

BOROUGH OF RIDGEFIELD

A G E N D A

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

Date: October 28, 2019

Open Public Meetings Statement by Mayor Suarez

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

- Community Gardens

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

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

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

Pledge of Allegiance

Invocation

Citizens Comment on Agenda:

Correspondence:

Approval of Minutes of October 15, 2019 Public Session Meeting

Presentation of Police Commendations

Presentation of Proclamations:

- Hispanic Heritage Month - Alan Garcia
- ItalianAmerican Heritage Month – John Quaregna
- Breast Cancer Awareness Month
- Down Syndrome Awareness Month
- Food & Water Watch Proclamations – Cassandra Worthington, Paula Rogovin, Matt Smith

Discussion on Best Practices Inventory

**ROLL CALL-WORK SESSION**

	<b>PRESENT</b>	<b>ABSENT</b>
Mayor Suarez		
Castelli		
Penabad		
Shim		
Jimenez		
Kontolios		
Larkin		

**ROLL CALL-EXEC. SESSION**

	<b>PRESENT</b>	<b>ABSENT</b>
Mayor Suarez		
Castelli		
Penabad		
Shim		
Jimenez		
Kontolios		
Larkin		

**ROLL CALL-PUBLIC SESSION**

	<b>PRESENT</b>	<b>ABSENT</b>
Mayor Suarez		
Castelli		
Penabad		
Shim		
Jimenez		
Kontolios		
Larkin		

Re-Introduction of Ordinance No. 2363 entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 29 "ENVIRONMENTAL COMMISSION" SUBSECTIONS 29-10 "COMMUNITY GARDENS" AND 29-11 "RIDGEFIELD NATURE CENTER" OF THE CODE OF THE BOROUGH OF RIDGEFIELD"

First Reading of Ordinance

Roll Call

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Re-Introduction of Ordinance No. 2364 entitled, "AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 375-52 DESIGNATING HANDICAPPED PARKING SPACES"

First Reading of Ordinance

Roll Call

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Re-Introduction of Ordinance No. 2365 entitled, "AN ORDINANCE AMENDING ARTICLE V ENTITLED "SEWER CONNECTIONS; MAINTENANCE; WASTE WATER TREATMENT", CHAPTER 333-33, STORMWATER DISCHARGE AND SUMP PUMPS"

First Reading of Ordinance

Roll Call

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Re-Introduction of Ordinance No. 2367 entitled, "AN ORDINANCE AMENDING ARTICLE XXIII, WILLIS FIELD PARKING LOT AND EVENT OVERFLOW PARKING AREA OF CHAPTER 375 OF THE CODE OF THE BOROUGH OF RIDGEFIELD"

First Reading of Ordinance

Roll Call

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Re-Introduction of Ordinance No. 2368 entitled, "BOND ORDINANCE PROVIDING FOR VARIOUS 2019 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF RIDGEFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY; APPROPRIATING \$2,350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,238,094 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF"

First Reading of Ordinance

Roll Call

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Re-Introduction of Ordinance No. 2369 entitled, “AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 375-52 DESIGNATING HANDICAPPED PARKING SPACES”

First Reading of Ordinance

Roll Call

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Introduction of Ordinance No. 2370 entitled, “AN ORDINANCE AMENDING CHAPTER 341 ENTITLED SMOKING OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

First Reading of Ordinance

Roll Call

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Introduction of Ordinance No. 2371 entitled, “AN ORDINANCE AMENDING CHAPTER 133, ANTI-BULLYING POLICY, PROCEDURES AND PROGRAMS OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

First Reading of Ordinance

Roll Call

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261-2019 Mayor Suarez Appointment of Municipal Court Magistrate

Swearing in of Judge Choi

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CONSENT AGENDA:

262-2019	Mayor Suarez	Italian American Heritage Month Proclamation
263-2019	Mayor Suarez	Appoint Special Counsel
264-2019	Councilman Castelli	Authorize to Advertise for RFQs – 2020 Professionals
265-2019	Councilman Jimenez	Redemption of Tax Lien # 19-008
266-2019	Councilman Castelli	Extend Appointment of Temporary Code Enforcement Officers
267-2019	Councilman Castelli	Calling for Study Commission to Review the Open Public Records Act

**COUNCIL VOTE**

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

**RESOLUTIONS:**

268-2019 Councilman Jimenez Warrants

**COMMENTS BY MAYOR:**

**Coin Toss Request:**

RMHS Girls Basketball

Saturday, November 16, 2019

Rain Date: Sunday, November 17, 2019

**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 October 28, 2019

Presented by Mayor Suarez

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

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

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

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

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

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilman Castelli

ORDINANCE NO. 2363

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

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 29  
“ENVIRONMENTAL COMMISSION” SUBSECTIONS 29-10 “COMMUNITY GARDENS”  
AND 29-11 “RIDGEFIELD NATURE CENTER” OF THE CODE OF THE BOROUGH OF  
RIDGEFIELD”

re-introduced due to problems with publication on the 28<sup>th</sup> day of October, 2019, do now pass a first reading and that said Ordinance be further considered for final passage at a regular meeting to be held on the 12<sup>th</sup> day of November, 2019 at 7:30 PM or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Community Center, 725 Slocum Avenue, in the Borough of Ridgefield, and that at such time and place, all persons interested be given an opportunity to be heard concerning the same, that the Borough Clerk be and she is hereby authorized and directed to publish in The Record, a newspaper circulating in the Borough of Ridgefield said Ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place when and where said Ordinance will be further considered for final passage.

COUNCIL VOTE

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilman Castelli

ORDINANCE NO. 2363

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 29  
“ENVIRONMENTAL COMMISSION” SUBSECTIONS 29-10 “COMMUNITY GARDENS”  
AND 29-11 “RIDGEFIELD NATURE CENTER” OF THE CODE OF THE BOROUGH OF  
RIDGEFIELD”

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Ridgefield, County of Bergen, State of New Jersey, being the governing body thereof, that Chapter 29 “Environmental Commission” of the Code of the Borough of Ridgefield be and is hereby amended and supplemented as follows:

Section 29-10: Community Gardens: The Ridgefield Community Gardens are hereby defined as that area of land yet to be determined by the Mayor and Council of the Borough of Ridgefield. The Environmental Commission is hereby authorized to conduct and control the operation of the Community Gardens and the Commission is hereby authorized and directed to promulgate and adopt regulations for the operation of the Community Gardens which must be approved by the Mayor and Council. A copy of said regulations will be filed with the Borough Clerk and shall be adopted by reference as part of this Code after said filing.

Section 29-11: Ridgefield Nature Center: The Ridgefield Nature Center is hereby defined as that area of land wooded fenced in areas (5.4 acres) to the south of Ray Avenue between Shaler Boulevard and Abbott Avenue. The Environmental Commission is hereby authorized to conduct and control the operation of the Ridgefield Nature Center and the Commission is hereby authorized and directed to promulgate and adopt regulations for the operation of the Nature Center which must be approved by the Mayor and Council. A copy of said regulations will be filed with the Borough Clerk and shall be adopted by reference as part of this Code after said filing.

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

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

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

Approved:

Attest:

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Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilman Castelli

ORDINANCE NO. 2364

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”

re-introduced due to problems with publication on the 28<sup>th</sup> day of October, 2019, do now pass a first reading and that said Ordinance be further considered for final passage at a regular meeting to be held on the 12<sup>th</sup> day of November, 2019 at 7:30 PM or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Community Center, 725 Slocum Avenue, in the Borough of Ridgefield, and that at such time and place, all persons interested be given an opportunity to be heard concerning the same, that the Borough Clerk be and she is hereby authorized and directed to publish in The Record, a newspaper circulating in the Borough of Ridgefield said Ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place when and where said Ordinance will be further considered for final passage.

COUNCIL VOTE

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilman Castelli

ORDINANCE NO. 2364

“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 space in front of 363 Oak Street (on the westerly curb line of Oak Street) beginning at a point 158 feet south of the southwest corner of Meuter Place and Oak Street, and continuing south a distance of 18 feet.

Section II:

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

Section III:

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section IV:

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

Approved:

Attest:

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Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilman Castelli

ORDINANCE NO. 2365

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

“AN ORDINANCE AMENDING ARTICLE V ENTITLED “SEWER CONNECTIONS; MAINTENANCE; WASTE WATER TREATMENT”, CHAPTER 333-33, STORMWATER DISCHARGE AND SUMP PUMPS”

re-introduced due to problems with publication on the 28<sup>th</sup> day of October, 2019, do now pass a first reading and that said Ordinance be further considered for final passage at a regular meeting to be held on the 12<sup>th</sup> day of November, 2019 at 7:30 PM or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Community Center, 725 Slocum Avenue, in the Borough of Ridgefield, and that at such time and place, all persons interested be given an opportunity to be heard concerning the same, that the Borough Clerk be and she is hereby authorized and directed to publish in The Record, a newspaper circulating in the Borough of Ridgefield said Ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place when and where said Ordinance will be further considered for final passage.

COUNCIL VOTE

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilman Castelli

ORDINANCE NO. 2365

“AN ORDINANCE AMENDING ARTICLE V ENTITLED “SEWER CONNECTIONS;  
MAINTENANCE; WASTE WATER TREATMENT”, CHAPTER 333-33, STORMWATER  
DISCHARGE AND SUMP PUMPS”

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

Section I:

The existing provisions of Section 333-33, entitled “Stormwater Discharge and Sump Pumps”, be and hereby is deleted in its entirety.

Section II:

Section 333-33 of the Code of the Borough of Ridgefield is replaced with the following:

A. No person shall discharge or cause to be discharged any storm water, surface water, roof runoff, surface drainage, groundwater or discharge from any pump into any sanitary sewer. Any person who shall cause, allow or permit a discharge as prohibited above will be in violation of this article, and shall be obligated to cause such condition to be removed and/or abated.

B. No person shall discharge or cause to be discharged any storm water, surface water, roof runoff, surface drainage, groundwater or discharge from any pump into or on any sidewalk, street or street gutter.

C. Notwithstanding the provisions of Subsection B above, existing structures which are causing or making the discharges prohibited by Subsection B above as of July 1, 2012 may continue such discharge unless and until such discharge is determined to be a nuisance or safety hazard in the reasonable opinion of the Construction Code Official, Borough Engineer or Superintendent of Public Works. In the event of such a determination of a nuisance or safety hazard, written notice to that effect shall be served upon the property owner who shall then have 90 calendar days from the date of service of the notice to correct and/or remediate the health hazard or safety hazard to the satisfaction of the enforcing officer.

D. Should the Construction Code Official, Borough Engineer or Superintendent of Public Works determine that the roof drains or sump pump discharge on a particular property is creating a nuisance or safety hazard, the roof drains or sump pump must then be connected directly to a municipal storm sewer system or an underground storm water detention system, such as, but

not limited to, a dry well or a French drain. Upon completion of the Construction Code Official's review thereof, the Construction Code Official may require that the applicant to submit plans and calculations to the Borough Engineer for review and approval.

E. All sump pumps shall be installed and inspected in compliance with the plumbing and building codes of the Borough and the requirements of this ordinance. All necessary permits must be obtained and fees paid before installation commences.

F. A sump pump must discharge through permanent, rigid piping.

G. The sump pump discharge shall be located no less than ten feet from the building unless the Borough Engineer determines in advance in a particular case that compliance with this requirement is not practicable and for this reason approves in writing an alternative location.

H. In connection with required review and approvals by the Borough Engineer, the person requesting the approval shall deposit funds in escrow with the Borough sufficient to cover the reasonable estimate of the fees and expenses of the Engineer relating to the review and approval. All approvals by the Borough Engineer shall contain a statement of reasons and true copies thereof shall be kept on file by the Ridgefield Building Department.

I. General specifications for an underground storm water detention system shall be required as follows:

(a) The sides and top of the storm water detention system must be completely lined with filter fabric in order to prohibit the migration of fines from the surrounding soil into the storm water detention system, unless a structure enclose chamber is provided.

(b) the bottom of the storm water detention system must be as level as possible in order to provide a uniform surface for infiltration.

(c) Any stone fill within the storm water detention system must be clean, washed aggregate between 1.5 and 3.0 inches in diameter.

(d) An inspection port with removable cap is required to allow for inspection and maintenance.

(e) The seasonal high water table (SHWT) and bedrock must be at least 2 feet below the bottom of the dry well. Prior to installation of a new storm water detention system, percolation testing shall be performed and results submitted to the Ridgefield Building Department.

(f) An emergency overflow shall be a part of storm water detention system.

(g) The Borough Engineer may modify the above specifications for good cause.

J. No person shall construct, arrange or maintain any drain pipes or leaders or so alter the surface contour of his land so as to accumulate and divert excessive amounts of water onto any adjoining lands or into the streets. In addition, no sump pumps shall be allowed which pump water

from cellars onto streets or which pump water from cellars or basements onto the surface of the ground in such manner that the water shall run onto or reach any street or adjoining lands.

K. Any person who shall violate the terms and provisions of this ordinance shall be subject to a fine in the amount not to exceed \$500. However, as to violations for failing to correct or remediate the condition identified in Paragraph C above, the fine shall be \$100 per day for each day the condition is not corrected or remediated, following the passage of 90 days from the date of receipt of the notice set forth in that Paragraph.

Section III.

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

Section IV:

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

Section V.

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

Section VI.

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

Approved:

Attest:

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Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilwoman Larkin

ORDINANCE NO. 2367

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

“AN ORDINANCE AMENDING ARTICLE XXIII, WILLIS FIELD PARKING LOT AND EVENT OVERFLOW PARKING AREA OF CHAPTER 375 OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

re-introduced due to problems with publication on the 28<sup>th</sup> day of October, 2019, do now pass a first reading and that said Ordinance be further considered for final passage at a regular meeting to be held on the 12<sup>th</sup> day of November, 2019 at 7:30 PM or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Community Center, 725 Slocum Avenue, in the Borough of Ridgefield, and that at such time and place, all persons interested be given an opportunity to be heard concerning the same, that the Borough Clerk be and she is hereby authorized and directed to publish in The Record, a newspaper circulating in the Borough of Ridgefield said Ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place when and where said Ordinance will be further considered for final passage.

COUNCIL VOTE

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilwoman Larkin

ORDINANCE NO. 2367

“AN ORDINANCE AMENDING ARTICLE XXIII, WILLIS FIELD PARKING LOT AND  
EVENT OVERFLOW PARKING AREA OF CHAPTER 375 OF THE CODE OF THE  
BOROUGH OF RIDGEFIELD”

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

Section I. The existing language of Article XXIII, Willis Field Parking Lot and Event Overflow Parking Area of Chapter 375 of the Code of the Borough of Ridgefield be and hereby is amended by adding to the existing language of Section 375-75 the following:

Nothing herein shall prevent the Mayor and Council from specifically authorizing and/or licensing the use of either lot for purposes other than specified herein.

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

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

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

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

Approved:

Attest:

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Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilman Jimenez

ORDINANCE NO. 2368

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 2019 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF RIDGEFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY; APPROPRIATING \$2,350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,238,094 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF”

re-introduced due to problems with publication on the 28<sup>th</sup> day of October, 2019, do now pass a first reading and that said Ordinance be further considered for final passage at a regular meeting to be held on the 12<sup>th</sup> day of November, 2019 at 7:30 PM or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Community Center, 725 Slocum Avenue, in the Borough of Ridgefield, and that at such time and place, all persons interested be given an opportunity to be heard concerning the same, that the Borough Clerk be and she is hereby authorized and directed to publish in The Record, a newspaper circulating in the Borough of Ridgefield said Ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place when and where said Ordinance will be further considered for final passage.

COUNCIL VOTE

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilman Jimenez

ORDINANCE NO. 2368

“BOND ORDINANCE PROVIDING FOR VARIOUS 2019 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF RIDGEFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY; APPROPRIATING \$2,350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,238,094 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 \$2,350,000, which sum includes \$111,906 as the amount of down payment for said improvements or purposes required by the Local Bond Law, 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.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$2,350,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$2,238,094 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 \$2,238,094 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 obligations are to be issued include, but are not limited to, as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) <u>Administration</u> – Construction Of A New Municipal Complex – Phase II To Be Located On Shaler Boulevard; And	\$2,320,000	\$2,209,523	\$110,477	40 years
(ii) <u>Recreation Department</u> - Various Playground Improvements – Phase II, Including, But Not Limited, To Child Age-Related Structural Improvements, Safety Surfacing Improvements, And Acquisition And	\$30,000	\$28,571	\$1,429	15 years

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
Installation, As Applicable, Of Various Playground Equipment Including, But Not Limited To, Swing Sets, A Climbing Tower, Multipurpose Playground Sets, And A See-Saw.				
TOTALS	<u>\$2,350,000</u>	<u>\$2,238,094</u>	<u>\$111,906</u>	

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$2,238,094.

(c) The aggregate estimated cost of said improvements or purposes is \$2,350,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment available for said purposes.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all architectural, engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, site work, testing, debris removal and/or clean up, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

SECTION 4. 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. 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 purposes. 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 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 39.68 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 \$2,238,094 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 \$470,000 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 purposes or improvements 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:

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Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilman Castelli

ORDINANCE NO. 2369

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”

re-introduced due to problems with publication on the 28<sup>th</sup> day of October, 2019, do now pass a first reading and that said Ordinance be further considered for final passage at a regular meeting to be held on the 12<sup>th</sup> day of November, 2019 at 7:30 PM or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Community Center, 725 Slocum Avenue, in the Borough of Ridgefield, and that at such time and place, all persons interested be given an opportunity to be heard concerning the same, that the Borough Clerk be and she is hereby authorized and directed to publish in The Record, a newspaper circulating in the Borough of Ridgefield said Ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place when and where said Ordinance will be further considered for final passage.

COUNCIL VOTE

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilman Castelli

ORDINANCE NO. 2369

“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. Removing a single handicapped parking space opposite or adjacent to 375 Bernard Place, Ridgefield, New Jersey.
2. Removing a single handicapped parking space opposite or adjacent to 542 Oakdene Avenue, Ridgefield, New Jersey.
3. Removing a single handicapped parking space opposite or adjacent to 567 Studio Road, Ridgefield, New Jersey.
4. Removing a single handicapped parking space in front of in front of 672-B Bruce Street, Ridgefield, New Jersey.
5. Removing a single handicapped parking space adjacent to 720 Bruce Street (on the east side of Bruce Street), beginning at a point 38 feet north of the northeast corner of Bruce Street and Slocum Avenue, and proceeding north a distance of 22 feet.
6. Removing a single handicapped parking space adjacent to 509 Hillside Street (on the west side of Hillside Street), beginning at a point 75 feet north of the northwest corner of Hillside Street and Edgewater Avenue and proceeding north a distance of 22 feet.

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

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

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

Approved:

Attest:

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Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilman Shim

ORDINANCE NO. 2370

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 341 ENTITLED SMOKING OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

introduced on the 28<sup>th</sup> day of October, 2019, do now pass a first reading and that said Ordinance be further considered for final passage at a regular meeting to be held on the 12<sup>th</sup> day of November, 2019 at 7:30 PM or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Community Center, 725 Slocum Avenue, in the Borough of Ridgefield, and that at such time and place, all persons interested be given an opportunity to be heard concerning the same, that the Borough Clerk be and she is hereby authorized and directed to publish in The Record, a newspaper circulating in the Borough of Ridgefield said Ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place when and where said Ordinance will be further considered for final passage.

**COUNCIL VOTE**

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilman Shim

ORDINANCE NO. 2370

“AN ORDINANCE AMENDING CHAPTER 341 ENTITLED SMOKING OF THE CODE OF  
THE BOROUGH OF RIDGEFIELD”

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

Section I:

Section 341-1 of the Code of the Borough of Ridgefield entitled “Smoking Prohibited” be and hereby is amended to add to the existing language of said section the following:

For purposes of this ordinance, smoking is defined as (a) the combustion of any tobacco or tobacco-type product including, but not limited to, cigarettes, cigars, and pipes, and (b) the use of any device to inhale vapor through the mouth from an electronic device that heats up and vaporizes a liquid or solid including, but not limited to, devices commonly known as electronic cigarettes.

Section II.

Section 341-5 of the Code of the Borough of Ridgefield entitled “Smoking” be and hereby is amended by deleting the existing language of said section and replacing same with the following:

For purposes of this ordinance, smoking is defined as (a) the combustion of any tobacco or tobacco-type product including, but not limited to, cigarettes, cigars, and pipes, and (b) the use of any device to inhale vapor through the mouth from an electronic device that heats up and vaporizes a liquid or solid including, but not limited to, devices commonly known as electronic cigarettes.

Section III.

Section 341 of the Code of the Borough of Ridgefield is further amended by adding a new Section 341-8 entitled “Sale to Minors” as follows:

Section 341-8. Sale to Minors.

Items and devices capable of being used for smoking, as that term is defined in Section 341-5 above, including but not limited to, cigarettes, cigars, pipes and electronic cigarettes, may not be sold by and within the confines of the Borough of Ridgefield to persons under the age of 18 years.

Section IV.

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

Section V:

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

Section VI.

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

Approved:

Attest:

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Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilwoman Larkin

ORDINANCE NO. 2371

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 133, ANTI-BULLYING POLICY, PROCEDURES AND PROGRAMS OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

introduced on the 28<sup>th</sup> day of October, 2019, do now pass a first reading and that said Ordinance be further considered for final passage at a regular meeting to be held on the 12<sup>th</sup> day of November, 2019 at 7:30 PM or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Community Center, 725 Slocum Avenue, in the Borough of Ridgefield, and that at such time and place, all persons interested be given an opportunity to be heard concerning the same, that the Borough Clerk be and she is hereby authorized and directed to publish in The Record, a newspaper circulating in the Borough of Ridgefield said Ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place when and where said Ordinance will be further considered for final passage.

COUNCIL VOTE

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilwoman Larkin

ORDINANCE NO. 2371

“AN ORDINANCE AMENDING CHAPTER 133, ANTI-BULLYING POLICY, PROCEDURES  
AND PROGRAMS OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

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

Section I:

Chapter 133 entitled “Anti-Bullying Policy, Procedures and Programs” of the Code of the Borough of Ridgefield be and hereby is amended as follows:

Section 133-6, entitled “Anti-Bullying Committee” be and hereby is amended by amending the existing language of subsection A Section as follows:

A. The Borough hereby establishes an Anti-Bullying Committee (hereinafter the Committee), to be charged with responding to reports of bullying, investigating reports of bullying and, where warranted, determining appropriate responses to incidents of bullying, including remedial action and consequences as deemed appropriate. The Committee shall also be charged with investigating and implementing programs and methods to inform and educate the various segments of the Ridgefield community about bullying, its effects and ways and methods to deal with same. Effective January 1, 2020, the Committee shall consist of 9 members and 4 alternates to be appointed by the Mayor with the advice and consent of the Council. One of the members shall be a high school student between the ages of 14 and 18. Committee members and alternates shall serve for a three-year term to run on a calendar-year basis. Appointments shall be staggered so that 3 persons will be up for reappointment every year. The initial appointment of alternate members of the Committee will be one year. Vacancies shall be filled in the same manner as the appointment to fill the unexpired term of the member who has left office.

Section II:

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

Section III.

If any section, part of any section, or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this

Ordinance, and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section IV.

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

Approved:

Attest:

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Anthony R. Suarez, Mayor

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Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Mayor Anthony R. Suarez

RESOLUTION NO. 261-2019

BE IT RESOLVED that the Mayor and Council appoints

BENJAMIN B. CHOI

as Municipal Court Magistrate to fill the unexpired term of Kevin P. Kelly through September 2, 2022 at the annual salary of \$17,500.00.

**COUNCIL VOTE**

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Mayor Anthony R. Suarez

**P**roclamation

RESOLUTION NO. 262-2019

WHEREAS, America's diversity has always been a great strength of our Nation; and

WHEREAS, Italian Americans enrich our culture and arts, serve at every level of government, contribute to our state's economy by creating business opportunities and jobs, serve valiantly in the military and law enforcement; and have played a significant role in making our state strong and prosperous; and

WHEREAS, Italian Heritage Month is an opportunity to celebrate the rich cultural traditions of the Italian American community;

WHEREAS, the month of October is a time to honor Italian heritage and the many contributions Italians have made to our community and our nation;

NOW, THEREFORE, I, Anthony R. Suarez, Mayor, do hereby proclaim October 2015 as Italian Heritage Month in the Borough of Ridgefield.

**COUNCIL VOTE**

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Mayor Suarez

RESOLUTION NO. 263-2019

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

CLEARY GIACOBBE ALFIERI JACOBS, LLC  
WATERS MCPHERSON MCNEILL, PC  
WEINER LAW GROUP, LLP  
McMANIMON SCOTLAND BAUMANN, LLC

and

ERIK M. BERNSTEIN & ASSOCIATES, LLC

be appointed as Special Counsel for the remainder of 2019.

**COUNCIL VOTE**

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilman Castelli

RESOLUTION NO. 264-2019

WHEREAS, as of January 1, 2006, N.J.S.A. 1944A-20.1 et seq., commonly known as the “State Pay to Play Law, enacted by the New Jersey State Legislature became effective; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.1 et seq., a municipality may not award a contract with a value in excess of \$17,500.00 to a business entity that has made a contribution within one year of the date the contract is to be awarded that is reportable by the recipient under P.L. 1973, c.83 (C.19.44A-1 et seq.) to a municipal political party committee in that municipality if a member of that party is serving in elective public office when such contract is awarded or to any candidate committee of any person who is serving in an elective public office of the municipality when such contract is awarded, unless the contract is awarded under a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, a “fair and open process” constitutes the following: (1) public advertisement of a Request for Qualifications (“RFQ”) with twenty (20) days notice prior to the receipt of responses to the RFP; (2) award of contract under a process that provides for public solicitation of qualifications; (3) award of contract under publicly disclosed criteria established, in writing, by the municipality prior to the solicitation of qualifications; and (4) the municipality shall publicly open and announce the qualifications when awarded; and

WHEREAS, it has become necessary for the Borough of Ridgefield (“the Borough”) to engage legal, financial, and engineering professionals and to engage the services of other individuals for extraordinary unspecifiable services; and

WHEREAS, the Borough desires to appoint such professionals and services by a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et seq.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield, County of Bergen and State of New Jersey that RFQs for professional services for the following professional services for the Borough are hereby authorized:

- 1) Borough Attorney
- 2) Rent Leveling Attorney
- 3) Bond Counsel
- 4) Tax Appeal Attorney
- 5) Borough Engineer
- 6) Borough Planner and/or Planning Board Planner
- 7) Borough Auditor
- 8) Insurance Agent/Risk Manager

- 9) Independent Professional Real Estate Appraiser
- 10) Borough Prosecutor
- 11) Public Defender
- 12) Planning Board Attorney
- 13) Planning Board Engineer
- 14) Labor Attorney
- 15) Special Counsel
- 16) Waste Water Monitoring Services by a Qualified Engineer
- 17) Special Projects Engineer
- 18) Grant Writer
- 19) Redevelopment Attorney
- 20) Environmental Consultant
- 21) Financial Advisory Services
- 22) Other professional services and extraordinary unspecifiable services as the Council may deem appropriate to award pursuant to a fair and open process.

BE IT FURTHER RESOLVED, that all of the RFQs for the professional services and extraordinary unspecifiable services as set forth hereinabove shall be prepared and published in accordance with N.J.S.A. 19:44A-20.1 et seq. and all submissions in response shall be evaluated on the basis of the most advantageous submission, all factors considered, including, but not limited to:

- 1) Experience and reputation in the field
- 2) Knowledge of the Borough and the subject matter to be addressed under the contract
- 3) Availability to accommodate any required meetings of the Borough or Borough Agency
- 4) Compensation proposal
- 5) Any other factors demonstrated to be in the best interest of the Borough or Borough Agency.

BE IT FURTHER RESOLVED, that on or before November 14, 2019 the Borough Clerk be and she is hereby authorized and directed to publish notice of the RFQs for the professional services and extraordinary unspecifiable services enumerated above by the following means:

- (1) on the Borough's internet web site. (The Borough Clerk is also authorized to publish the RFQ documents themselves on the Borough Website.);
- (2) on the Borough's bulletin Board at Town Hall; and
- (3) in The Record, a newspaper circulating in the Borough of Ridgefield.

The notice of RFQs shall include the following:

- 1) A description of the requested professional or extraordinary unspecifiable service for which the RFQ is made;
- 2) A statement that Qualification Statements must be submitted by 11:00 AM on December 12, 2019
- 3) A statement that the RFQs are being made by the Borough

- 4) The address and phone number of the Borough Purchasing Agent's office and a statement that applicants may obtain the RFQ document from the Purchasing Agent's office if they cannot obtain the RFQ documents from the Borough's website;
- 5) A statement that the RFQ is being made through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

BE IT FURTHER RESOLVED, that the Purchasing Agent is authorized and directed, in consultation with the members of the Finance Committee of the Mayor and Council, to effectuate the drafting of the RFQs, which shall include the evaluation criteria hereinabove stated.

BE IT FURTHER RESOLVED, that the Purchasing Agent or her designee shall publicly open and read aloud the submissions responding to the RFQs, including the name of the applicant and any other pertinent information on December 12, 2019, at 11:00 AM in Borough Hall.

BE IT FURTHER RESOLVED, that those positions included hereinabove are those which the Borough of Ridgefield reasonably believes will be subject to appointment for the year 2020. However, all such appointments are subject to the availability of funds and the continuing needs of the Borough. Accordingly, inclusion of a position in this resolution is not a representation or warranty that such position will be filled, or that if filled, it will be subject to the process contained herein.

BE IT FURTHER RESOLVED, that the Borough Council has determined that the terms of this Resolution constitute a fair and open process as to all positions included herein.

**COUNCIL VOTE**

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

Approved:

Attest:

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

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

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

Meeting October 28, 2019

Presented by Councilman Jimenez

**RESOLUTION NO. 265-2019**

WHEREAS, FBE Properties, LLC have deposited a check in the amount of \$7,279.45 into the Suspense Account for the redemption and subsequent taxes of Tax Lien # 19-008, Block 3302 Lot 21, further known as 751 Hamilton Avenue, sold to Rothman Realty I, LLC and whereas \$13,100.00 was deposited into the Trust Account for the premium at the time of tax sale.

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 \$7,279.45 from the Suspense Account and a check for \$13,100.00 from the Trust Account.

BE IT FURTHER RESOLVED that the check in the amount of \$7,279.45 be drawn on the Borough of Ridgefield Suspense Account 01-2999 and the check in the amount of \$13,100.00 be drawn on the Borough of Ridgefield Trust Account 03-2950 and be made payable to Rothman Realty I, LLC and be mailed to 411 Grand Avenue, Englewood, New Jersey 07631.

**COUNCIL VOTE**

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilman Castelli

RESOLUTION NO. 266-2019

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

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

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

1. Paul Elenio and Thair Abdallah are hereby hired on a temporary basis as part-time Code Enforcement Officers to be paid at a rate of \$30.00 per hour for actual hours worked in connection with the inspection program set forth above.
2. This temporary appointment will end on November 30, 2019.

**COUNCIL VOTE**

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilman Castelli

RESOLUTION NO. 267-2019

WHEREAS, the Borough of Ridgefield strongly believes in and supports open transparent government, and that citizens and residents have the right to be informed about the workings of government in order to best participate in a democracy; and

WHEREAS, on January 8, 2002 then Acting Governor DiFrancesco signed into law the Open Public Records Act (OPRA) which mandates that government records shall be available, with limited exceptions, for public access and simplifying the procedures for requesting such specific records; and

WHEREAS, the intent of the law was to provide the public with easy access to government records with an uncomplicated process for obtaining the records and eliminating bureaucratic red tape; and

WHEREAS, over the course of 18 years OPRA has been a positive light, but it has also been fraught with abuse and misuse, and has become an unanticipated financial cost to the taxpayers of New Jersey; and

WHEREAS, the Borough of Ridgefield has labored under a well-intended law that has spiraled out of control, due to the volume and nature of requests, the cost to taxpayers in responding to the requests, and the potential liability in having to pay disproportionate prevailing party attorney's fees should the requests turn into litigated matters, as well as the liability in determining which documents shall be released, with or without redaction, while attempting to maintain individual privacy; and

WHEREAS, it is not only the volume of OPRA requests that challenge our resources, but it is also the cost associated with reviewing, retrieving, and processing the OPRA request(s) by public entity personnel and counsel and possibly defending our action(s) before the Government Records Council or in Superior Court; and

WHEREAS, the Borough of Ridgefield received and responded to 237 OPRA requests in 2017, 269 OPRA requests in 2018, and to date has received and responded to 142 OPRA requests as of September 1, 2019; and

WHEREAS, the Borough of Ridgefield municipal staff has spent approximately 142 hours responding to OPRA requests received in 2019 to date, and a yearly average of approximately 258 hours since 2017; and

WHEREAS, due to the often conflicting case law and Government Record Council decisions, as well as the unique characteristics of OPRA request, the Borough of Ridgefield must often times rely on the municipal attorney to review certain OPRA requests, resulting in additional fees in response to OPRA requests; and

WHEREAS, with limited exceptions OPRA has not been amended to address the clear and apparent advancement in technology that has changed the way government records are created, stored, and/or transmitted; the various interpretive decisions; privacy concerns; abuse for commercial gain; and/or the ever increasing cost to taxpayers; and

WHEREAS, as the current law approaches its twentieth (20th) anniversary it has outgrown its original intended use and has become ripe for comprehensive review and reform;

NOW, THEREFORE BE IT RESOLVED that the governing body of the Borough of Ridgefield appeals to the legislature to form a Commission comprised of Mayors, Municipal Clerks, Municipal Managers, Attorneys, Police Chiefs, open government advocates, privacy experts, members of the media, citizens and other appropriate stakeholders, to review and examine the effects of OPRA on local government and the needs to be fulfilled by the law, and use the Commission’s findings to perform a comprehensive reform of OPRA; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Assemblyman Clinton Calabrese, Assemblyman Gary Schaer, Senator Paul Sarlo, Assembly Speaker Craig Coughlin, Senate President Stephen Sweeney, Senator Weinberg, Executive Director of the Government Records Council, the Governor of the State of New Jersey, the Municipal Clerks Association of New Jersey and New Jersey State League of Municipalities.

**COUNCIL VOTE**

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

Approved:

Attest:

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

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

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

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Francis J. Elenio,  
Chief Financial Officer

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting October 28, 2019

Presented by Councilman Jimenez

RESOLUTION NO. 268-2019

BE IT RESOLVED, that warrants totaling **\$896,452.38**  
be drawn on the following accounts:

CURRENT	\$633,649.90
TRUST	\$120,677.46
CAPITAL	\$141,353.31
POOL	\$768.11
DOG LICENSE	\$3.60
<b>TOTAL</b>	<b>\$896,452.38</b>

**COUNCIL VOTE**

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

Approved:

Attest:

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

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