

BOROUGH OF RIDGEFIELD

A G E N D A

Executive Session and Regular Meeting of the Mayor and Council

Date: October 11, 2011

Open Public Meetings Statement by Mayor Suarez

Public Session to Adjourn to Executive Session: C.T.O.: Adjourn:

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

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

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

Pledge of Allegiance

Citizens Comment on Agenda:

Correspondence:

ROLL CALL-PUBLIC SESSION

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

ROLL CALL-EXEC. SESSION

	PRESENT	ABSENT
	Mayor Suarez	
Castelli		
Todd		
Vincentz		
Severino		
Acosta		
Jimenez		

As advertised, hearing will be held on TY2011 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

- 
- 302-2011 Councilman Jimenez TY2011 Budget Amendment
  - 303-2011 Councilman Jimenez Adoption of TY2011 Budget
- 

As advertised, hearing will be held on Ordinance No. No. 2186 entitled, “PAY TO PLAY REFORM ORDINANCE”

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

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**PROPOSED CONSENT AGENDA:**

304-2011	Councilman Acosta	Appointment of Part-Time Court Clerk
305-2011	Councilman Jimenez	Redemption of Tax Title Lien #11-04
306-2011	Councilman Jimenez	Authorize Community Development Grant Agreement-Banta Place Roadway Improvements
307-2011	Councilman Castelli	Sponsorship Banner Program
308-2011	Councilman Jimenez	Community Development Block Grant-Hillside Street Road Way Improvements
309-2011	Councilman Acosta	Approve 12.39 Ruling from Division of Alcoholic Beverage Control -Tom Tim and Pat Inc.
310-2011	Councilman Acosta	Hire Crossing Guard 2011/2012 School Year
311-2011	Councilman Jimenez	Settlement Agreement With Former Borough Attorney

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Todd				
Vincentz				
Severino				
Acosta				
Jimenez				
Mayor Suarez				

**RESOLUTIONS:**

312-2011 Councilman Jimenez Warrants

COMMENTS BY MAYOR:

**Application for Raffles License:**

Ridgefield Fire Department Co. No. 1  
Raffle  
Community Center, 725 Slocum Avenue  
November 12, 2011 – 5:00-11:00 p.m.

Ridgefield Fire Department Co. No. 1  
Bingo  
Community Center, 725 Slocum Avenue  
November 12, 2011 – 5:00-11:00 p.m.

**Coin Toss Request:**

Ridgefield Fire Department Cares Enough to Wear Pink  
Sunday, October 23, 2011

Ridgefield Memorial High School Booster Club  
Boys Basketball  
Saturday, October 29, 2011

**Banner Request:**

Ridgefield Fire Department Fright Night  
Shaler Boulevard  
October 11-October 29, 2011

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. Prina,  
Acting Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 11, 2011

Presented by Mayor Anthony R. Suarez

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

		<b>COUNCIL VOTE</b>			
		<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
_____	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.				
		Castelli			
		Todd			
		Vincentz			
		Severino			
		Acosta			
		Jimenez			
		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. Prina,  
Acting Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 11, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 302-2011

**BOROUGH OF RIDGEFIELD  
RESOLUTION TO AMEND BUDGET**

WHEREAS, the local municipal budget for the year 2011 was approved on September 12, 2011 ; and,

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

WHEREAS, it is desired to amend said approved budget,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Ridgefield, Bergen County, that the following amendments to the approved budget of 2011 be made:

RECORDED VOTE (Insert Last Names)	AYES	NAYS	ABSTAIN
	(	(	(
	(	(	(
	(	(	(

CURRENT FUND BUDGET	From	To
3. Miscellaneous Revenues - Section A: Local Revenues		
Fees and Permits	80,000.00	65,000.00
Total Section A: Local Revenues	950,000.00	935,000.00
TOTAL MISCELLANEOUS REVENUES	7,138,603.55	7,123,603.55
4. Receipts from Delinquent Taxes	250,000.00	265,000.00
6. Amount to be Raised by Taxes for Support of Municipal Budget:		
(A) Local Tax for Municipal Purpose Including Res. for Uncollected Taxes	4,398,950.00	4,704,561.00
(C) Minimum Library Tax	305,611.00	0.00

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the 2011 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 11th day of October, 2011

Certified by me, this 11th day of October, 2011

\_\_\_\_\_  
Clerk

IT IS HEREBY CERTIFIED that the Adopted Budget Amendment annexed hereto and hereby made a part of the 2011 Budget is a copy of the original on file with the Clerk of the Governing Body, that all additions are correct, all statements contained herein are in proof and the total of anticipated revenues equals the total of appropriations.

Certified by me, this 11th day of October, 2011

  
\_\_\_\_\_  
Registered Municipal Accountant

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

Meeting October 11, 2011

Presented by Councilman Jimenez

**RESOLUTION NO. 303-2011**

**SECTION 2 - UPON ADOPTION FOR TRANSITION YEAR 2011**

**TY**

(Only to be Included in the Budget as Finally Adopted)

**RESOLUTION**

Be It Resolved by the Mayor and Council \_\_\_\_\_ of the Borough \_\_\_\_\_ of Ridgefield \_\_\_\_\_,  
County of Bergen \_\_\_\_\_ that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation  
for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$4,704,561.00 (Item 2 below) for municipal purposes, and
- (b) \_\_\_\_\_ (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,
- (c) \_\_\_\_\_ (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  
the following summary of general revenues and appropriations.

	(	(	(
	(	(	Abstained (
	(	(	(
<b>RECORDED VOTE</b>	Ayes (	Nays (	(
(insert last name)	(	(	Absent (
	(	(	(

**SUMMARY OF REVENUES**

<b>1. General Revenues</b>			
Surplus Anticipated	40003-10		
Miscellaneous Revenues Anticipated	40004-10		7,123,603.55
Receipts from Delinquent Taxes	41419-10		265,000.00
<b>2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)</b>	41415-10		4,704,561.00
<b>3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:</b>			
Item 6, Sheet 35	40010-10		
Item 6(b), 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			4,704,561.00
<b>4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:</b>			
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	41416-10		
<b>Total Revenues</b>	<b>40000-10</b>		<b>12,093,164.55</b>

**SUMMARY OF APPROPRIATIONS**

**TY**

<b>5. GENERAL APPROPRIATIONS:</b>	XXXXXX		XXXXXXXXXXXXXXXXXX
Within "CAPS"	XXXXXX		XXXXXXXXXXXXXXXXXX
(a&b) Operations Including Contingent			7,091,100.00
(e) Deferred Charges and Statutory Expenditures - Municipal			340,298.00
(g) Cash Deficit			
Excluded from "CAPS"	XXXXXX		XXXXXXXXXXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"			1,728,535.55
(c) Capital Improvements			834,488.00
(d) Municipal Debt Service			1,062,743.00
(e) Deferred Charges - Municipal			311,000.00
(f) Judgements			
(n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40A:48-17.1 & 17.3)			
(g) Cash Deficit			
(k) For Local District School Purposes			
(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)			725,000.00
<b>6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S.A. 40A:4-13)</b>			
<b>Total Appropriations</b>			<b>12,093,164.55</b>

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 11th \_\_\_\_\_ day of  
October 2011. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared  
in the 2011 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this \_\_\_\_\_ 11th \_\_\_\_\_ day of \_\_\_\_\_ October \_\_\_\_\_, 2011 \_\_\_\_\_, Clerk.  
Signature

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 11, 2011

Presented by Mayor Suarez

ORDINANCE NO. 2186

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

“PAY TO PLAY REFORM ORDINANCE”

introduced on the 26<sup>th</sup> day of September, 2011, do now pass a final reading and be adopted, and that the Borough Clerk be and she is authorized and directed to publish once, the aforesaid title, together with a notice of the date of its passage on final reading and approval thereof in The Record, a newspaper circulating in the Borough of Ridgefield.

COUNCIL VOTE

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

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Prina,  
Acting Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 26, 2011

Presented by Mayor Suarez

ORDINANCE NO. 2186

“PAY TO PLAY REFORM ORDINANCE”

WHEREAS, on June 27, 2011 the Mayor and Council of the Borough of Ridgefield adopted a Pay to Play Reform Ordinance; and

WHEREAS, the Mayor and Council wishes to clarify and strengthen the terms and provisions of said Pay to Play Reform Ordinance; and

WHEREAS, the Mayor and Council further wishes to add provisions on a related matter pertaining to contracts awarded to a fair and open process; and

WHEREAS, the Mayor and Council now wishes to adopt the new ordinance which clarifies and strengthens the existing reform ordinance;

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

Section I:

Ordinance No. 2178 adopted on June 27, 2011 be and hereby is repealed in its entirety and replaced with the following:

Section II:

There is hereby established, by and within the Code of the Borough of Ridgefield, a new chapter to be entitled “Pay to Play Reform Ordinance”, and to receive a numbered chapter designation to be selected by the Borough’s Code publisher, and to read as follows:

**§ - 1: Prohibition on awarding public contracts to certain contributors.**

A. To the extent that it is not inconsistent with state or federal law, the Borough of Ridgefield and any of its purchasing agents or departments or instrumentalities of the municipality thereof, as the case may be, shall not enter into any agreement or otherwise contract to procure services from any professional business entity or vendor, including those awarded pursuant to any process including “a fair and open process”, if such professional business entity or vendor has solicited or made any contribution of money, or pledge of a contribution, including in-kind contributions, to (i) a campaign committee of any municipal candidate or holder of

public office having ultimate responsibility for the award of a contract, or (ii) to any Borough of Ridgefield or County party committee, or (iii) to any candidate committee, political action committee (PAC) or continuing political committee (CPC) that engages in, or whose primary purposes is the support of municipal or county elections and/or municipal or county parties in excess of the thresholds specified in subsection (d) within two (2) calendar years immediately preceding the date of the contract or agreement.

B. No professional business entity or vendor who submits a proposal for, enters into negotiations for, or agrees to any contract or agreement (including non-emergency contracts awarded by 40A:11 et. seq. or the “fair and open” process pursuant to 19:44A-20 et. seq.) with the municipality or any departments thereof, for the rendition of professional services or goods and services, as the case may be, shall knowingly solicit or make any contribution of money, pledge of contribution, including in-kind contributions, to (i) any municipal candidate or holder of public office having ultimate responsibility for the award of a contract, or (ii) to any Borough of Ridgefield or county party committee, or (iii) to any candidate committee, PAC or CPC that regularly engages in, or whose primary-purpose is the support of municipal or county elections and/or municipal or county parties, in excess of the thresholds specified in subsection (d), between the time of first communication between the professional business entity or vendor and the municipality regarding a specific professional services agreement or goods and services agreement, as the case may be, and the later of the termination of negotiations or rejection of any proposal, or the completion of the contract or agreement.

C. For purposes of this Article, a “professional business entity” and a “vendor”, seeking a public contract shall mean an individual including the individual’s spouse, if any, and any child living at home, person, firm, corporation, professional corporation, partnership, or organization, or association. The definition of a business entity and vendor includes all principals who own ten percent (10%) or more of the equity in the corporation or business trust, partners, and officers in the aggregate employed by the entity or vendor, as well as any subsidiaries directly controlled by the business entity or vendor. In addition, contributions made by a professional business entity and/or vendor to a joint candidate committee shall be deemed to be allocated equally among the number of candidates represented by the joint candidate committee.

D. Any individual meeting the definition of “professional business entity” and a “vendor”, under this section may annually contribute a maximum of five hundred dollars (\$500) each for any purpose to any candidate for mayor or governing body, or five hundred dollars (\$500) to the Borough of Ridgefield party committee, or five hundred dollars (\$500) to the County party committee or to a PAC or candidate committee or CPC referenced in this Article without violating Subsections A or B of this section. However, any group of individuals meeting the definition of “professional business entity” or “vendor” under this section, including such principals, partners, and officers of the entity or vendor in the aggregate, may not annually contribute for any purpose in excess of two thousand dollars (\$2,000) to all Borough of Ridgefield candidates and office holders with ultimate responsibility for the award of the contract, and all Borough of Ridgefield or County political parties, candidate committee, PAC’s and CPC’s referenced in this Article combined, without violating Subsections A or B of this section.

E. For purposes of this section, the office that is considered to have ultimate responsibility for the award of the contract shall be:

(1) The Borough of Ridgefield Mayor or governing body, if the contract requires approval or appropriation from the Mayor or governing body.

(2) The Mayor of the Borough of Ridgefield, if the contract requires approval of the Mayor, or if a public officer who is responsible for the award of a contract is appointed by the Mayor.

**§ \_\_\_\_ - 2: Contributions made prior to the effective date.**

No contribution of money or any other thing of value, including in-kind contribution, made by a professional business entity or vendor to any Borough of Ridgefield candidate for Mayor or governing body, or Borough of Ridgefield or county party committee, candidate committee, PAC or CPC referenced in this ordinance shall be deemed a violation of this ordinance, nor shall an agreement for property, goods or services, of any kind whatsoever, be disqualified thereby, if that contribution was made by the professional business entity or vendor prior to the effective date of this ordinance. For purposes of applying any of the provisions of this chapter, the effective date of the ordinance is deemed to be June 27, 2011.

**§ \_\_\_\_ -3: Contribution statement by professional business entity.**

A. Prior to awarding any contract or agreement to procure services with any professional business entity and any contract or agreement procure goods and services from a vendor, the Borough of Ridgefield or its purchasing agents and departments, as the case may be, shall receive a sworn statement from the professional business entity or vendor, made under penalty of perjury, that the bidder or offeror has not made a contribution in violation of Section 1 of this Article.

B. The professional business entity and vendor shall have a continuing duty to report any violations of this Article that may occur during the negotiation, proposal process or duration of a contract. The certification required under this section shall be made prior to entry into the contract or agreement with the Borough of Ridgefield, or prior to the provision of services or goods, as the case may be, and shall be in addition to any other certification that may be required by any other provision of law.

**§ \_\_\_\_ -4: Return of excess contributions.**

A professional business entity, vendor, or municipal candidate or office holder, or Borough of Ridgefield or county party committee, candidate committee, PAC or CPC referenced in this Article, may cure a violation of Section 1 of this Article, if, within thirty (30) days after the general election, the professional business entity or vendor notifies the municipality in writing and seeks and receives reimbursement of the contribution from the relevant municipal candidate or office holder, Borough of Ridgefield or county political party, candidate committee, PAC or CPC referenced in this Article.

**§ \_\_\_\_-5: Penalty.**

A. It shall be a breach of the terms of the Borough of Ridgefield professional service agreement or agreement for goods or services for a business entity to (i) make or solicit a contribution in violation of this Article; (ii) knowingly conceal or misrepresent a contribution given or received; (iii) make or solicit contribution through intermediaries for the purpose of concealing or misrepresenting the source of the contribution; (iv) make or solicit any contribution the condition or with the agreement that it will be contributed to a campaign committee of any candidate or holder of the public office of the Borough of Ridgefield; (v) engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which if made or solicited by the business entity itself, would subject that entity to the restrictions of this Article; (vi) fund contributions made by third parties, including consultants, attorneys, family members, and employees; (vii) engage in any exchange or contributions to circumvent the intent of this Article; or (viii) directly or indirectly, through or by any other person or means, do any act which would subject that entity to the restriction of this Article.

B. Furthermore, any professional business entity who violates Subsection A (ii-viii) shall be disqualified from eligibility for future Borough of Ridgefield contracts for a period of four (4) calendar years from the date of the violation.

**§ \_\_\_\_-6: Notice to business entity.**

The Borough of Ridgefield and any of its purchasing agents or departments or instrumentalities of the municipality shall provide all business entities or vendors seeking to provide services or goods to the Borough a statement describing the requirements of this Article and a statement that compliance with the Article shall be binding upon the parties thereto upon submission of a proposal. Providing the business entity or vendor with a copy of this Article shall satisfy the requirements of this section.

**§ \_\_\_\_-7: Fair and Open Process:** Notwithstanding any other provision in this chapter, the Borough of Ridgefield shall observe state statutes respecting the process for award of certain professional services and other no bid contracts as set forth in the provisions of N.J.S.A. 19:44A-1, et. seq., specifically, provisions as to the requirement that certain contracts be awarded through a fair and open process. In connection with such fair and open process, the Borough shall follow the following guidelines.

**A. General Standards:**

(1) Professional services may be awarded by virtue of a publicly advertised request for proposals (RFP) which will be issued as one document for those appointments which are made on an annual basis, such as, but not limited to, the positions of Borough Attorney, Borough Engineer, Borough Planner, Borough Labor Counsel, Planning Board Attorney, Planning Board Engineer, Zoning Board Attorney, Zoning Board Engineer and such other statutory and/or ordinance and/or resolution-created public positions.

(2) For said positions, no contract shall be awarded unless and until the positions are:

(a) Publicly advertised in newspapers and on the Internet Web site maintained by the Borough at least ten (10) calendar days in advance, which shall be deemed sufficient time to give notice in advance of the solicitation for the contracts;

(b) Awarded under a process that provides for public solicitations of proposals and qualifications including but not limited to the following:

1. Experience and reputation in the field;
2. Knowledge of the subject matter of the services to be provided to the Borough;
3. Knowledge of the Borough, its affairs and operations;
4. Availability to accommodate any required meetings of the Borough;
5. Compensation proposal;
6. Compliance with the minimum qualifications established by the Borough for the position;
7. Other factors determined to be in the best interest of the Borough, including quoted fees, where applicable;
8. The Mayor and Council may eliminate and/or supplement the guidelines contained above when they deem same to be in the best interests of the Borough of Ridgefield.

(c) The ultimate decision to award is decided by the governing body as it deems in its best interests and not subject to appeal.

(d) Awarded and disclosed under criteria established in writing by the Borough of Ridgefield prior to the solicitation of proposals or qualifications as set forth in this Ordinance;

(e) Publicly announced when awarded, and as to those RFPs which prove to be unsuccessful, the Borough Clerk shall retain a copy of same on file for a period of not less than sixty (60) calendar days.

(3) For contracts which arise on an occasional basis, such as appraisals needed for the acquisition of land and/or open space, as well as title searches, surveying, and similar work associated with same; and comparable assignments, such as planning services needed for Master Plan updates, appraisals, special counsel, special project engineer contracts, etc., professional services contracts may be awarded without following the foregoing provisions, so long as:

(a) The anticipated value does not exceed the \$17,500 threshold as set forth above; and

(b) The Purchasing Agent makes every effort to solicit at least two (2) proposals for said work.

**B. Review of RFPs by review committee.** A review committee shall be established by the Mayor consisting of not less than two (2) nor more than three (3) members of the Mayor and Council. The Mayor and Council may also appoint other Borough officials, such as the purchasing agent, to the review committee. The review committee shall evaluate the respective qualifications and/or proposals, taking into consideration the designated qualifications and/or

performances criteria, experience, reputation of vendor, quality of services, quoted fee and other relevant factors in making a recommendation of award to the governing body, and the designated representative of the review committee may, in his or her sole discretion may conduct negotiations with qualified vendors after receipt of proposals, in order to achieve the best possible contract terms and conditions for the Borough and its taxpayers. No contract shall be awarded, however, unless same is authorized by resolution duly adopted in public session by the governing body.

**C. Contributions prohibited during term of contract.** A business entity that has entered into a contract having an anticipated value in excess of \$17,500 with the Borough of Ridgefield, or any agency or instrumentality thereof shall not make such a contribution reportable by the recipient under N.J.S.A. 19:44A-1, et. seq. to any municipal committee of a political party in the Borough of Ridgefield if a member of that political party is serving in an elective public office of the Borough of Ridgefield when the contract is awarded or to any candidate committee of any person serving in an elective public office of the Borough of Ridgefield when the contract is awarded, during the term of that contract, except a contract that is awarded pursuant to a fair and open process, which permits campaign contributions of a reportable nature to any elective public official.

**D. Contribution statement by professional business entity.**

(1) Prior to awarding any contract or agreement to procure services, including banking or insurance coverage services, with any professional business entity, the Borough or any of its purchasing agents or agencies, as the case may be, shall receive a sworn statement from the professional business entity made under penalty of perjury that the bidder or offeror has not made a contribution in violation of this Chapter;

(2) The professional business entity shall have a continuing duty to report any violations of this article that may occur during the negotiation or duration of a contract. The certification required under this subsection shall be made prior to entry into the contract or agreement with the Borough and shall be in addition to any other certifications that may be required by any other provision of law.

**E. Contracts issued without use of the RFP process.**

(1) In circumstances where the Mayor or designee or the governing body determines that the use of the RFP process is not appropriate, such as, but not limited to, contracts with other government agencies, and agreements with public utilities, the Purchasing Agent shall use his/her best efforts to obtain at least two (2) quotations for the work and shall require the contractor to fully comply with the provisions of N.J.S.A. 19:44A-20.27.

(2) No business entity which enters into negotiations for or agrees to enter into any contract or agreement with the Borough of Ridgefield or any department or agency thereof or of its independent authorities for the rendition of professional, banking or insurance coverage services, or any other consulting services, shall solicit or make any contribution of money, or pledge of a contribution, including in-kind contributions, to any Borough of Ridgefield municipal candidate

or holder of the public office having ultimate responsibility for the award of the contract, or campaign committee supporting such candidate or officeholder, or to any Ridgefield Borough party committee, between the time of first communications between that business entity and the Borough regarding a specific professional services agreement and the later of the termination of negotiations or the completion of the contract or agreement. This specifically and only relates to contract dealt with under this specific subsection.

**F. Emergency exceptions.** Notwithstanding the foregoing, the governing body recognizes that the New Jersey Legislature has provided for certain emergencies and further recognizes that the procedure outlined above might not be capable of being achieved in the event of an emergency or other time constraints. Thus, should a situation arise and time does not permit resort to this procedure, and the immediate performance of services is necessary, then an award for same may be made in accordance with the provisions of the Local Public Contracts Law relating to emergency contracts and such rules and regulations as may be promulgated, from time to time, by the governing body with regard to same. No such emergency contracts, however, may be awarded without a resolution establishing a basis for the deviation from the procedures outlined herein.

**§ \_\_\_\_\_-8: Severability:**

A. If any provision of this Article, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Article to the extent it can be given effect or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby, and to this extent the provisions of this Article are severable.

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. Prina,  
Acting Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 11, 2011

Presented by Councilman Acosta

RESOLUTION NO. 304-2011

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

ROSEMARY SUTTON

be hired as a part-time Court Clerk for the remainder of the calendar year to work during court sessions at the hourly rate of \$15.00 effective October 5, 2011.

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Todd				
Vincentz				
Severino				
Acosta				
Jimenez				
Mayor Suarez				

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Prina,  
Acting Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 11, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 305-2011

WHEREAS, Attorney Thomas W. Williams for Steven Baronowitz has deposited a check in the amount of \$28,870.68 into the Suspense Account for the redemption and subsequent taxes of Tax Lien # 11-04, Block 1906 Lot 10, further known as 565 Art Lane, sold to Stonefield Investment Fund 1, LLC and whereas \$24,000.00 was previously deposited into the Trust Account at the time of tax sale for the premium.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Chief Financial Officer be and he is hereby authorized to issue and sign a check in the amount of \$28,870.68 from the Suspense Account and a check for \$24,000.00 from the Trust Account for the return of the premium;

BE IT FURTHER RESOLVED that the check in the amount of \$28,870.68 be drawn on the Borough of Ridgefield Suspense Account and the check for \$24,000.00 be drawn on the Borough of Ridgefield Trust account and be made payable to Stonefield Investment Fund 1, LLC and mailed to 21 Robert Pitt Drive #202, Monsey New York 10952.

COUNCIL VOTE

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

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Prina,  
Acting Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 11, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 306-2011

WHEREAS, the Borough of Ridgefield is eligible for a certain community development grant through the County of Bergen in the amount of \$100,000 to be used for Banta Place Roadway improvements; and

WHEREAS, it is in the best interests of the Borough to participate in this grant program;

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

1. The Borough's participation in the Community Development Grant Program for Banta Place Roadway improvements, Account No. 210-155-742-4345, be and hereby is approved.
2. The Mayor and Chief Financial Officer be and hereby are authorized to execute the contract and such other documents as may be required to participate in the grant program.
3. The Borough Clerk shall see to it that all executed documents are returned to the County of Bergen, Attention Noreen Best, Acting Director, Division of Community Development, as required by the program.

**COUNCIL VOTE**

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

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Prina,  
Acting Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 11, 2011

Presented by Councilman Castelli

RESOLUTION NO. 307-2011

WHEREAS, the Governing Body was asked by the cheerleading organization about the possibility of selling sponsorship banners to place on Willis Field for the purposes of fundraising; and

WHEREAS, the Governing Body supports the youth programs in the community and would like to allow them to sell the sponsorship banners for the upcoming football season; and

WHEREAS, the sponsorship banners shall be no larger than three feet by two feet (3x2) and will face the home team bleachers; and

WHEREAS, the businesses interested in placing a banner must first apply to the Borough Clerk for reasonable approval;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the youth programs are hereby permitted to sell sponsorship banners subject to the terms outlined above, for the upcoming 2011 football season.

Approved:

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

Attest:

\_\_\_\_\_  
Linda M. Prina,  
Acting Borough Clerk

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 11, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 308-2011

WHEREAS, a Bergen County Community Development Grant of \$100,000.00 has been proposed by the Borough of Ridgefield for the Fiscal Year 2011 CDBG for Hillside Street Roadway Improvements in the municipality of Ridgefield Borough; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Ridgefield hereby confirm endorsement of the aforesaid project; and

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

Approved:

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

Attest:

\_\_\_\_\_  
Linda M. Prina,  
Acting Borough Clerk

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 11, 2011

Presented by Councilman Acosta

RESOLUTION NO. 309-2011

WHEREAS, a Special Ruling to Permit Renewal of Inactive Liquor License was applied for by Tom Tim and Pat Inc.; and

WHEREAS, the Division of Alcoholic Beverage Control has granted said Permit for the 2011-2012 License Terms pursuant to N.J.S.A. 33.1-12.39

NOW, THEREFORE, BE IT RESOLVED that Plenary Retail Consumption License No. 0249-33-013-001 be issued to Tom Tim and Pat Inc., pursuant to an Act of Legislature of the State of New Jersey, entitled "AN ACT CONCERNING ALCOHOLIC BEVERAGES" passed December 6, 1953 and amendments thereto, and the Borough Ordinance 498 entitled, "AN ORDINANCE CONCERNING ALCOHOLIC BEVERAGES" adopted July 2, 1946, and amendments thereto. Said license to expire June 30, 2012.

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Todd				
Vincentz				
Severino				
Acosta				
Jimenez				
Mayor Suarez				

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Prina,  
Acting Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 11, 2011

Presented by Councilman Acosta

RESOLUTION NO. 310-2011

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

SILCA GAUDIOSI

be appointed as a School Crossing Guard for the 2011-2012 school year at the hourly rate of \$12.90.

COUNCIL VOTE

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

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Prina,  
Acting Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 11, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 311-2011

WHEREAS, the State Office of the Comptroller previously conducted a review of the Borough's procurement processes; and

WHEREAS, as a result of that review, the Office of the Comptroller made certain findings and recommendations to the Ridgefield Mayor and Council regarding the fees paid to the legal counsel who served as borough attorney for years 2007 through 2010; and

WHEREAS, the review appeared to show overcharges by that legal counsel to the Borough; and

WHEREAS, said legal counsel offered to settle that dispute for the sum of approximately \$15,000; and

WHEREAS, the present Mayor and Council did refuse that offer, and on March 28, 2011 did engage the firm of Legal Cost Control to fully audit all of the billings of said legal counsel; and

WHEREAS, the audit by Legal Cost Control resulted in the identification of approximately \$211,000 in questionable bills; and

WHEREAS, in light of that report, the present Mayor and Council set about to protect the taxpayers, and to take action necessary to recoup monies on behalf of the taxpayers of the Borough of Ridgefield from said prior legal counsel; and

WHEREAS, given the costs and uncertainties of litigation, the Mayor and Council conducted settlement discussions with the former borough attorney and his present firm; and

WHEREAS, those settlement discussions resulted in an agreement that would effectively grant the Borough approximately \$100,000 in relief; and

WHEREAS, that settlement agreement has been reduced to writing and is attached hereto; and

WHEREAS, the settlement agreement has been reviewed and recommended by special litigation counsel and is in the best interests of the Borough of Ridgefield and its taxpayers;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Mayor and the Borough Clerk be, and they hereby are, authorized and directed to execute the attached settlement agreement, under the terms of which the Borough will receive reimbursement in the amount of \$90,000, plus withdrawal of approximately \$15,000 in outstanding bills from the former borough attorney.

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Todd				
Vincentz				
Severino				
Acosta				
Jimenez				
Mayor Suarez				

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Prina,  
Acting Borough Clerk

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

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Joseph Luppino,  
Chief Financial Officer

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 11, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 312-2011

BE IT RESOLVED, that warrants totaling \$1,896,287.22  
be drawn on the following accounts:

CURRENT	\$1,848,459.16
TRUST	\$37,411.25
POOL	\$10,416.81
TOTAL	\$1,896,287.22

COUNCIL VOTE

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

Approved:

Attest:

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

\_\_\_\_\_  
Linda M. Prina,  
Acting Borough Clerk