOL	\$2,104.05
DOG LICENSE	\$2,359.14
TOTAL	\$618,084.70

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk