

BOROUGH OF RIDGEFIELD

A G E N D A

Executive Session and Regular Meeting of the Mayor and Council

Date: May 10, 2021

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: 7:00 P.M. C.T.O.: Adjourn:

Pledge of Allegiance

Invocation

Citizens Comment on Agenda:

Correspondence:

ROLL CALL-PUBLIC SESSION

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

ROLL CALL-EXEC. SESSION

| | PRESENT | ABSENT |
|-----------|--------------|--------|
| | Mayor Suarez | |
| Castelli | | |
| Penabad | | |
| Shim | | |
| Jimenez | | |
| Kontolios | | |
| Larkin | | |

150-2021 Councilman Kontolios Police Promotion

Swearing in of Police Sergeant

As advertised, hearing will be held on CY2021 Municipal Budget

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

| | | |
|----------|--------------------|---------------------------|
| 151-2021 | Councilman Jimenez | Budget Amendment |
| 152-2021 | Councilman Jimenez | Adoption of CY2021 Budget |

As advertised, hearing will be held on submitting the following application for grant funding from the Bergen County Trust Fund Municipal Program for Park Improvement for construction of pickleball courts at Willis Park.

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

As advertised, hearing will be held on Ordinance No. 2411 entitled, “BOND ORDINANCE PROVIDING FOR VARIOUS ROADWAY IMPROVEMENTS, BY AND IN THE BOROUGH OF RIDGEFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY; APPROPRIATING \$745,000 THEREFOR (INCLUDING GRANTS IN THE AMOUNT OF \$517,000) AND AUTHORIZING THE ISSUANCE OF \$709,523 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF”

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

Public Hearing

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

Final Reading of Ordinance

Roll Call

As advertised, hearing will be held on Ordinance No. 2412 entitled, “ORDINANCE OF THE BOROUGH OF RIDGEFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION IN AN AMOUNT NOT TO EXCEED \$200,000 TO FUND THE PREPARATION AND EXECUTION OF A COMPLETE PROGRAM OF REVALUATION OF REAL PROPERTY”

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. 2413 entitled, "AN ORDINANCE AMENDING CHAPTER 375 ARTICLE XXVI OF THE CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED SPECIALLY ALLOCATED PARKING"

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2414 entitled, "AN AMENDED ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF VIRGIL AVENUE BY AND WITHIN THE BOROUGH OF RIDGEFIELD"

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2415 entitled, "AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 375-52 DESIGNATING HANDICAPPED PARKING SPACES"

First Reading of Ordinance

Roll Call

CONSENT AGENDA:

All items listed are considered to be routine and non-controversial by the Borough Council and will be approved by one motion. There will be no separate discussion on these items unless a Council member(s) so request it, in which case the item(s) will be removed from the Consent Agenda and considered in its normal sequence on the agenda. The one motion signifies the adoption of all resolutions and approval of applications and minutes.

| | | |
|----------|----------------------|-------------------------------------------------------------------------------------------------------|
| 153-2021 | Councilman Jimenez | Developer's Agreement-Jasmine 585 LLC |
| 154-2021 | Councilman Kontolios | Municipal Alliance Grant FY2022 |
| 155-2021 | Councilman Castelli | Hire Part-Time DPW Employee |
| 156-2021 | Mayor Suarez | Appoint Recycling Coordinator |
| 157-2021 | Councilwoman Larkin | Authorize Application for Bergen County Open Space Trust Fund Grant for Willis Park Pickleball Courts |
| 158-2021 | Councilman Kontolios | Professional Service Agreement - Hoplite Communications, LLC |
| 159-2021 | Councilman Kontolios | Authorize Application for New Jersey Library Construction Bond Act Grant |
| 160-2021 | Councilman Jimenez | Cancel Portion of the Current Fund COVID-19 Special Emergency |

COUNCIL VOTE

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

Coin Toss Request:

RMHS Class of 2022

Saturday, June 5, 2021; Rain Date Sunday, June 6, 2021

Saturday, September 11, 2021; Rain Date Sunday, September 12, 2021

RESOLUTIONS:

161-2021 Councilman Jimenez Warrants

COMMENTS BY MAYOR:

COMMENTS BY COUNCIL:

COMMENTS BY ADMINISTRATOR:

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

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

Respectfully submitted,

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2021

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 | | | | |
| Penabad | | | | |
| Shim | | | | |
| Jimenez | | | | |
| Kontolios | | | | |
| Larkin | | | | |
| Mayor Suarez | | | | |

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

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2021

Presented by Councilman Kontolios

RESOLUTION NO. 150-2021

WHEREAS, the Ridgefield Police Department is in need of restructuring; and

WHEREAS, the Chief of Police has made a recommendation as to the restructuring; and

WHEREAS, the Police Committee and the Mayor and Council has considered the Chief's recommendation and has extended its own input in this matter; and

WHEREAS, the promotion is consistent with the table of organization as adopted by the Mayor and Council;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that Detective Joseph Malanga be promoted to Sergeant.

COUNCIL VOTE

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

Approved:

Attest:

BOROUGH OF RIDGEFIELD

RESOLUTION TO AMEND BUDGET

RESOLUTION NO. 151-2021

by Councilman Jimenez

That, the local municipal budget for the year 2021 was approved on April 12, 2021 ; and,

That, the public hearing on said budget has been held as advertised, and

That, it is desired to amend said approved budget,

THHEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Ridgefield, Bergen County, following amendments to the approved budget of 2021 be made:

| | |
|---|---------|
| (| (|
| (| (|
| (| AYES |
| (| |
| (| |
| (| |
| (| |
| (| NAYS |
| (| |
| (| |
| (| ABSTAIN |
| (| |
| (| |

| | From | To |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| FUND BUDGET | | |
| AD REVENUES | | |
| Anticipated | 2,080,000.00 | 2,086,535.00 |
| SURPLUS ANTICIPATED | 2,080,000.00 | 2,086,535.00 |
| Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations Driving Enforcement Fund | 0.00 | 3,988.48 |
| MISCELLANEOUS REVENUES | | |
| Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues | 54,292.37 | 58,280.83 |
| TOTAL GENERAL REVENUES (Items 1, 2, 3 and 4) | 8,430,482.37 | 8,434,470.83 |
| GENERAL REVENUES (Items 5 and 6) | 11,095,482.37 | 11,106,005.83 |
| | 22,899,251.37 | 22,909,774.83 |

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

| | From | To |
|---------------------------------------------------------------------------------------|----------------------|-------------------|
| APPROPRIATIONS | | |
| 8. (E) Deferred Charges and Statutory Expenditures - Municipal Within "CAPS" | | |
| (1) Deferred Charges: | | |
| Overexpenditure of Capital Ordinance | 0.00 | 6,535 |
| TOTAL DEFERRED CHARGES AND STATUTORY EXPENDITURES - MUNICIPAL WITHIN "CAPS" | 2,179,440.00 | 2,185,975 |
| (H-1) TOTAL GENERAL APPROPRIATIONS FOR MUNICIPAL PURPOSES WITHIN "CAPS" | 17,313,793.00 | 17,320,328 |
| 8. (A) Operations - Excluded from "CAPS" | | |
| Public and Private Programs Offset by Revenues | 0.00 | 3,988 |
| Drunk Driving Enforcement Fund | | |
| Total Public and Private Programs Offset by Revenues | 54,292.37 | 58,280 |
| TOTAL OPERATIONS - EXCLUDED FROM "CAPS" | 2,955,883.37 | 2,959,871 |
| Detail: | | |
| Other Expenses | 2,919,383.37 | 2,923,371 |
| (H-2) TOTAL GENERAL APPROPRIATIONS FOR MUNICIPAL PURPOSES EXCLUDED FROM "CAPS" | 4,688,458.37 | 4,682,446 |
| (O) TOTAL GENERAL APPROPRIATIONS - EXCLUDED FROM "CAPS" | 4,688,458.37 | 4,692,446 |
| (L) SUBTOTAL GENERAL APPROPRIATIONS (Items (H-1) and (O)) | 22,002,251.37 | 22,012,774 |
| 9. TOTAL GENERAL APPROPRIATIONS | 22,899,251.37 | 22,909,774 |

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed forthwith in the Office of the Director of Local Government Services for their certification of the 2021 Local Municipal Budget so amended.

IT IS HEREBY CERTIFIED that the Amended Budget hereto and hereby made a part hereof is a true copy of the Amended Budget approved by resolution of the Governing Body on the 10th day of May, 2021

Certified by me, this 10th day of May, 2021

Clerk

HEREBY CERTIFIED that the Adopted Budget Amendment annexed hereto and hereby made a part of Budget is a copy of the original on file with the Clerk of the Governing Body, that all are correct, all statements contained herein are in proof and the total of anticipated equals the total of appropriations.

I by me, this 10th day of May, 2021

A handwritten signature in black ink, appearing to be the initials 'APB', is written over a horizontal line.

Registered Municipal Accountant

SECTION 2 - UPON ADOPTION FOR 2021

Meeting May 10, 2021

(Only to be included in the Budget as Finally Adopted)
RESOLUTION 152-2021

Resolved by the Mayor and Council of the Borough of Ridgefield that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation of the sums therein set forth as appropriations, and authorization of the amount of:

114,284.00 (Item 2 below) for municipal purposes, and
689,485.00 (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and, (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18:9-3) and the certification to the County Board of Taxation of

689,485.00 Minimum Library Tax the following summary of general revenues and appropriations.

| | | |
|------|------|-----------|
| (| (| (|
| { | { | { |
| { | { | Abstained |
| { | { | { |
| AYES | Nays | |
| { | { | |
| { | { | Absent |
| { | { | { |
| { | { | { |

SUMMARY OF REVENUES

| | | |
|------------------------------------------------------------------------------------------------------------|----------|---------------|
| Revenues | | |
| Allocated | 40003-10 | 2,088,535.00 |
| Bus Revenues Anticipated | 40004-10 | 8,434,470.83 |
| Delinquent Taxes | 41419-10 | 585,000.00 |
| TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11) | 41415-10 | 11,114,284.00 |
| TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY: | | |
| Sheet 35 | 40010-10 | |
| Sheet 11 (N.J.S.A. 40A:4-14) | 41416-10 | |
| Total Amount to be Raised by Taxation for Schools in Type I School Districts Only | | 689,485.00 |
| Library Tax | | |
| Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY: | | |
| Sheet 11 (N.J.S.A. 40A:4-14) | 41416-10 | |
| Taxes | 40000-10 | 22,909,774.83 |

SUMMARY OF APPROPRIATIONS

| | | |
|-----------------|--------|--------------------|
| APPROPRIATIONS: | XXXXXX | XXXXXXXXXXXXXXXXXX |
| - Contingent | XXXXXX | XXXXXXXXXXXXXXXXXX |
| - Contingent | | 15,134,353.00 |
| - Contingent | | 2,165,975.00 |
| - Contingent | | XXXXXXXXXXXXXXXXXX |
| - Contingent | XXXXXX | 2,959,871.83 |
| - Contingent | | 49,025.00 |
| - Contingent | | 1,683,550.00 |
| - Contingent | | |
| - Contingent | | |
| - Contingent | | |
| - Contingent | | |
| - Contingent | | |
| - Contingent | | |
| - Contingent | | |
| - Contingent | | 897,000.00 |
| - Contingent | | |
| - Contingent | | 22,909,774.83 |

the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the _____ day of _____, 2021.

It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appearing in the budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this _____ 10th day of _____ May _____, 2021 _____, Clerk.

Signature

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2021

Presented by Councilman Castelli

ORDINANCE NO. 2411

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

“BOND ORDINANCE PROVIDING FOR VARIOUS ROADWAY IMPROVEMENTS, BY AND IN THE BOROUGH OF RIDGEFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY; APPROPRIATING \$745,000 THEREFOR (INCLUDING GRANTS IN THE AMOUNT OF \$517,000) AND AUTHORIZING THE ISSUANCE OF \$709,523 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF”

introduced on the 26th day of April, 2021, do now pass a final reading and be adopted, and that the Borough Clerk be and she is authorized and directed to publish once, the aforesaid title, together with a notice of the date of its passage on final reading and approval thereof in The Record, a newspaper circulating in the Borough of Ridgefield.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 26, 2021

Presented by Councilman Castelli

ORDINANCE NO. 2411

“BOND ORDINANCE PROVIDING FOR VARIOUS ROADWAY IMPROVEMENTS, BY AND IN THE BOROUGH OF RIDGEFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY; APPROPRIATING \$745,000 THEREFOR (INCLUDING GRANTS IN THE AMOUNT OF \$517,000) AND AUTHORIZING THE ISSUANCE OF \$709,523 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF”

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF RIDGEFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Ridgefield, in the County of Bergen, State of New Jersey (the “Borough”). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$745,000, said sum being inclusive of a grant from the New Jersey Department of Transportation in the amount of \$417,000 and a Community Development Block Grant in the amount of \$100,000 (the “Grants”) and a down payment in the amount of \$35,477 now available for said improvements or purposes as required by the Local Bond Law, as amended and supplemented (N.J.S.A. 40A:2-1 etseq.) (the “Local Bond Law”). Said down payment is now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes or from moneys actually held by the Borough.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$745,000 appropriation not provided for by application hereunder of the down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$709,523 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$709,523 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are improvements to various roadways in the Borough, including but not limited to, Pleasantview Terrace (from Shaler to Charlotte), Ray Avenue (from Abbott to Prospect), Virgil Avenue (from Abbott to Broad) and Studio Road (from Columbia to Art Lane) such improvements including, but not limited to, as applicable, milling, paving, reconstruction and resurfacing the roadways, the repairing and/or installation of curbs, sidewalks and driveway aprons, drainage work, roadway painting, landscaping and aesthetic improvements, and also including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$709,523.

(c) The estimated cost of said improvements or purposes is \$745,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, is comprised of the down payment in the amount of \$35,477 for said improvements or purposes.

SECTION 4. Except for the Grants, in the event the United States of America, the State of New Jersey, the County of Bergen and/or a private entity make a contribution or grant in aid to the Borough, for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Bergen and/or a private entity. Except for the Grants, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Bergen and/or a private entity, shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements for which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$709,523 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$100,500 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2021

Presented by Councilman Jimenez

ORDINANCE NO. 2412

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

“ORDINANCE OF THE BOROUGH OF RIDGEFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION IN AN AMOUNT NOT TO EXCEED \$200,000 TO FUND THE PREPARATION AND EXECUTION OF A COMPLETE PROGRAM OF REVALUATION OF REAL PROPERTY”

introduced on the 26th day of April, 2021, do now pass a final reading and be adopted, and that the Borough Clerk be and she is authorized and directed to publish once, the aforesaid title, together with a notice of the date of its passage on final reading and approval thereof in The Record, a newspaper circulating in the Borough of Ridgefield.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting April 26, 2021

Presented by Councilman Jimenez

ORDINANCE NO. 2412

“ORDINANCE OF THE BOROUGH OF RIDGEFIELD, IN THE COUNTY OF BERGEN,
STATE OF NEW JERSEY PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION
IN AN AMOUNT NOT TO EXCEED \$200,000 TO FUND THE PREPARATION AND
EXECUTION OF A COMPLETE PROGRAM OF REVALUATION OF REAL PROPERTY”

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE
BOROUGH OF RIDGEFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY
(a majority of the full membership thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The Borough Council of the Borough of Ridgefield, in the County of Bergen,
State of New Jersey (the “Borough”) has determined that it is in the best interest of the Borough to
prepare and execute a complete program of revaluation of real property in the Borough for the use
of the local tax assessor.

SECTION 2. As no budget appropriation was included in the local budget for the Borough
for the year 2021 for such purposes, the Borough desires to adopt an ordinance pursuant to N.J.S.A.

40A:4-53(c) of the Local Budget Law appropriating the sum of \$200,000 and deeming same a special emergency appropriation in order to fund the purposes set forth in Section 1.

SECTION 3. Said special emergency appropriation shall be provided for in succeeding annual budget by the inclusion of at least one-fifth of said amount each year commencing in 2022, and shall be financed from surplus fund available or from the issuance of special emergency notes, as authorized by state resolution adopted pursuant to N.J.S.A. 40A:4-55.

SECTION 4. A certified copy of this ordinance as finally adopted will be filed with the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs.

SECTION 5. This ordinance shall take effect as provided by law.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2021

Presented by Councilman Penabad

ORDINANCE NO. 2413

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

“AN ORDINANCE AMENDING CHAPTER 375 ARTICLE XXVI OF THE CODE OF THE
BOROUGH OF RIDGEFIELD ENTITLED SPECIALLY ALLOCATED PARKING”

introduced on the 10th day of May, 2021, 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 24th day of May, 2021 at 7:00 PM or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Community Center, 725 Slocum Avenue, in the Borough of Ridgefield, and that at such time and place, all persons interested be given an opportunity to be heard concerning the same, that the Borough Clerk be and she is hereby authorized and directed to publish in The Record, a newspaper circulating in the Borough of Ridgefield said Ordinance

according to law, with a notice of its introduction and passage on first reading, and of the time and place when and where said Ordinance will be further considered for final passage.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2021

Presented by Councilman Penabad

ORDINANCE NO. 2413

**“AN ORDINANCE AMENDING CHAPTER 375 ARTICLE XXVI OF THE CODE OF THE
BOROUGH OF RIDGEFIELD ENTITLED SPECIALLY ALLOCATED PARKING”**

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

Section I. Article XXVI, Specially Allocated Parking, of the Borough of Ridgefield, be and hereby is amended as follows:

§375-82, Areas Designated, be and hereby is amended by adding to the existing provisions of said ordinance section a new subsection (c) as follows:

C. A single parking place adjacent to 720 Bergen Boulevard (on the east side of Bergen Boulevard) beginning at a point 109 feet south of the southeast corner of Bergen Boulevard and Lafayette Avenue and proceeding south a distance of 18 feet. This parking place shall be reserved for the exclusive use of Fire Chief Anthony Santangelo's fire department vehicle.

Section II. In all other respects, the terms and conditions of Chapter 375 of the Code of the Borough of Ridgefield are hereby ratified and affirmed.

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2021

Presented by Councilman Castelli

ORDINANCE NO. 2414

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

“AN AMENDED ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF VIRGIL AVENUE BY AND WITHIN THE BOROUGH OF RIDGEFIELD”

introduced on the 10th day of May, 2021, 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 24th day of May, 2021 at 7:00 PM or as soon thereafter as the matter may be reached at the regular meeting of the

Borough Council in the Community Center, 725 Slocum Avenue, in the Borough of Ridgefield, and that at such time and place, all persons interested be given an opportunity to be heard concerning the same, that the Borough Clerk be and she is hereby authorized and directed to publish in The Record, a newspaper circulating in the Borough of Ridgefield said Ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place when and where said Ordinance will be further considered for final passage.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2021

Presented by Councilman Castelli

ORDINANCE NO. 2414

“AN AMENDED ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF VIRGIL AVENUE BY AND WITHIN THE BOROUGH OF RIDGEFIELD”

WHEREAS, the Mayor and Council of the Borough of Ridgefield in the County of Bergen is of the opinion that the public interests will best be served by abandoning, vacating, releasing and extinguishing any and all public rights which said Borough may have in and to the following described portion of Virgil Avenue:

That portion of Virgil Avenue from its intersection with the easterly side of Shaler Boulevard running thence in an easterly direction to its intersection with the westerly side of Bruce Street.

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

Section I.

The public rights and interests to a portion of Virgil Avenue, particularly described as follows, are hereby vacated, abandoned and released:

That portion of Virgil Avenue from its intersection with the easterly side of Shaler Boulevard running thence in an easterly direction to its intersection with the westerly side of Bruce Street.

Reserved and excepted from vacation are all rights and privileges presently possessed by public utilities as defined in *N.J.S.A. 48:2-13*, and by any television company, as defined in *N.J.S.A. 48:5A-1, et. seq.*, to maintain, repair and replace the existing facilities in, adjacent to, over or under the street, or any part thereof, to be vacated.

Section II.

This ordinance shall become effective twenty (20) days after final passage, publication according to law. The Municipal Clerk shall file a copy with the Office of the Bergen County Clerk.

Section III:

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

Section IV.

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2021

Presented by Councilman Kontolios

ORDINANCE NO. 2415

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

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

introduced on the 10th day of May, 2021, 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 24th day of May, 2021 at 7:00 PM or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Community Center, 725 Slocum Avenue, in the Borough of Ridgefield, and that at such time and place, all persons interested be given an opportunity to be heard concerning the same, that the Borough Clerk be and she is hereby authorized and directed to publish in The Record, a newspaper circulating in the Borough of Ridgefield said Ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place when and where said Ordinance will be further considered for final passage.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2021

Presented by Councilman Kontolios

ORDINANCE NO. 2415

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

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

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

1. Adding a single handicapped parking space in front of 813 DeLalla Terrace (on the northerly curb line of DeLalla Terrace) beginning at a point 124 feet west of the northeast corner of Morse Avenue and DeLalla Terrace and continuing west a distance of 22 feet.

Section II: In all other respects, the terms, conditions and provisions of Section 375-52 of the Code of the Borough of Ridgefield are hereby ratified and affirmed.

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2021

Presented by Councilman Jimenez

RESOLUTION NO. 153-2021

WHEREAS, Jasmine 585 LLC, having an office at 585 Oakdene Avenue, Ridgefield, New Jersey has received Planning Board approval to construct certain improvement at property commonly known as 585 Oakdene Avenue, Ridgefield, New Jersey and designated at Lot 7, Block 1902 on the tax map of the Borough of Ridgefield; and

WHEREAS, as a condition of that approval, Jasmine 585 LLC is to enter into a Developer's Agreement with the Borough; and

WHEREAS, the attorney for the Planning Board has approved such a Developer's Agreement; and

WHEREAS, the Borough Attorney has reviewed and approved said Developer's Agreement; and

WHEREAS, it is in the best interests of the Borough of Ridgefield that the Borough enter into the Developer's Agreement with Jasmine 585 LLC in the form as attached hereto;

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

1. The attached Developer's Agreement between the Borough of Ridgefield and Jasmine 585 LLC be and hereby is approved.

2. The Mayor and the Borough Clerk be and hereby are authorized and directed to execute same on behalf of the Borough.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Silvestri,
Borough Clerk

| COUNCIL VOTE | | | | |
|---------------------|------------|-----------|----------------|---------------|
| | YES | NO | ABSTAIN | ABSENT |
| Castelli | | | | |
| Penabad | | | | |
| Shim | | | | |
| Jimenez | | | | |
| Kontolios | | | | |
| Larkin | | | | |
| Mayor Suarez | | | | |

DEVELOPER'S AGREEMENT

THIS AGREEMENT, made this day of , 2021, between:

THE BOROUGH OF RIDGEFIELD
a Municipal Corporation of the State of New Jersey,
having offices located at
604 Broad Avenue, Ridgefield, New Jersey, 07657;
(hereinafter referred to as the "Borough"),

and

Jasmine 585 LLC
585 Oakdene Avenue
Ridgefield, New Jersey, 07657
(hereinafter referred to as the "Developer");

WITNESSETH:

WHEREAS, the Developer is the owner and developer of the below identified property and made application to the Planning Board of the Borough of Ridgefield, New Jersey, for a Floor Area Ratio variance pursuant to N.J.S.A. 40:55D-70(D)4 and variances for the lot size, lot width, building coverage, impervious coverage, number of stories, front yard, building height, basement height, front yard impervious coverage, proximity of retaining wall to dwelling and proximity of retaining wall to property line and site plan approval in order to demolish an existing dwelling and construct a single family dwelling on premises located at 585 Oakdene Avenue, Ridgefield, New Jersey and designated as Lot 7, Block 1902 on the tax assessment map of the Borough of Ridgefield (the "Property"); and

WHEREAS, the Planning Board of the Borough of Ridgefield on September 8, 2020 approved the application and plans of Jasmine 585 LLC for a Floor Area Ratio variance pursuant to N.J.S.A. 40:55D-70(D)4 and variances for the lot size, lot width, building coverage, impervious coverage, number of stories, front yard, building height, basement height, front yard impervious coverage, proximity of retaining wall to dwelling and proximity of retaining wall to property line and site plan approval in order to demolish an existing dwelling and construct a single family dwelling on premises located at 585 Oakdene Avenue, Ridgefield, New Jersey and designated as Lot 7, Block 1902 on the tax assessment map of the Borough of Ridgefield subject to the terms and conditions as more specifically set forth in the Resolution of the Planning Board of the Borough of Ridgefield which is attached hereto and incorporated herein ("Approval Resolution"); and

WHEREAS, as a result of said Approval Resolution adopted on September 8, 2020, it is necessary that a Developer's Agreement be entered into as a condition of such Developer proceeding with the work which was the subject of said application; and

WHEREAS, it is mutually desired by the parties hereto that the Property shall be improved and developed in such a manner as will ensure the protection of the surrounding and neighboring properties, as well as the public roadways in and about the proposed development to the end that said development shall result in a desirable development within the Borough of Ridgefield; and

WHEREAS, it is the purpose of this Agreement to set forth all of the terms and conditions which shall control the construction of such project and the work to be performed pursuant to same; and

NOW, THEREFORE, in consideration of these promises, mutual covenants, conditions and agreements contained herein, the parties hereto agree as follows:

1. The Developer agrees that it will comply with all of the conditions set forth in the Approval Resolution of the Planning Board of the Borough of Ridgefield, and any amendments thereto, if any. Copy of said Approval Resolution is annexed hereto as Exhibit "A" by reference, made a part hereof.

2. The Developer shall comply with all of the terms and conditions imposed and mandated by the Bergen County Planning Board, the Department of Transportation, if applicable, and any and all other Municipal, County, State or Federal bodies, agencies or authorities as may rightfully apply any such terms and conditions.

3. The Developer shall within a period of 24 months from the date of commencement of construction of the project, at its sole cost and expense, complete all of the improvements as set forth on certain architectural plan prepared by Demetrios Kaltsis, Kaltsis Architecture LLC, dated September 9, 2019, last revised May 14, 2020 as Exhibit B (the "Site Plan"). In the event that the developer requires additional time beyond the 24 month period provided herein, and it is not otherwise in default of the terms of this agreement, such time period may be extended by the governing body for a period sufficient to permit the completion of construction. It is understood and agreed that after commencement of the project construction, Developer shall have the right due to weather, contractor availability, market conditions, material

supply issues and the like, to suspend construction for the period of time necessary to address and/or alleviate any such conditions which may arise after commencement of construction. Any suspensions of construction consistent herewith shall not alter or enlarge the 24 month timeframe for completion of the project as provided herein, subject to and reserving all rights as to any permitted extensions as provided below in this Paragraph 3 and/or as to any extensions based on force majeure events as provided in this Paragraph 3 and at Paragraph 37.

Should the Developer fail to complete improvements to the site within 24 months of the date of commencement of construction of the project, and good cause is not shown by the Developer why the time period should be extended by the Borough, then the Borough shall have the authority to complete any and all improvements as are reasonably necessary for the public health, safety and welfare without further notice to the Developer and to utilize bond funds. If good cause is shown (strikes, natural disasters and a force majeure) as to why the premises have not been completed within 24 months, the Borough, at its sole discretion, may extend the time period for construction.

4. In addition, it is agreed by and between the parties to this Agreement that, except for minor field changes as reasonably determined by the Borough Engineer, the within plan may be modified only with the consent of the appropriate board, and the Developer shall install such improvements as may be deemed reasonably necessary to effectuate the Approval Resolution and the Ordinances of the Borough of Ridgefield, as reasonably determined by the Borough Engineer or such other agent of the Municipality acting within the scope of his or her authority, it being further agreed that the certification on said plans certifies that the design standards employed in such plans minimally meet the requirements of the Approval Resolution and Ordinances of the Borough of Ridgefield and such other codes and regulations as shall rightfully apply.

5. Upon the execution of this Agreement by the parties hereto, and prior to the issuance of a building permit, the Developer shall make the following deposits in cash or certified check with the Borough of Ridgefield:

a) the sum of \$3,374.25 representing an initial escrow fee to reimburse the Borough of Ridgefield for engineering and inspection fees expended on account of the review of the site development plan; however the applicant shall have the option of making quarterly payments provided the balance held in escrow is not less than ten (10%) of the total fee.

b) the sum of \$1,750.00 to reimburse the Borough of Ridgefield for legal fees expended on account of the review of the site development plan and the preparation and review of this agreement.

The amount so deposited pursuant to Paragraph (a) above, which is to be used to reimburse the Borough for the expenses incurred by it with respect to the professional review and inspection of the within project is deposited in accordance with the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq. and is to be considered an estimate and shall be increased or decreased at the reasonable exercised discretion of the Borough Engineer from time to time so as to provide sufficient funds to effectuate the purpose of this Agreement. In the event that there shall be any surplus after the work has been certified to have been completed in a good and workmanlike manner and after the acceptance thereof by the Borough Engineer, such surplus shall be promptly returned to the Developer.

The amount so deposited pursuant to Paragraph (b) above, is to be used to reimburse the Borough for the expenses incurred by it with respect to the drafting and revision of this agreement, the review of all documentation, and any other legal work as the Borough shall deem necessary. Said amount is deposited in accordance with the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. and is to be considered an estimate and shall be increased or decreased at the reasonably exercised discretion of the Planning Board Attorney from time to time so as to provide sufficient funds to effectuate the purpose of this Agreement.

6. The Developer and Borough agree that the Developer shall comply with the reasonable recommendations of the Borough Engineer deemed reasonably necessary to effectuate the Approval Resolution and Site Plans.

7. In the event that any drainage easements are created or relocated, the appropriate deeds or amendments thereto shall be prepared by the Developer's attorney and submitted for approval by the Planning Board Attorney and Borough attorney.

8. The Developer shall obtain and keep in force during the life of the project, an insurance policy issued by a company licensed in the State of New Jersey and having a Best's rating of A or better. The insurance policy shall carry General Liability limits for Bodily Injury and Property Damage of not less than Three Million (\$3,000,000.00) Dollars per person, Three Million (\$3,000,000.00) Dollars. Combined Single Limit or if written on a split limit basis, shall carry limits of Three Million (\$3,000,000.00) for Bodily Injury on an occurrence basis and Three Million (\$3,000,000.00) in the aggregate. Property Damage Liability shall be three Million (\$3,000,000.00). Said insurance contract shall provide for the liability of all sub-contractors and shall include a provision for Products/Completed Operations Liability with the same applicable limits. A Certificate of Insurance shall be issued to the Borough of Ridgefield and shall name the Borough of Ridgefield as additional insured. The Certificate of Insurance shall carry a thirty day cancellation notification clause. The Certificate of Insurance shall be forwarded to the Borough Clerk and Borough Risk Manager for review.

9. Upon completion of the improvements and prior to issuance of a Certificate of Occupancy, the Developer shall post a maintenance guarantee or letter of credit representing Fifteen Percent (15%) of the cost of completion of all site improvements within the public right of way, or which shall be otherwise dedicated to or maintained by the Borough as reasonably estimated by the Borough Engineer pursuant to the method of calculation set forth in N.J.S.A. 40:55D-53.4, as required by N.J.S.A. 40:55D-53(a)(2) and as listed in Exhibit C attached hereto which maintenance guarantee shall be in the amount of TEN THOUSAND ONE HUNDRED TWENTY-TWO and 75/100 Dollars(\$10,122.75). Said guarantee shall remain with the Borough for a period of two (2) years from the date a Certificate of Occupancy is issued. In the event that the amount on deposit or the amount realized from the bond posted with the Borough of Ridgefield is insufficient to complete reasonable maintenance or repair, the Borough of Ridgefield is authorized upon a minimum of thirty (30) days written notice to

the Developer, to increase the percentage of the bond to commensurate with the insufficiencies.

10. All performance and/or maintenance guarantees or letters of credit, including but not limited to, guarantees for monuments, improvements and landscaping shall be in a form reasonably approved by the Planning Board Attorney and/or Borough Attorney pursuant to N.J.S.A. 40:55D-53b.

11. The Developer agrees that should it damage the pavement, curb or any other real or personal property not wholly owned or leased by the Developer, that they shall be required to repair or replace same within twenty (20) days of notice by the Borough to the Developer (with a longer time period provided if it is not reasonable to complete the repairs within the twenty (20) days) at the address first set forth above, unless weather and/or labor strikes do not permit same or the Borough shall have the right to make the repairs and deduct the cost of same from the bond. The Developer shall install gravel strips at all driveways into the site for the purpose of cleaning vehicle tires upon egress from the site, and shall otherwise conduct periodic street cleaning and sweeping in the immediate area of the work site to remove any debris generated from/caused by the construction at the Property. The Developer shall take all precautions for the safety of pedestrians and vehicular traffic in the immediate area of the job site to protect the same from falling debris and to provide adequate and safe walkways as required by law if so designated by the Police Department or Construction Code Official for the protection of the general public during the course of construction.

12. The Developer agrees with the Borough to hold the said Borough harmless for any damage or liability caused by the discharge of surface waters upon, or the alteration of lateral support from, the lands adjacent to the property being developed, from the development construction work required by this Agreement, and agree to assume any and all liability so caused by same, and further agree to take reasonable steps alleviate any and all conditions created by the construction which cause any such damage. The Developer further agrees to grade the entire premises in accordance with the Site Plans and to construct any and all retaining walls necessary to maintain adequate lateral support to properties owned by surrounding property owners, if

any. Any plan to construct any system of lateral support including, but not limited to, retaining walls and beams shall be approved by the Borough Engineer prior to construction.

12. During and at the conclusion of the construction of improvements, the Developer shall clean all drainage facilities impacted by the project of silt and debris, if any, at Developer's sole cost and expense.

13. The Developer shall furnish off-street parking for any and all tradesman, contractors or sub-contractors and employees thereof, or any individual or party whatsoever performing any work or labor upon the job site, including, but not limited to, any and all trucks or vehicles delivering materials or equipment to the site and shall take steps reasonably necessary to prevent the congestion of traffic in the area of the job site and to facilitate the progress of the same. There shall be no off-loading of materials or equipment on the public street.

14. No additional structures or buildings of any type shall be constructed on the Property without further approval of the appropriate Board of the Borough of Ridgefield, except those referred to in the plans presently on file with the Borough of Ridgefield.

15. Should it become necessary as a result of this development to enlarge or install any utility line such as water, gas, electric, telephone or sewer lines located in or upon the public streets, the Developer shall do so at its own cost and expense. The Developer shall obtain all necessary permits to open the street and install such improvements.

16. The Developer shall be limited to the hours between 7:30 AM and 6:00 PM on weekdays and 9:00 AM and 6:00 PM on Saturdays, except in case of urgent necessity in the interest of public health and safety, and then only with written approval from the Borough Engineer, which approval may be granted for a period not to exceed three (3) days or less while the emergency continues and which approval may be renewed for a period of three days or less while the emergency continues. If the Borough Engineer should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways during any other period

of time and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within any other period of time upon application being made at the time the permit for the work is awarded or during the progress of the work.

17. The Developer further agrees to comply with additional reasonable recommendations by the appropriate Borough official concerning the proper police and fire protection for the construction site, including the hiring of special police officers as may be required during the course of construction to ensure the public safety.

19. Any and all sanitary and storm sewer facilities, on or off the site, including, but not limited to the installation of sewer and storm basins and hookups, and pump stations and equipment specified in the plans referenced herein, are to be constructed at the sole cost of the Developer, and shall be done only upon issuance of all required approvals under law.

18. Upon the execution of this Agreement and the posting of the cash deposits as aforesaid, a building permit shall be issued to the Developer by the Construction Code Official of the Borough upon approval of the complete building plans, payment of all fees, proof of insurance, bonds and escrows and any other requirements set forth herein.

19. Improvements shown on the plans herein referred to shall be constructed in accordance with such plans and such applicable Ordinances of the Borough of Ridgefield. Improvements can also be constructed in accordance with field changes that have been reasonably approved by the Borough Engineer.

20. Whether or not stated herein, the Developer shall perform all the work in a good and workmanlike manner and at all times comply with all laws and/or regulations of the Federal Government, the State of New Jersey and all Ordinances of the Borough as well as such other reasonable requirements as may be imposed by the Borough Engineer.

23. The Borough contemplates, and the Developer agrees to the inspection of, all facilities to be constructed by the Developer by the appropriate Borough Code Officials, which shall

be defined as any one of the construction code officials, sub-code officials or the Borough Engineer. The Borough Code Officials shall inspect the installation of improvements as set forth in the Site Plans and construction plans/construction permit applications filed by the Developer consistent with the Site Plans as the same may now exist or shall be amended or revised in the future. The Developer shall notify the applicable Borough Code Official at least forty-eight (48) hours prior to the commencement of demolition or construction of any such facilities. In the event of temporary suspension, the applicable Borough Code Official shall be notified of the renewed starting date thereof. Backfilling, after the laying of any drainage or sanitary sewer pipes, or other facilities in connection therewith, shall be absolutely forbidden except after inspection and approval by the applicable Borough Code Official. The Borough Code Officials and the Borough shall take all reasonable steps necessary to ensure that any building permit applications filed by the Developer and any field inspections requested and/or required by the Developer are processed, reviewed and completed without undue delay so as to maintain the steady progress of construction of the project and ensure compliance with the construction deadline imposed on the Developer pursuant to the terms of this Agreement.

24. Prior to the final release of any security herein required by this Agreement, and prior to the issuance of a Certificate of Occupancy, the Developer shall submit "as built" plans prepared and certified by a licensed New Jersey professional land surveyor and/or professional engineer which plans shall be approved by the Borough Engineer, and the Borough Engineer shall certify to the Governing Body and to the Construction Code Official that all of the work required by this Agreement has been contemplated in a good and workmanlike manner and in compliance with local Ordinances and regulations.

25. Nothing herein contained shall be construed in any way to render the Borough of Ridgefield liable for any damages, costs or debts for material, labor or other expenses incurred in making the improvements, but this Agreement shall be construed only as permission of said Developer so as to make improvements upon the compliance with the terms thereof.

26. Until the completion of improvements to the site and of this Agreement and the acceptance thereof by the Borough, the

Developer shall be and remain liable for any and all damage occasioned by any neglect, wrongdoing, omission or commission, by any person, corporation or partnership arising from the making of said improvements and shall save, indemnify and hold harmless the Borough from any and all actions at law or in equity, charges, liens, debts or encumbrances which may arise therefrom or thereby.

27. Upon the completion of all of the work on site and prior to the issuance of a Certificate of Occupancy, the Developer shall fill and grade pursuant to the Site Plans referenced herein and to the reasonable satisfaction of the Borough Engineer, all excavations as exist on the site and which were created at any time whatsoever. In the event that the final fill and grade is not consistent with the Site Plans as reasonably determined by the Borough Engineer the Borough may turn to the funds deposited under the performance guarantee or letter of credit as set forth above for the completion of the grading and filling of all such site excavation.

28. The parties hereto agree that the terms and conditions of this Agreement shall be binding upon them, their heirs, successors and assigns, until such time as all work required hereto has been performed in a good and workmanlike manner and has been so certified to the Borough by the Borough Engineer. Wherever used herein, the term "Developer" shall mean and include the Developer named above, its successors, assignees and/or designees.

29. The parties hereto mutually agree to perform and undertake any necessary action and execute and deliver any and all documents which may now or in the future become necessary in order to effectuate the intent and purpose of this Agreement.

30. It is agreed by the Developer that this Agreement shall not be transferred or assigned to any other third parties without the prior consent of the Borough, but notwithstanding same, the Developer shall have the right to assign this Agreement to a future fee owner of the Property and/or to any lender of Developer.

31. Nothing herein contained shall be construed as preventing the Borough from exercising in any court of law or elsewhere any right or duties which it may have by statute,

ordinance, or other law. Nothing herein contained shall be deemed a waiver by any party of any ordinance or state statute or other law, or be construed as an abridgement, preemption or waiver of the powers of any Borough Board, Agency or Public Body. This clause shall not operate to confer upon any such public body any powers, rights or duties it does not now possess, nor abridge the right of the Developer vis-a-vis any such public body.

32. Nothing herein contained shall be construed to render the Borough or any of its officers, board members, or employees liable for any charges, cost, or debts for material, labor or other expenses incurred in the making of the improvements.

33. In no case shall a Certificate of Occupancy be issued if a material breach or default in this Agreement has occurred and has not been cured. Without limitation upon any other remedy provided herein or by law, the Mayor and Council of the Borough of Ridgefield (hereinafter the "Mayor and Council") may order that no, or no further, building permits or certificates of occupancy shall be issued until any material breach or default in this Agreement is cured.

34. Upon a default by the Developer under the terms and/or conditions of this Agreement, the Borough shall provide the Developer with thirty (30) days written notice within which period of time the Developer shall be required to comply with all the terms of this Agreement and appropriate ordinances and rules and regulations of the Borough and its agencies. Notwithstanding the foregoing sentence, if the default is of a nature that it cannot, with the exercise of reasonable diligence, be cured within said 30 day period, then said 30 day period shall be extended to a period of time as agreed by the parties to enable the Developer to cure the default with the exercise of reasonable diligence. At the expiration of the period to cure where the Developer has failed to perform in accordance with this Agreement and in accordance with all applicable Borough ordinances and rules and regulations of the Borough and its agencies, the Borough, without further notice to the Developer, may utilize the deposited performance guarantees for the full, complete and adequate performance of this Agreement in compliance with all Borough ordinances and rules and regulations of the Borough and its agencies. In addition, the Borough may bring an action on the Performance Guaranty; expend the cash guarantee funds; bring an action for specific performance

of the Agreement; or seek to effect completion on the basis of any other remedy available to the Borough.

35. If, before the completion of the work, the Developer abandons the job, files a petition in bankruptcy or insolvency, or is declared bankrupt or insolvent or suffers any type of receivership, insolvency, bankruptcy, or other similar proceeding to be filed against it, or ceased work for a period of thirty (30) consecutive days without notice to or the permission of the Borough Engineer and fails to resume work within ten (10) days after receipt of notice by certified mail, return receipt at the address stated in this Agreement, then the Borough can exercise any rights and remedies as specified in Paragraph 35 and it shall be the duty of the surety immediately to undertake the completion of the work at the expense of the Developer and its surety, or to pay to the Borough the cost of completion of the work as a local improvement pursuant to the provisions of N.J.S.A. 40:56 et seq..

36. The Developer shall complete all terms and conditions of this Agreement as specified herein. In the event that the Developer cannot complete same due to a force majeure, the time for completion of this Agreement shall be extended for a period equal to the duration of the said force majeure.

37. This Agreement may only be modified or amended by a written instrument signed by all parties hereto and duly approved according to law.

38. Each of the provisions set forth herein shall have the same force and effect as if set forth at length as conditions of the granting of site plan approval as they are deemed reasonably necessary to effectuate the Site Plans as approved in the Approval Resolution to the extent allowed under the Municipal Land Use Law.

39. The provisions of this Agreement are severable; if any one provision be determined unenforceable, this shall have no effect on the balance of the provisions hereof which shall remain in full force and effect.

40. This Agreement may be executed in counterparts.

IN WITNESS WHEREOF, the Borough has caused this instrument to be signed by its Mayor, attested by its Borough Deputy Clerk and its Municipal Seal to be hereunto affixed, pursuant to the Resolution of the Borough passed for that purpose, and the Developer has likewise signed and sealed this Agreement on the day and year first above written.

WITNESS:

JASMINE 585 LLC

ATTEST:

BOROUGH OF RIDGEFIELD

Linda M. Silvestri,
Borough Clerk

Anthony Suarez, Mayor

BOROUGH OF RIDGEFIELD

Bergen County, New Jersey

Meeting May 10, 2021

Presented by Councilman Kontolios

RESOLUTION NO. 154-2021

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Ridgefield, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Ridgefield County of Bergen, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Ridgefield Municipal Alliance grant for fiscal year 2022 in the amount of:

| | |
|------------|------------|
| DEDR | \$ 4507.18 |
| Cash Match | \$ 1126.80 |
| In-Kind | \$ 3380.39 |

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

CERTIFICATION

I, Linda M. Silvestri, Borough Clerk of the Borough of Ridgefield, County of Bergen, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 10th day of May, 2021.

Linda M. Silvestri, RMC
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2021

Presented by Councilman Castelli

RESOLUTION NO. 155-2021

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

DANIEL VALDES

be hired as a Part-Time DPW/Sanitation employee at the hourly rate of \$13.00 effective immediately.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2021

Presented by Mayor Suarez

RESOLUTION NO. 156-2021

BE IT RESOLVED, that the Mayor and Council appoints:

MILDRED ROJAS

as Recycling Coordinator for calendar year 2021.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2021

Presented by Councilwoman Larkin

RESOLUTION NO. 157-2021

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

WHEREAS, the Borough of Ridgefield desires to further the public interest by obtaining a matching grant of \$85,973.35 from the County Trust Fund to fund the following project: Willis Park Pickleball Courts; and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body/board held the required Public Hearing to receive public comments on the proposed park improvements in the application on May 10, 2021; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

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

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of **May 14, 2021**, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Ridgefield Mayor and Council has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the Ridgefield Mayor and Council is committed to providing a dollar for dollar cash match for the project; and,

4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the Ridgefield Mayor and Council agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
6. That this resolution shall take effect immediately.

COUNCIL VOTE

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

Approved:

Attest:

 Anthony R. Suarez, Mayor

 Linda M. Silvestri,
 Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2021

Presented by Councilman Kontolios

RESOLUTION NO. 158-2021

WHEREAS, the Borough of Ridgefield wishes to retain Special Legal Counsel to provide services with regard to the Borough's communication carriers as to carrier agreements and wireless communications facilities, and in particular, the installation of next general mobile networks in the public right of way; and

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-53.2 allows municipalities to be reimbursed for, and collect escrows to cover, charges incurred by the municipality for professional services for the review of applications, review and preparation of documents, and inspections of developments under construction, where an application is of a nature beyond the scope of the expertise of professionals normally utilized by the municipality; and

WHEREAS, the Borough has the right to be reimbursed for reasonable expenses it incurs when private entities seek Borough approval to use public resources for private purposes; and

WHEREAS, the Borough desires to engage Peter J. Lupo, Esq. of Hoplite Communications, LLC, with offices at 197 Route 18, Suite 3000, East Brunswick, NJ 08816, as Special Legal Counsel to provide services with regard to the Borough's communication carriers as carrier agreements and wireless communications facilities, in particular the installation of next general mobile networks in the public right of way; and

WHEREAS, this contract is awarded as a Professional Services Contract without a fair and open process;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield, County of Bergen and State of New Jersey that Hoplite Communications, LLC be and is hereby appointed as Special Legal Counsel as to provide services with regard to the Borough's communication carriers as to carrier agreements and wireless communications facilities, in particular the installation of next general mobile networks in the public right of way; and

BE IT FURTHER RESOLVED that the Borough hereby awards the contract attached hereto to Hoplite Communications, LLC without a fair and open process, subject to submission of proof by Hoplite Communications, LLC that they are not barred by state or municipal Pay to Play Laws or Ordinances; and

BE IT FURTHER RESOLVED that funding for this Professional Services Contract is not necessary as Hoplite Communications, LLC will be paid by escrows established by the wireless carriers with whom Hoplite Communications, LLC will interface on behalf of the Borough.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

CONTRACT FOR PROFESSIONAL SERVICES WITH
SPECIAL LEGAL COUNSEL

THIS IS A CONTRACT for professional services made by and between the Borough of Ridgefield, County of Bergen, State of New Jersey, hereinafter called the "BOROUGH", and Peter J. Lupo, Esq. of Hoplite Communications, LLC, 197 Route 18, Suite 3000, East Brunswick, New Jersey 08816, hereinafter called the "SPECIAL LEGAL COUNSEL".

WHEREAS, pursuant to law, the Mayor and Council have authorized the Mayor and Borough Clerk to enter into an agreement with the SPECIAL LEGAL COUNSEL for professional services as SPECIAL LEGAL COUNSEL without competitive bid; and

WHEREAS, it is desirable and appropriate that the parties enter into a formal contract to memorialize the rights, duties and obligations of the parties;

NOW, THEREFORE, IT IS AGREED by and between the parties, in consideration for the mutual promises and covenants contained herein, as follows:

1. **ENGAGEMENT:** The BOROUGH hereby engages the SPECIAL LEGAL COUNSEL to serve as a SPECIAL LEGAL COUNSEL for the balance of calendar year 2021, or until his successor qualifies in connection with the BOROUGH'S communication carriers as to carrier agreements and wireless communications facilities, and in particular, the installation of next general mobile networks in the public right of way. The SPECIAL LEGAL COUNSEL hereby accepts such engagement and agrees to provide the services required under this agreement.
2. **SCOPE OF SERVICES:** The SPECIAL LEGAL COUNSEL shall perform all legal services for the BOROUGH as assigned to him by the Mayor and Council, and more specifically as set forth in the attached document entitled 5G Telecommunications Consulting Summary of Services, which is incorporated herein by reference. The SPECIAL LEGAL COUNSEL shall communicate with and take direction, when necessary, from the Borough Attorney.
3. **PAYMENT FOR SERVICES:** The provision of the services pertaining to the impending deployment in the BOROUGH of 5G generation of mobile networks will be performed by Hoplite at no cost to the BOROUGH as all compensation to be paid to Hoplite will be paid by the communications/utility carriers.
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 not awarded pursuant to a fair and open process pursuant to the provisions of N.J.S.A. 19:44A-20.4, et. seq. Accordingly, this agreement is contingent upon the SPECIAL LEGAL COUNSEL submitting proof that he is not barred by state or municipal Pay to Play Laws or Ordinances.
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 SPECIAL LEGAL COUNSEL agrees to fully comply with the terms, provisions and obligations of said regulation, provided that said subsection shall be applied subject to the terms of subsection 3.4(d) of said regulations.
 - B. The parties to this agreement agree to incorporate into same the mandatory language of section 5.3 of the Regulations promulgated by the Department of the Treasury pursuant to P.L. 1975, c.127, as amended and supplemented from time to time and the SPECIAL LEGAL COUNSEL 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 SPECIAL LEGAL COUNSEL'S services are not performed satisfactorily in accordance with this contract.
8. **MALPRACTICE INSURANCE:** SPECIAL LEGAL COUNSEL agrees to maintain malpractice insurance in an amount in excess of \$1,000,000.
9. **ASSIGNMENT:** This Agreement shall not be assigned or assignable, either by action of SPECIAL LEGAL COUNSEL or by law.
10. **GOVERNING LAW:** This Agreement shall be governed by the laws of the State of New Jersey.
11. **MERGER CLAUSE:** This Agreement contains the entire agreement between the parties pertaining to the subject matter hereof and supersedes all prior agreements.
12. **AMENDMENTS:** This Agreement may be amended by the mutual consent of both parties. Any Amendment must be in writing and must be executed. A copy shall be attached to this Agreement.
13. **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

HOPLITE COMMUNICATIONS, LLC

WITNESS:

DATE:

By:_____
Peter J. Lupo, Esq., Sole Member

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2021

Presented by Councilman Kontolios

RESOLUTION NO. 159-2021

WHEREAS, the Borough of Ridgefield and the Ridgefield Public Library hereby certify that permission has been granted to apply for the project entitled the New Jersey Library Construction Bond Act, in the amount of: \$43,825.00.

NOW, THEREFORE BE IT RESOLVED that the Ridgefield Public Library will take action upon approval of the grant to provide the 50% match for this project to any awarded grant funding through the New Jersey Library Construction Bond Act grant program.

The match required for this application was authorized at the official meeting of the governing body of the Borough of Ridgefield held on: May 10, 2021.

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2021

Presented by Councilman Jimenez

RESOLUTION NO. 160-2021

WHEREAS, the Borough of Ridgefield adopted a Special Emergency Resolution and Ordinance related to COVID-19 revenue losses for \$630,000 for the Current Fund; and

WHEREAS, the actual amount required was \$568,401.00; and

WHEREAS, the difference of \$61,599.00 must be cancelled;

NOW, THEREFORE, BE IT RESOLVED that the over appropriation of \$61,599.00 included in the COVID-19 Special Emergency is hereby cancelled as follows:

| | <u>Budgeted</u> <u>2020</u> | <u>Realized</u> <u>2020</u> | <u>Shortfall</u> |
|-------------------------|----------------------------------------------|----------------------------------------------|-------------------------|
| Municipal Court | \$230,000 | \$103,264 | \$(126,736) |
| Construction Fees | 450,000 | 180,618 | (269,382) |
| Fees and Permits | 240,000 | 207,250 | (32,750) |
| Interest on Investments | 10,000 | 9,505 | (495) |
| NJMC | 801,628 | 729,076 | (72,552) |
| Sewer Charges | 120,000 | 60,528 | (59,472) |
| Sewer Charges Tie In | 240,000 | 274,554 | 34,554 |
| EMS Transport | 186,384 | 144,816 | <u>(41,568)</u> |
| | | | 568,401 |
| | | | <u>630,000</u> |
| | | | <u>\$61,599</u> |

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

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

Francis J. Elenio,
Chief Financial Officer

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting May 10, 2021

Presented by Councilman Jimenez

RESOLUTION NO. 161-2021

BE IT RESOLVED, that warrants totaling **\$1,386,648.54**
be drawn on the following accounts:

| | |
|--------------|-----------------------|
| CURRENT | \$1,340,756.86 |
| TRUST | \$8,081.02 |
| CAPITAL | \$33,169.15 |
| POOL | \$4,641.51 |
| TOTAL | \$1,386,648.54 |

COUNCIL VOTE

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk