

BOROUGH OF RIDGEFIELD

A G E N D A

Executive Session and Regular Meeting of the Mayor and Council

Date: September 12, 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:

Approval of Minutes of June 27, 2011 Public Session Meeting and July 11, 2011 Public Session Meeting

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266-2011	Mayor Suarez	Proclamation-Ridgefield Royals 12U Softball
267-2011	Mayor Suarez	Appointment of Auditor for Transition Year

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Discussion on Best Practices Submission

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As advertised, hearing will be held on Ordinance No. 2180 entitled, “AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION N.J.S.A. 40A:4-53”

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

Public Hearing

**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				

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

Final Reading of Ordinance

Roll Call

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As advertised, hearing will be held on Ordinance No. 2181 entitled, "AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 319 OF THE CODE OF THE BOROUGH OF RIDGEFIELD"

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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As advertised, hearing will be held on Ordinance No. 2182 entitled, "AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF RIDGEFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY, BY ESTABLISHING A NEW CHAPTER ENTITLED PURCHASING AGENT"

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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As advertised, hearing will be held on the Borough of Ridgefield 2011 Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund grant application for the project known as Stewart Veale Pool Complex Improvements

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

268-2011 Councilman Jimenez Enabling Resolution-2011 Open Space, Recreation, Farmland & Historic Preservation Trust Fund Grant Application

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Introduction of Ordinance No. 2183 entitled, "AN ORDINANCE ACCEPTING KATHLEEN COURT AS A BOROUGH STREET"

First Reading of Ordinance

Roll Call

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Introduction of Ordinance No. 2184 entitled, "AN ORDINANCE AMENDING ARTICLE XXVI, SPECIALLY ALLOCATED PARKING"

First Reading of Ordinance

Roll Call

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**PROPOSED CONSENT AGENDA:**

269-2011 Councilman Jimenez Governing Body Representative to Open Space Trust Fund Municipal Program Regional Subcommittee

270-2011 Councilman Acosta Transfer of Police Vehicle to Fire Department

271-2011 Councilman Castelli Encroachment Agreement-Khorozian

272-2011 Councilman Jimenez Cancel 2011 Open Taxes Kathleen Court

273-2011 Councilman Castelli Interpretative Agreement-JKG Development and JKG Financing

274-2011 Councilman Castelli Engage AccuTech Under LSRP Program

275-2011 Mayor Suarez Supporting A-4126

276-2011 Mayor Suarez Oppose S-2795/A-3835

277-2011 Councilman Jimenez Accept 2011 EMAA Grant

278-2011 Councilman Acosta Hire Per Diem Community Center Attendant

279-2011 Councilman Castelli Award Bid-Library HVAC System Repairs

280-2011 Councilman Castelli Authorize TY Lin to Prepare Benefit Cost Analysis for Community Center

**COUNCIL VOTE**

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

RESOLUTIONS:

281-2011	Mayor Suarez	Ratify and Affirm Dedication of Portion of Slocum Avenue as 9-11 Memorial Path
282-2011	Councilman Jimenez	Introduction of TY2011 Budget
283-2011	Councilman Jimenez	Special Emergency Resolution and Financing of Same
284-2011	Councilman Jimenez	Warrants

COMMENTS BY MAYOR:

**Application for Social Affair Permit:**

Ridgefield Unico  
725 Slocum Avenue  
September 30, 2011, October 1, 2011 and October 2, 2011  
11:00 a.m.-11:00 p.m.

**Application for Raffles License:**

Fairview Lions Club  
Raffle  
Café Tivoli, 533 Shaler Boulevard  
December 4, 2011 – 8:00 p.m.

St. Matthews Church  
Feast  
555 Prospect Avenue  
September 23, 2011 – 3:00-11:00 p.m.  
September 24, 2011 – 3:00-11:00 p.m.  
September 25, 2011 – 2:00-9:00 p.m.

Knights of Columbus  
50/50  
Café Tivoli, 533 Shaler Boulevard  
December 11, 2011 – 4:30 p.m.

St. Matthews Church  
50/50  
555 Prospect Avenue  
September 23, 2011 – 3:00-11:00 p.m.  
September 24, 2011 – 3:00-11:00 p.m.  
September 25, 2011 – 2:00-9:00 p.m.

Ridgefield Unico  
50/50  
Community Center, 725 Slocum Avenue  
September 30, 2011  
October 1, 2011  
October 2, 2011

St. Matthews Church  
50/50  
555 Prospect Avenue  
October 30, 2011 – 1:00 p.m.

**Coin Toss Request:**

RMHS Football  
Saturday, September 24, 2011 – Rain Date: September 25, 2011

RMHS Football  
Saturday, October 15, 2011 – Rain Date: October 16, 2011

RMHS Varsity Baseball  
March 4, 2012 – Rain Date: March 11, 2012

**Special Requests:**

Ridgefield Unico – Permission to hang banner across Shaler Boulevard for Festival September 30-October 2, 2011

Susan G. Komen for the Cure – Permission to tie ribbons on trees along Shaler Boulevard and monument areas on Route 5 during the month of October for the Tie A Ribbon Campaign

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 September 12, 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:

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

COUNCIL VOTE				
	YES	NO	ABSTAIN	ABSENT
Castelli				
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 September 12, 2011

Presented by Mayor Anthony R. Suarez

# Proclamation

RESOLUTION NO. 266-2011

WHEREAS, the Ridgefield Royals 12U Softball Team ended their regular season with a record of 7-7-1, the team was not highly seeded for the playoffs; and

WHEREAS, under the dedicated coaching staff of Scot Baric, Manager, and coaches Troy Semeraro, Charlie Lara and Pete Garofalo the Ridgefield Royals 12U Softball Team rose to the challenge for the playoffs winning two playoff games in two days on the road and earning them a victory in the semi-finals; and

WHEREAS, the Ridgefield Royals were victorious at the UGALS Championship played on July 30, 2011 in Bergenfield; and

WHEREAS, the Mayor and Council would like to thank the coaches for their untiring dedication and express their appreciation for the many hours they unselfishly spent with the youth of Ridgefield; and

WHEREAS, the Mayor and Council would like to express their pride in the players, not only for accomplishing a stunning victory in the UGALS Championship, but more importantly for what they have learned... sportsmanship, teamwork and community spirit; and

WHEREAS, the Mayor and Council would like to commend the coaching staff and players, Marissa Semeraro, Amanda Baric, Vivianna Carrero, Madeline Pfaff, Jonice Koncha, Victoria Kolhan, Ali Baric, Jaqueline Lara, Brooke Garofalo, Elizabeth Griffin, Mia Guinta, Ashley Callahan, and Meghan Beyer, for their efforts and accomplishments and wish them luck in their future endeavors.

Approved:

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

Attest:

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

**COUNCIL VOTE**

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 12, 2011

Presented by Mayor Suarez

RESOLUTION NO. 267-2011

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

STEVEN D. WIELKOTZ  
of  
FERRAIOLI, WIELKOTZ, CERULLO & CUVA, P.A.

be appointed as AUDITOR for the 2011 Transition Year.

**COUNCIL VOTE**

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 12, 2011

Presented by Councilman Jimenez

ORDINANCE NO. 2180

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

“AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION  
N.J.S.A. 40A:4-53”

introduced on the 8<sup>th</sup> day of August, 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 August 8, 2011

Presented by Councilman Jimenez

ORDINANCE NO. 2180

“AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION  
N.J.S.A. 40A:4-53”

BE IT ORDAINED by the Mayor and Council of the Borough of Ridgefield, County of Bergen, State of New Jersey, that pursuant to N.J.S.A. 40A:4-53 (Ch. 48, P.L. 1956 as amended by Ch. 144, P.L. 1965 and Ch. 38, P.L. 1969) the sum of \$90,000.00 is hereby appropriated for the Reassessment of Real Property and shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A:4-53.

The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized pursuant to this act (N.J.S.A. 40A:4-55).

BE IT FURTHER ORDAINED that this ordinance shall take effect at the time and in the manner provided by law.

Approved:

Attest:

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

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

I, Linda M. Prina, Clerk of the Borough of Ridgefield, County of Bergen, do hereby certify the foregoing to be a true and correct copy of an ordinance adopted by the Governing Body at a meeting of said Governing Body held on September 12, 2011, and said ordinance was adopted by not less than a two-thirds vote of the members of the Governing Body.

Witness my hand and seal of the  
Borough of Ridgefield this  
12<sup>th</sup> day of September, 2011.

\_\_\_\_\_

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 12, 2011

Presented by Councilman Castelli

ORDINANCE NO. 2181

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 II OF CHAPTER 319 OF THE CODE OF THE BOROUGH OF RIDGEFIELD”

introduced on the 8<sup>th</sup> day of August, 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 August 8, 2011

Presented by Councilman Castelli

ORDINANCE NO. 2181

“AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 319 OF THE CODE OF THE  
BOROUGH OF RIDGEFIELD”

WHEREAS, Section 319-18 of the Code of the Borough of Ridgefield pertains to relocation assistance for persons who are evicted from dwellings in the Borough of Ridgefield as a result of an illegal occupancy; and

WHEREAS, Section B of Section 319-18 authorizes the Welfare Director, in the Director’s discretion, to pay relocation assistance to any displaced person and to then to recover those costs from the property owner; and

WHEREAS, the Borough no longer maintains its own Welfare Department or Welfare Director, and that provision accordingly is superfluous;

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

Section I:

Section 319-18 of the Code of the Borough of Ridgefield be, and hereby is amended by replacing the existing provisions of that Section with the following:

Any tenant who receives a notice of eviction pursuant to the provisions of N.J.S.A. 2A:18-61.2 that results from zoning or code enforcement activity for an illegal occupancy shall be considered a displaced person and shall be entitled to relocation assistance in an amount equal to six times the monthly rental paid by the displaced person. The owner-landlord of the structure shall be liable for the payment of relocation assistance pursuant to this section.

Section II: In all other respects, the terms, conditions and provisions of Chapter 319 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. Prina,  
Acting Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 12, 2011

Presented by Councilman Jimenez

ORDINANCE NO. 2182

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 CODE OF THE BOROUGH OF RIDGEFIELD,  
COUNTY OF BERGEN, STATE OF NEW JERSEY, BY ESTABLISHING A NEW  
CHAPTER ENTITLED PURCHASING AGENT”

introduced on the 8<sup>th</sup> day of August, 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 August 8, 2011

Presented by Councilman Jimenez

ORDINANCE NO. 2182

“AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF RIDGEFIELD,  
COUNTY OF BERGEN, STATE OF NEW JERSEY, BY ESTABLISHING A NEW  
CHAPTER ENTITLED PURCHASING AGENT”

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

Section I. There is hereby established by and within the Code of the Borough of Ridgefield a new chapter to be entitled Purchasing Agent and to read as follows:

§\_\_\_\_-1.

There is hereby established the position of Purchasing Agent for the Borough of Ridgefield.

§\_\_\_\_-2.

The Purchasing Agent shall be appointed by the Mayor with the consent of the Council. The Purchasing Agent shall be appointed for a one year term, coinciding with the calendar year, or the balance of any remaining calendar year. Any vacancy in the position shall be filled by an appointment for the balance of the calendar year term remaining.

§\_\_\_\_-3.

The Purchasing Agent shall possess a valid, qualified purchasing agent certificate issued by the New Jersey Division of Local Government Services, Department of Community Affairs.

§\_\_\_\_-4. Powers and Duties of the Purchasing Agent:

The Purchasing Agent shall have, on behalf of the Borough of Ridgefield, the authority, responsibility and accountability for the purchasing activity pursuant to the Local Public Contracts Law (*N.J.S.A.* 40A:11-1-, et. seq.); to prepare public advertising for and receive bids, requests for proposals, requests for qualifications for the provision or performance of goods, services and construction contracts; to recommend to the Mayor and Council the award of contracts pursuant to New Jersey law in accordance with the regulations, forms and procedures promulgated by state regulatory agencies; and to conduct any activities as may be necessary or appropriate to the purchasing function of the Borough of Ridgefield.

Section II. Repealer.

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

Section III. Severability.

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

Section 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. Prina,  
Acting Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 12, 2011

Presented by Councilman Castelli

ORDINANCE NO. 2183

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

“AN ORDINANCE ACCEPTING KATHLEEN COURT”

introduced on the 12<sup>th</sup> day of September, 2011, do now pass a first reading and that said Ordinance be further considered for final passage at a regular meeting to be held on the 26<sup>th</sup> day of September, 2011 at 7:30 PM or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Community Center, 725 Slocum Avenue, in the Borough of Ridgefield, and that at such time and place, all persons interested be given an opportunity to be heard concerning the same, that the Borough Clerk be and she is hereby authorized and directed to publish in The Record, a newspaper circulating in the Borough of Ridgefield said Ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place when and where said Ordinance will be further considered for final passage.

COUNCIL VOTE

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 12, 2011

Presented by Councilman Castelli

ORDINANCE NO. 2183

“AN ORDINANCE ACCEPTING KATHLEEN COURT”

WHEREAS, pursuant to a certain Subdivision Plan, entitled Final Plat, Major Subdivision, Edgewater Avenue Development, Block 2607, Lots 2, 3 and 4 by Hubschman Engineering, dated June 18, 2001, as amended by certain agreements by and between the developer of Block 2607, Lot 1/C0014 (14 Kathleen Court); Block 2607, Lot 1/C0016 (16 Kathleen Court); Block 2607, Lot 2/C0010 (10 Kathleen Court); Block 2607, Lot 2/C0012 (12 Kathleen Court); Block 2607, Lot 3/C006 (6 Kathleen Court); Block 2607, Lot 3/C008 (8 Kathleen Court); Block 2607, Lot 4/C002 (2 Kathleen Court); and Block 2607, Lot 4/C004 (4 Kathleen Court), the developer was to dedicate, and the Borough was to accept, Kathleen Court as a street.

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

Section I.

1. The Borough hereby accepts Kathleen Court as that street is depicted on a certain subdivision plan entitled “Final Plat, Major Subdivision, Edgewater Avenue Development, Block 2607, Lots 2, 3 and 4 by Hubschman Engineering, dated June 18, 2001” and bearing the approvals of the required public entities.

2. Chapter A-451, Street Acceptances, Improvements and Vacations be and hereby is amended by adding to Section A-451-1 the designation of Kathleen Court, this ordinance number and the date of its adoption.

3. This street acceptance is made subject to the terms and conditions of a certain Second Amendment to Mediation Agreement by the Borough of Ridgefield and Ridgefield JKG Development, LLC and JKG Financing, Inc., the terms of which are incorporated herein.

Section II. Repealer.

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

Section III. Severability.

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

Section 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. Prina,  
Acting Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 12, 2011

Presented by Councilman Castelli

ORDINANCE NO. 2184

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 XXVI, SPECIALLY ALLOCATED PARKING”

introduced on the 12<sup>th</sup> day of September, 2011, do now pass a first reading and that said Ordinance be further considered for final passage at a regular meeting to be held on the 26<sup>th</sup> day of September, 2011 at 7:30 PM or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Community Center, 725 Slocum Avenue, in the Borough of Ridgefield, and that at such time and place, all persons interested be given an opportunity to be heard concerning the same, that the Borough Clerk be and she is hereby authorized and directed to publish in The Record, a newspaper circulating in the Borough of Ridgefield said Ordinance according to law, with a notice of its introduction and passage on first reading, and of the time and place when and where said Ordinance will be further considered for final passage.

COUNCIL VOTE

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 12, 2011

Presented by Councilman Castelli

ORDINANCE NO. 2184

“AN ORDINANCE AMENDING ARTICLE XXVI, SPECIALLY ALLOCATED PARKING”

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

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

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

(b) The 11 angled parking spaces lying on the north side of Kathleen Court, are reserved for the exclusive use of the persons who occupy the residences commonly known as Block 2607, Lot 1/C0014 (14 Kathleen Court); Block 2607, Lot 1/C0016 (16 Kathleen Court); Block 2607, Lot 2/C0010 (10 Kathleen Court); Block 2607, Lot 2/C0012 (12 Kathleen Court); Block 2607, Lot 3/C006 (6 Kathleen Court); Block 2607, Lot 3/C008 (8 Kathleen Court); Block 2607, Lot 4/C002 (2 Kathleen Court); and Block 2607, Lot 4/C004 (4 Kathleen Court) and their guests.

Section II. Repealer.

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

Section III. Severability.

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

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

Approved:

Attest:

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Anthony R. Suarez, Mayor

---

Linda M. Prina, Acting Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 12, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 268-2011

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

WHEREAS, the Borough of Ridgefield desires to further the public interest by obtaining a matching grant of \$49,500.00 from the County Trust Fund to fund the following project: Stewart Veale Pool Complex Improvements; and

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

WHEREAS, as part of the application process, the governing body will hold a public hearing on September 12, 2011 to receive comments prior to the submission of said application; and

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

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project.

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

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of September 1, 2011, as established by the County; and
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the applicant has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and

3. That the applicant is committed to providing a dollar for dollar cash match for the project; and
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

**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 September 12, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 269-2011

WHEREAS, The Borough of Ridgefield has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA40A:8A-1 et seq. to participate in the Bergen County Open Space, Recreation, Farmland and historic Preservation Trust Fund; and

WHEREAS, said Agreement requires that one municipal representative be appointed by the governing body of the community to be part of the Open Space Trust Fund municipal Park Improvement Program Regional Subcommittee for the term coinciding with the 2011 funding year of September 1, 2011 through August 31, 2012:

NOW, THEREFORE, BE IT RESOLVED, that the governing body hereby appoints Russell Castelli as its representative to participate as a member of the Open Space Trust Fund Municipal Program Regional Subcommittee.

**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 September 12, 2011

Presented by Councilman Acosta

RESOLUTION NO. 270-2011

WHEREAS, the Borough of Ridgefield, by and through its Department of Police, is currently the owner of a certain 2008 Ford Crown Victoria automobile, four door white sedan, presently assigned as police unit number 32; and

WHEREAS, said motor vehicle is no longer needed for police business; and

WHEREAS, the Borough wishes to transfer said vehicle to the Fire Department;

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

1. The Borough does hereby transfer a certain motor vehicle described as a 2008 Ford Crown Victoria, four door white sedan, presently designated as police unit number 32, bearing New Jersey plate number MG79164, and having a VIN number of 2FAFP71V18X132941, from the Police Department of the Borough of Ridgefield to the Fire Department of the Borough of Ridgefield.
2. Appropriate Borough officials be and hereby are authorized and directed to execute any such documents as may be necessary to affect said transfer.

**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 September 12, 2011

Presented by Councilman Castelli

RESOLUTION NO. 271-2011

WHEREAS, the Borough of Ridgefield had previously negotiated an Encroachment License Agreement between the Borough and Haykanuch Khorozian, the owner of property commonly known as 572-576 Bergen Boulevard, Ridgefield, New Jersey; and

WHEREAS, the present Borough Attorney reviewed that agreement and has suggested revisions; and

WHEREAS, Haykanuch Khorozian has agreed to those revisions, which are reflected in a certain Rider to Encroachment License Agreement, a copy of which is attached hereto;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the attached Rider to Encroachment License Agreement and the Encroachment License Agreement, both of which are attached hereto, be and hereby are approved by the Borough.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be, and hereby are, authorized and directed to execute same on behalf of the Borough of Ridgefield.

BE IT FURTHER RESOLVED that following execution by the Mayor and Borough Clerk the agreement and rider shall be forwarded to the Borough Attorney for recording with the Bergen County Clerk's Office, with a copy to be forwarded to Haykanuch Khorozian by the Borough Clerk.

**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

**RIDER TO ENCROACHMENT LICENSE AGREEMENT**

This is an agreement denominated as a Rider to Encroachment License Agreement by and between the Borough of Ridgefield (hereinafter "Borough"), and Haykanuch Khorozian (hereinafter known as "Khorozian") relative to property known as 572-576 Bergen Boulevard, Ridgefield, New Jersey, and also known as Lot 7, Block 1911 on the official tax map of the Borough of Ridgefield (hereinafter "The Property").

1. Effect of Rider: This rider shall serve to amend a certain Encroachment License Agreement by and between Khorozian and the Borough pertaining to The Property. To the extent that there are inconsistencies or deviations between the terms of this rider and the terms and provisions of the Encroachment License Agreement, the terms and provisions of this rider shall prevail.

2. Recording of Agreement: The parties agree that the Encroachment License Agreement by and between the parties shall be recorded with the Bergen County Clerk. The parties agree that they will take such other and further steps in connection with the technical form of the agreement to make it appropriate for recording with the County Clerk including, but not limited to, the execution of an acknowledgment on behalf of each signatory.

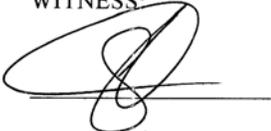
WITNESS:

BOROUGH OF RIDGEFIELD

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

By: \_\_\_\_\_  
Mayor Anthony Suarez

WITNESS:

  
Sandra Condono Martinez, Esq.

  
HAYKANUCH KHOROZIAN

STATE OF NEW JERSEY, COUNTY OF BERGEN SS:  
I CERTIFY that on \_\_\_\_\_, 2011

ANTHONY SUAREZ personally came before me and stated to my satisfaction that this person (or if more than one, each person):

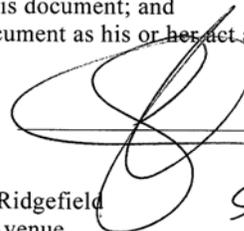
- (a) was the maker of the attached rider;
- (b) was authorized to and did execute this rider as Mayor of the Borough of Ridgefield, the entity named in this rider;
- (c) executed this rider as the act of the entity.

\_\_\_\_\_  
(Notary Public)

STATE OF NEW JERSEY, COUNTY OF BERGEN SS:  
I CERTIFY that on *August 22*, 2011

HAYKANUCH KHOROZIAN personally came before me and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person):

- (a) is named in and personally signed this document; and
- (b) signed, sealed and delivered this document as his or her act and deed.

  
\_\_\_\_\_  
(Notary Public)

RECORD & RETURN TO:

Borough of Ridgefield  
604 Broad Avenue  
Ridgefield, New Jersey 07657

*Sandra Londono Martin Esq.*  
*State of New Jersey*

ENCROACHMENT LICENSE AGREEMENT

WHEREAS, HAYKANUCH KHOROZIAN (hereinafter "PROPERTY OWNER") is the owner of certain property commonly known as 572-576 BERGET BLVD, Ridgefield, New Jersey and further known as Lot 7, Block 1911 on the official Tax Map of the Borough of Ridgefield (hereinafter "THE PROPERTY"); and

WHEREAS the Borough of Ridgefield (hereinafter "BOROUGH") is a political subdivision of the State of New Jersey and a municipal corporation; and

WHEREAS, the PROPERTY OWNER has or is about to erect certain improvements which encroach in and upon property owned by the BOROUGH; and

WHEREAS, the BOROUGH is willing to allow such encroachment upon the terms and conditions set forth in this Encroachment License Agreement; and

WHEREAS, the PROPERTY OWNER agrees to the terms and conditions of this Encroachment License Agreement;

NOW, THEREFORE, be it agreed by and between the parties in exchange for the mutual covenants and conditions set forth herein as follows:

1. The within agreement constitutes a license which permits the PROPERTY OWNER to maintain on THE PROPERTY certain improvements, described in Schedule B, which encroach upon either the right of way of the BOROUGH, or other property owned by the BOROUGH. This license is revocable by the BOROUGH at will upon the giving of thirty (30) days written notice to the PROPERTY OWNER.



2. In the event the license is revoked by the BOROUGH, the PROPERTY OWNER agrees that the PROPERTY OWNER will remove the improvement at its sole cost and expense within forty-five (45) days of receipt of notice of the revocation of the license agreement. The PROPERTY OWNER further agrees that in the event the PROPERTY OWNER fails or refuses to remove said improvements in the time frame set forth above, and in a reasonable and workman-like manner, then the BOROUGH may undertake that obligation for the PROPERTY OWNER, and may charge the PROPERTY OWNER the cost of same. The parties further agree that the BOROUGH may file a lien against THE PROPERTY in order to recover the reasonable cost of removing the improvement.
3. The PROPERTY OWNER agrees that other than the rights expressed in this license agreement, the PROPERTY OWNER shall not receive or obtain any other rights in and to the property of the BOROUGH upon which the PROPERTY OWNER has encroached, included but not limited to, ownership of any kind, including claims of ownership by adverse possession.
4. In addition, the PROPERTY OWNER shall indemnify and hold harmless the BOROUGH from any and all claims for damages and liability arising from, through or out of the improvements which encroach upon the BOROUGH'S property. Said indemnification and hold harmless agreement shall include costs incurred in connection with defending any

such action for damages, including but not limited to, reasonable attorneys' fees.

5. It is expressly agreed by and between the parties that the rights and obligations imposed by this agreement shall run with the land and be binding upon successors in interest to the PROPERTY OWNERS. For the purpose of putting subsequent owners on record as to this limited license agreement, the parties agree that same shall be recorded with the office of the Bergen County Clerk. The parties further agree that unless and until there is revocation by the BOROUGH, the rights and duties imposed hereunder shall be assigned by the PROPERTY OWNER to its successors in interest.
6. The PROPERTY OWNER, or any successor in interest to the PROPERTY OWNER, may opt out of this license agreement by (1) giving the BOROUGH thirty (30) days prior written notice of its intention to do so and (2) removing the improvements from the BOROUGH property or right of way, and restoring that portion of the BOROUGH'S property or right of way to its undisturbed condition.
7. The parties agree that this license agreement is made for the convenience of the PROPERTY OWNER and at the PROPERTY OWNER'S request.
8. For purposes of this agreement, notice shall be given to the PROPERTY OWNER, or the PROPERTY OWNER'S successors in interest, by mailing a copy to the PROPERTY OWNER.

IN WITNESS WHEREOF, the parties have set their hands and seals this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_

Attest:

BOROUGH OF RIDGEFIELD

\_\_\_\_\_

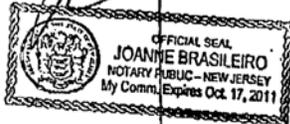
Anthony R. Suarez, Mayor

Witness:

*[Handwritten Signature]*

PROPERTY OWNER

*Haykanush Khorozi*  
HAYKANUCH KHOROZIAT



**SCHEDULE A****PROPERTY DESCRIPTION****Description of Property Situated in  
The Borough of Ridgefield  
County of Bergen, New Jersey  
Tax Lot 7 Block 1911**

KNOWN AND DESIGNATED as part of Lot 2 through Lot 7 as shown on a certain map entitled, "Map of Property belonging to the Lincoln Improvement Company, Borough of Ridgefield, Bergen County, N.J." filed in the Bergen County Clerk's Office on May 7, 1925 as Map No. 1986

Being further described as follows:

BEGINNING at a PK nail found at the intersection of the southeasterly sideline of Bergen Boulevard (80' ROW) and the southwesterly sideline of Art Lane (50' ROW), running thence;

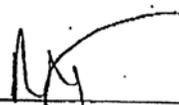
- 1) Along said Art Lane South 45 degrees 45 minutes 30 seconds East 99.00 feet crossing through a 1' Poured Concrete Wall which extends 2.0 feet into said Art Lane to a rebar with cap found, thence;
- 2) Leaving said Art Lane South 44 degrees 14 minutes 30 seconds West 144.88 feet to a point, thence;
- 3) North 45 degrees 45 minutes 30 seconds West 94.10 feet to a rebar with cap found at a point on said Bergen Boulevard, thence;
- 4) Along said Bergen Boulevard on a curve to the left having a radius of 5689.65 feet and an arc length of 144.99 feet to the point and place of beginning

Containing 14,034 S.F.+/-

Subject to an accurate title search

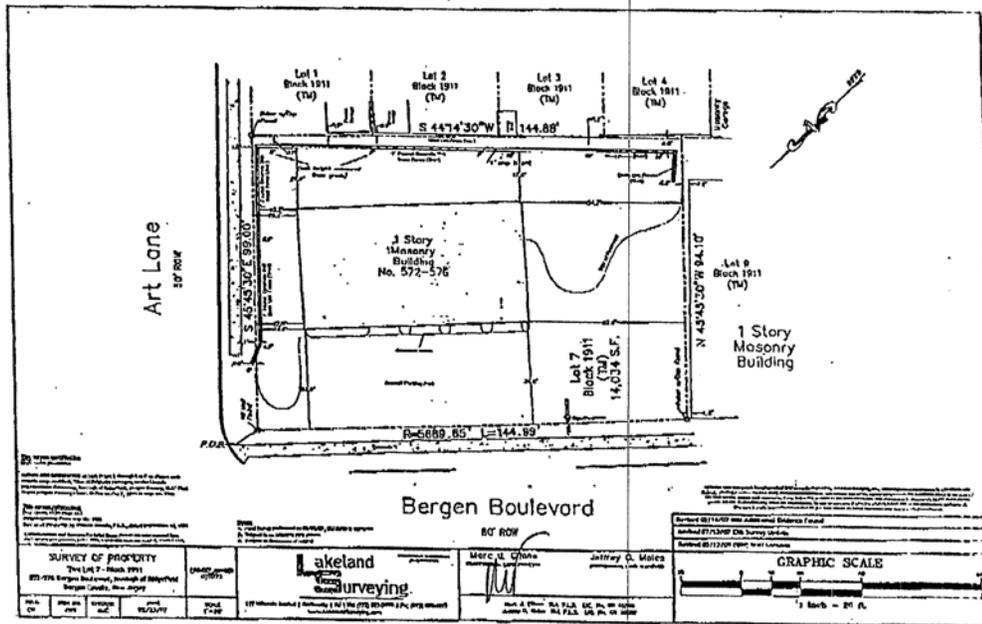
Subject to documents of record

This description is drawn in accordance with a survey performed by Lakeland Surveying, Inc. dated 07/08/2009.

  
\_\_\_\_\_  
Marc J. Cifone, P.L.S.  
N.J. License No. GS41329

\_\_\_\_\_  
Jeffrey O. Males, P.L.S.  
NJ License No. GS30087

**SCHEDULE B**  
**SCHEDULE OF IMPROVEMENTS**



2 foot poured concrete wall with chain link fence over right of way line of Art Lane as shown on the above survey prepared by Lakeland Surveying, Inc., dated July 8, 2009.

IN WITNESS WHEREOF, the parties have set their hands and seals this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_

Attest:

BOROUGH OF RIDGEFIELD

\_\_\_\_\_

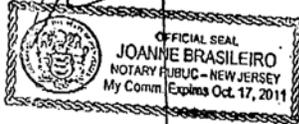
Anthony R. Suarez, Mayor

Witness:

*[Handwritten signature]*

PROPERTY OWNER

*Hayganough Khorozi*  
HAYGANUGH KHOROZIAN



RECEIVED  
09 DEC 21 PM 1:40  
BOROUGH CLERK'S OFFICE  
RIDGEFIELD, N.J.  
3rd Submission

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 12, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 272-2011

WHEREAS, the Borough of Ridgefield and Ridgefield JKG Development, LLC and JKG Financing Inc. were parties to a certain Mediation Agreement entered and so ordered by the Honorable Peter E. Doyne, J.S.C., on or about April 13, 2006; and

WHEREAS, on September 27, 2010, Resolution No. 276-2010, the Mayor and Council of the Borough of Ridgefield authorized the Borough Administrator to execute the Revised Mediation Agreement with Ridgefield JKG Development, LLC and JKG Financing, Inc.; and

WHEREAS, the Bergen County Tax Board, in conjunction with this agreement, has ordered that the open taxes for 2011 for the properties located on Kathleen Court included in this agreement, be cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the 2011 taxes be cancelled along with any interest charges that have accrued:

<b>BLOCK</b>	<b>LOT</b>	<b>QUALIFIER</b>
2607	1	C0014
2607	1	C0016
2607	2	C0010
2607	2	C0012
2607	3	C006
2607	3	C008
2607	4	C002
2607	4	C004

Approved:

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

Attest:

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

	<b>COUNCIL VOTE</b>			
	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli				
Todd				
Vincenz				
Severino				
Acosta				
Jimenez				
Mayor Suarez				

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 12, 2011

Presented by Councilman Castelli

RESOLUTION NO. 273-2011

WHEREAS, the Borough of Ridgefield and JKG Development, LLC and JKG Financing, Inc., the owners of certain properties commonly known as the Kathleen Court properties, have previously entered into certain agreements denominated as a Medication Agreement, Amendment to Mediation Agreement and Second Amendment to Mediation Agreement; and

WHEREAS, questions have arisen as to the interpretation of those agreements; and

WHEREAS, the parties wish to set forth certain agreed upon interpretations of those agreements;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Interpretative Agreement attached hereto be and hereby is approved.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be, and they hereby are, authorized and directed to execute same on behalf of the Borough of Ridgefield.

**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

## **INTERPRETATIVE AGREEMENT**

This is an agreement denominated as an Interpretative Agreement interpreting prior agreements by and between the Borough of Ridgefield (hereinafter “Borough”), and Ridgefield JKG Development, LLC and JKG Financing, Inc. (hereinafter collectively known as “the Property Owners”) respecting a certain Mediation Agreement, Amendment to Mediation Agreement and Second Amendment to Mediation Agreement by and between the parties, as to properties identified in the Second Amendment to Mediation Agreement and herein collectively referred to as the “Kathleen Court Properties”.

WHEREAS, on or about April 3, 2006 the parties executed a certain Mediation Agreement; and

WHEREAS, on or about September 2010 the parties executed a certain Amendment to the Mediation Agreement; and

WHEREAS, on or about July 2011 the parties executed a certain Second Amendment to the Mediation Agreement; and

WHEREAS, the parties wish to confirm and clarify their interpretation of certain provisions contained in those agreements;

NOW, THEREFORE, be it agreed by and between the Borough and the Property Owners as follows:

1. This interpretative agreement will serve to supplement and refine the meaning of the previously executed Mediation Agreement, Amendment to Mediation Agreement and Second Amendment to Mediation Agreement.

2. Any units in the Kathleen Court Properties which remain unsold shall remain off the tax rolls until September 30, 2013, at which time all unsold units will be added to the tax rolls.

3. Should the Property Owners take advantage of the prepayment bonuses provided for in the agreement, the parties agree that once the principle balance has been paid in full as per the agreement, the requirement of additional \$50,000 annual principle payments going forward will be deemed satisfied.

IN WITNESS WHEREOF, the parties have set their hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

WITNESS:

BOROUGH OF RIDGEFIELD

\_\_\_\_\_  
Linda Prina, Borough Clerk

By: \_\_\_\_\_  
Mayor Anthony Suarez

WITNESS:

RIDGEFIELD JKG DEVELOPMENT, LLC

\_\_\_\_\_

By: \_\_\_\_\_

WITNESS:

JKG FINANCING, INC.

\_\_\_\_\_

By: \_\_\_\_\_

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 12, 2011

Presented by Councilman Castelli

RESOLUTION NO. 274-2011

WHEREAS, the Borough has previously experienced leaking underground storage tanks at its public works facility on Church Street; and

WHEREAS, the Borough was issued penalties because of violations in connection with the leaking underground storage tanks; and

WHEREAS, the Borough has previously appealed the penalty assessment and the case is presently pending; and

WHEREAS, the DEP is encouraging parties to enter the LSRP Program rather than have the DEP conduct oversight of the remediation; and

WHEREAS, the DEP has indicated to the Borough Attorney that it will consider compromising the outstanding penalty if the Borough were to enter the LSRP Program; and

WHEREAS, Carl Jenne has been interfacing with AccuTech Environmental Services, Inc., the company that has been performing water monitoring services at the DPW site; and

WHEREAS, Carl Jenne has recommended that the Borough engage AccuTech Environmental Services, Inc. under the LSRP Program, as well as to continue doing the water sampling and monitoring; and

WHEREAS, it is in the best interests of the Borough of Ridgefield that AccuTech Environmental Services, Inc. be engaged under the LSRP Program and Carl Jenne be retained to continue to be involved in the project in order to maintain continuity; and

WHEREAS, this contract is below the bid threshold as enhanced under the law by the Borough's having a certified purchasing agent;

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

1. AccuTech Environmental Services, Inc. be and hereby is engaged to serve as LSRP and also to continue to conduct water sampling and monitoring under the proposal set forth in the contract which is attached hereto subject to the certification of the availability of funds and certification as to compliance with applicable pay to play legislation.

2. The Mayor and the Borough Clerk be and hereby are authorized and directed to execute the attached contract with AccuTech Environmental Services, Inc., subject to the certification of the availability of funds and certification as to compliance with applicable pay to play legislation.

3. The Borough hereby engages the engineering firm of Jenne Associates for the one year period coincident with the AccuTech contract to serve as the Borough’s representative on an as needed basis at the rate of \$140 per hour, not to exceed \$1,900 during that period., subject to the certification of the availability of funds and certification as to compliance with applicable pay to play legislation.

**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

## CONTRACT

This is a contract made and entered into this                    day of September 2011 by and between                    AccuTech Environmental Services, Inc., with its offices located at 43 West Front Street, Rear Suite, Keyport, New Jersey, (hereinafter referred to as "**CONTRACTOR**"), and the Borough of Ridgefield, a municipal corporation, organized and existing under the laws of the State of New Jersey, with offices located at 604 Broad Avenue, Borough of Ridgefield, State of New Jersey (hereinafter referred to as "**BOROUGH**").

### RECITALS

WHEREAS, the BOROUGH has a need for environmental services to be performed at its Department of Public Works facility; and

WHEREAS, the CONTRACTOR has submitted a proposal by letter dated July 28, 2011 attached hereto as EXHIBIT A; and

WHEREAS, the BOROUGH wishes to award a contract to the CONTRACTOR for environmental services at its Department of Works facility; and

WHEREAS, the amount of the contract is below the bid threshold;

NOW, THEREFORE, in consideration of the mutual promises and conditions contained herein, and for other good and valuable consideration, receipt of which is hereby acknowledged, the parties agree as follows:

1.     SCOPE OF WORK: The CONTRACTOR agrees to provide all labor, tools, equipment and materials to undertake and complete the services described in the RFP attached as EXHIBIT A and in their proposal attached as EXHIBIT B, which are incorporated herein.

2. PAYMENT TO CONTRACTOR: The CONTRACTOR shall be paid in conformity with the proposal set forth in EXHIBIT B. The CONTRACTOR shall submit periodic vouchers following the completion of various phases of the work set forth therein for payment by the BOROUGH to the CONTRACTOR.

3. INSURANCE: The CONTRACTOR, prior to commencing work, shall provide at its own expense, the following insurance to the BOROUGH together with evidence of such insurance as stated below. Ninety (90) days prior to cancellation or material change or notice of non-renewal of the policies, the CONTRACTOR shall give notice to the BOROUGH, by registered mail, return receipt requested, for all of the following stated insurance policies. The Certificate of Insurance shall state:

"Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will mail ninety (90) days written notice to the certificate holder named to the left."

All notices shall name the CONTRACTOR and identify the Agreement. All policies with the exception of workers' compensation shall be endorsed naming the BOROUGH as additional insured. All policies shall require that the insured will pay all defense claims and any judgments entered therein. It is expected that all policies will be issued on an "occurrence" basis. The BOROUGH may waive or modify any requirement stated herein if the BOROUGH, in its sole judgment and discretion, deems it would be in its best interest to do so.

All work done under the terms of this contract shall conform to the requirements of any applicable local, state or federal codes, laws or agencies. The contractor's attention is directed to the Occupational Safety and Health Act (OSHA). All work shall conform to the requirements of

current OSHA standards. If there is a conflict between the method of work specified and the applicable OSHA standard, the OSHA regulation shall prevail. Anything not specifically mentioned in these specifications, but usual in work of this character, must be done by the CONTRACTOR as if it were written herein. All safety violations shall be corrected immediately upon receipt of notice of violation.

The CONTRACTOR shall be licensed in the State of New Jersey and shall conform to all safety requirements as outline in local, state and federal laws. The CONTRACTOR shall supply copy of New Jersey State Journeyman's Certificate for each employee who will work on BOROUGH Facilities. All personnel shall at all times wear approved protective clothing, safety vests and any other equipment required to meet current OSHA standards. They will obey all traffic and safety rules and regulations and shall not create any hazardous conditions within their operation.

#### Workers' Compensation

The CONTRACTOR shall obtain Standard Workers' Compensation Insurance indemnifying the CONTRACTOR against any loss arising from liability or injuries sustained by any and all agents, servants or employees of the CONTRACTOR who shall be entitled to compensation under the Workers' Compensation Law of the State of New Jersey. If the CONTRACTOR is incorporated outside the State of New Jersey, the said policy must include the "Other States Endorsement."

#### B. General Liability

The CONTRACTOR shall obtain General Liability Insurance on an "occurrence" form with a one million dollar (\$1,000,000.00) combined single limit of liability per occurrence and a three million dollar (\$3,000,000.00)

annual aggregate. The policy will include the ISO Simplified Occurrence Form, the policy will contain no endorsements that would limit or eliminate the coverage provided by the ISO version and will include ISO Form CG-25-03-03-97 Amendment - Aggregate Limits of Insurance (per project).

C. Automobile Liability

The CONTRACTOR shall obtain Automobile Liability Insurance with a minimum combined limit of liability of one million dollars (\$1,000,000.00) per accident. Said policy must include coverage for owned, non-owned and hired autos.

Umbrella / Excess Liability

Excess or Umbrella Liability Policy (to respond in excess of the commercial general liability, employer's liability and commercial automobile liability policies) at the limit of \$5,000,000.00 combined single limits per occurrence.

Policy Changes

If at any time, any of the foregoing policies shall be or become unsatisfactory to the BOROUGH, as to form or substance, or if a company issuing any such policy shall be or become unsatisfactory to the BOROUGH, the CONTRACTOR shall, upon notice to that effect from the BOROUGH, within ninety (90) days obtain a new policy, submit the same to the BOROUGH for approval and submit a Certificate thereof as hereinabove provided. Upon failure of the CONTRACTOR to furnish, deliver and maintain such insurance as above provided, this Agreement, at the election of the BOROUGH, may be forthwith declared suspended, discontinued or terminated. Failure of the CONTRACTOR to take out and/or maintain or the taking out and/or maintenance of any required insurance, shall not relieve the

CONTRACTOR of any liability under the Agreement. All policies required above shall contain a ninety (90) day notice of cancellation and/or non-renewal and shall require the insured to notify the BOROUGH of its intent to either cancel or not to renew immediately.

#### Insurance Companies

The CONTRACTOR shall use an Insurance Company(ies) that has (have) an A.M. Best Rating of at least "A"X.

The BOROUGH, at its sole judgment and discretion, if it considers it appropriate to do so, may allow the CONTRACTOR to utilize and insure with a rating less than "A"X. All such requests must be forwarded to the BOROUGH for its review and approval. The CONTRACTOR shall use an insurance company(ies) that is (that are) authorized to underwrite insurance risks for the specific line(s) of coverage by the Department of Banking and Insurance of the State of New Jersey.

#### G. Hold Harmless Provision

Contractual Liability Insurance: The CONTRACTOR shall indemnify, defend, and hold harmless the BOROUGH, its consultants, its officers, agents, contractors, subcontractors, servants and employees, from and against any and all claims, demands, suits, proceedings, liabilities, judgments, awards, losses, damages, costs and expenses, including attorney's fees, because of bodily injury, sickness, disease or death, sustained by any person or persons or injury or damages to, or destruction of, any property directly or indirectly arising out of, relating to, or in connection with the work, whether

or not due or claimed to be due, in whole or in part, to the active, passive or concurrent negligence or fault of the CONTRACTOR, its officers, agents, servants, or employees and/or any other person or persons and whether or not such claims, demands, suits or proceedings are just, unjust, groundless, false, or fraudulent. The CONTRACTOR shall furnish evidence to the BOROUGH that with respect to accomplishing the work in the Agreement, it carries said Contractual Liability Insurance in the amounts specified in Paragraph B above.

4. INDEMNIFICATION: The CONTRACTOR shall indemnify and save the BOROUGH harmless from and against any and all claims, demands, actions, damages, losses, costs, fines, penalties, expenses and liability of every kind, name and nature, including all reasonable expenses incurred by the BOROUGH, which may result or arise, directly or indirectly from or by reason of the performance of the contract or from any act or omission by the CONTRACTOR, its agents, servants, employees or Subcontractors and which shall result in any loss of life or property or injury or damage to persons or property, in accordance herewith as well as in accordance with the provision of the Performance Bond.

All policies of insurance shall be written by companies authorized to do business in the State of New Jersey. All policies shall be renewed no later than ten (10) days prior to expiration and evidence of such renewal, whether in the form of Certificates, policies or copies of policies, shall be forthwith submitted to the Borough Clerk, together with proof of payment of premium.

The CONTRACTOR shall pay all social security, unemployment, disability and other taxes required by State or Federal Law and shall furnish proof thereof to the Borough of Ridgefield, if and when required.

5. ASSIGNMENT OF CONTRACT: There shall be no assignment or subletting of the Contract or any part thereof or of any money due to become due thereon without the consent of the Mayor and Council of the Borough of Ridgefield, expressed by Resolution.

6. BANKRUPTCY OR INSOLVENCY: It is further understood and agreed that should the CONTRACTOR be declared insolvent or bankrupt at any time during the performance of the Contract, either by virtue of any State or Federal Laws, that such adjudication shall in no way terminate the liability of the CONTRACTOR under this Contract insofar as the liability of the surety company under its bond is concerned; the said surety company shall continue liability to the BOROUGH under the bond furnished as though said CONTRACTOR had not been adjudicated insolvent or bankrupt; and such adjudication of insolvency or bankruptcy may be construed by the BOROUGH as default of the CONTRACTOR.

7. DEFAULT: In the event that the CONTRACTOR shall perform the Contract in an unsatisfactory manner, the Mayor and Council may declare the bidder to be in default of these specifications and his Contract. Such declaration of default, however, shall not be made until the bidder shall have been given a hearing by the Superintendent of Public Works or by the entire Mayor and Council. In the event that a default shall be declared by the Superintendent of Public Works or the entire Mayor and Council, the Mayor and Council shall have the option of engaging another person or persons to complete said Contract in accordance with the manner prescribed by law. In such event, the CONTRACTOR and the surety, upon his performance bond, shall be liable to the BOROUGH for the difference between the cost of completing such Contract and the amount payable to the new bidder for the remaining time he has to perform the Contract in accordance with the within specifications.

8. EXTRA WORK: Extra work not contemplated by the Contract shall not be performed, nor shall other material be furnished unless on written order of the BOROUGH.

9. CONFORMITY TO LAWS AND ORDINANCES: The work done in the performance of the contract shall be conducted and managed in all cases in conformity with the laws of the State of New Jersey, the Ordinances of the Borough of Ridgefield and of any other municipality and the lawful regulations of any State or local health authorities having jurisdiction.

The bidder represents that he is recognized as being qualified in the performance of the work , supplying of goods and/or services as called for in the specifications above and shall, upon request, furnish evidence that he is prepared to comply with all state, municipal and local laws, conditions, ordinances, regulations and other matters affecting the project.

10. PAYMENTS: All work is to be authorized by a Purchase Order and payment shall be by Voucher to include all required invoices. The CONTRACTOR shall be entitled to no additional compensation beyond the amount specified on the Purchase Order.

IN WITNESS WHEREOF the parties have set their hands and seals on the dates indicated next to their respective signatures.

DATE

ATTEST

BOROUGH OF RIDGEFIELD

\_\_\_\_\_

\_\_\_\_\_  
Linda Prina  
Acting Borough Clerk

By: \_\_\_\_\_  
Mayor Anthony R. Suarez

ACCUTECH ENVIRONMENTAL  
SERVICES, INC.

\_\_\_\_\_

By: \_\_\_\_\_  
N. Bret Fischer, P.G., L.S.R.P.  
President



43 WEST FRONT ST. – REAR SUITE • KEYPORT, NEW JERSEY 07735 • PHONE: 732-739-6444 • FAX: 732-739-0451

July 28, 2011

Mr. Carl Jenne  
Borough Engineer  
1362 Crim Road  
Bridgewater, New Jersey 08807

**RE: Ridgefield Borough Department of Public Works Facility  
515 Church Street  
Ridgefield, Bergen County, New Jersey  
Case #90-02-15-1449**

Dear Mr. Jenne:

Pursuant to our recent discussions concerning the Ridgefield Borough Department of Public Works facility, AccuTech Environmental Services (AccuTech) has prepared the following to scope of work for compliance monitoring of the site under the Licensed Site Remediation Professional (LSRP) program.

As we discussed, my recent conversation with Mr. Ian Fisher of the NJDEP indicates that he is in favor of the case being placed under the LSRP program. Mr. Fisher further stated that he had reviewed the 2010 Remediation Investigation Report, and was in agreement with the proposed Remedial Action Workplan, for compliance monitoring of the five monitoring wells and closure of the case with a Classification Exception Area. Mr. Fisher also stated that he had reviewed some of the old soil data from pre 2000, and had noted that the soil contamination may not be completely delineated; however that data pre-dated the year long Soil Vapor Extraction test.

#### **Scope of Work**

AccuTech proposes that a period of compliance monitoring is to be implemented. Quarterly sampling of the five groundwater monitoring wells will be conducted for a period of one (1) year with samples collected and analyzed for Benzene, Toluene, Ethylbenzene, Xylenes, MTBE, TBA and Lead.

At the conclusion of one year, the results will be summarized for the purpose of proposing a ground water Classification Exception Area (CEA). An application for a CEA will be prepared along with the required sampling data, calculations and ground water contour maps.

The following schedule for implementation of the compliance monitoring phase is as follows:

- Quarterly ground water sampling from all five monitoring wells: September 2011, December 2011, March 2012 and June 2012.
- Preparation of a Remedial Action Report, CEA and Response Action Outcome to be prepared by September, 15, 2012.

**Cost Estimate**

It is estimated that the scope of work described above will be completed for \$ 19,300. All project work will continue to be conducted on a Time and Materials – Not to Exceed basis. A breakdown of the estimated costs is as follows:

Quarterly Groundwater Sampling of five (5) monitoring wells & Laboratory Analysis for one (1) year	\$12,900.00
Data evaluation of old soil data, new groundwater data, Preparation of quarterly summaries and maps	\$ 2,600.00
Preparation of Remedial Action Report, CEA, Response Action Outcome	<u>\$ 3,800.00</u>
<b>TOTAL</b>	<b>\$19,300.00</b>

N. Bret Fischer, president of AccuTech will act as the LSRP of record for this case. AccuTech will not charge the Borough of Ridgefield for the preparation of the LSRP Retention Notification document. Mr. Fischer's hourly rate of \$155/hour has been factored into the above cost estimate.

**Assumptions and Limitations**

The pricing in this proposal is based on the described scope of work, and any deviation from this scope, which results in the increased time for onsite work by AccuTech or our subcontractor(s), will not proceed without prior consent from the client. If such deviation occurs, you will be immediately notified for authorization. No work will continue without your prior consent. This cost estimate is based upon Accutech's experience with similar projects and was prepared using the following working assumptions:

- Continued access for monitoring well located at the Cunningham residence will be the responsibility of the Borough of Ridgefield;

If acceptable, please indicate your approval of this proposal by signing and returning this document to my attention.

AccuTech appreciates the opportunity to be of assistance with this project. If you should have any questions regarding this proposal, please do not hesitate to contact me at (732) 739-6444, extension 29.

Sincerely,

*T.H. Davis*  
Thomas H. Davis  
Senior Associate

\_\_\_\_\_  
Approved Date

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 12, 2011

Presented by Mayor Suarez

RESOLUTION NO. 275-2011

WHEREAS, on January 12, 2009, then Governor Corzine signed into law P.L. 2008, c. 129, which permitted the Department of Education Commissioner to change school board election dates that coincide with a period of religious observance which would impose a substantial burden on an individual's ability to vote; and

WHEREAS, that legislation was a result of situation in which special school elections were scheduled for the same day as Rosh Hashanah, one of the holiest days on the Jewish calendar; and

WHEREAS, prior to the enactment of P.L. 2008, c. 129 the annual school board election was held the third Tuesday in April; and

WHEREAS, this year was the first time the annual school board election date was changed from Tuesday, April 19<sup>th</sup> to Wednesday, April 27<sup>th</sup> due to the observance of Passover; and

WHEREAS, as municipalities, in which a school budget was rejected, began the process to review and make recommendations on the rejected budget, an apparent oversight came to light. While P.L. 2008, c. 129 permits the change of Election Day it did not change the statutory deadline for municipalities to make a final determination on the rejected school board budget; and

WHEREAS, N.J.S.A. 18A:13-19, for regional school districts, and N.J.S.A. 18A:22-37, for single school districts, outline the procedure following school board budget rejection including the requirement that the governing bodies, after consultation with the board, and no later than May 19, certify the amount for the ensuing school year; and

WHEREAS, the process to review a rejected school budget, especially those of a regional school district, are challenging under normal circumstances in which Municipalities must not only review the budget material but coordinate schedules with the school board, county business administrator and other governing body members. In addition, the municipalities and school board must comply with the requirements of the Open Public Meetings Act. And at some point, the governing body must hold a public meeting to take official action; and

WHEREAS, most municipalities take the full four weeks to thoroughly review the budget, consult with the school board and receive public input on the defeated school budget before taking final action; and

WHEREAS, this year, however, this process was reduced to a two to three week process due to the statutory deadline. Making a complex process much more challenging; and

WHEREAS, Assemblyman Schaer has sponsored A-4126, which would permit the Commissioner of the Department of Education to amend the statutory deadline for action on a rejected school budgets in the circumstance when the School Board Election Day is changed due to a period of religious observance; and

WHEREAS, municipalities need the full four weeks to review a defeated budget to be thoughtful and deliberative in their decision and any less time to review will just lead to a rush job that will negatively impact the community;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Ridgefield hereby urges the swift passage of A-4126 as it will provide municipalities with the necessary time to review defeated school budgets; and

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the Governor of the State of New Jersey, Senate President Sweeney, Assembly Speaker Oliver, Assemblyman Patrick Diegnan and the members of the Assembly Education Committee, your local State representatives and the New Jersey State League of Municipalities.

**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 September 12, 2011

Presented by Mayor Suarez

RESOLUTION NO. 276-2011

WHEREAS, on June 29th S-2795 passed the State Senate by a vote of 23-13-4, and now rests with its Assembly companion, A-3835, with the Assembly Housing and Local Government Committee; and

WHEREAS, S-2795 and A-3835 would prohibit municipalities from adopting ordinances requiring periodic inspections of multiple dwellings other than those conducted by the State under the "Hotel and Multiple Dwelling Law"; and

WHEREAS, S-2795 and A-3835 would prohibit municipalities from charging separate fees for the registration of multiple dwellings; and

WHEREAS, according to a fiscal estimate prepared by the non-partisan Office of Legislative Services S-2795 and A-3835 will decrease municipal revenues and potentially decrease municipal expenditures; and

WHEREAS, S-2795 and A-3835 would eliminate local control over the inspection of multiple dwellings which is not in the public's best interests; and

WHEREAS, landlord registration of any rental unit, regardless of whether a portion is owner-occupied could continue but a municipality would be prohibited from charging a registration fee thereby raising cost without any revenue off-set; and

WHEREAS, municipalities could continue to issue "Continuing Certificates of Occupancy" upon an inspection following termination of occupancy in a rental unit, but would be preempted by the bill from having or adopting ordinances under which periodic inspections of multiple dwellings would be made; and

WHEREAS, such landlord registrations and "Continuing Certificates of Occupancy" are conducted for the public safety and welfare of the citizens of our municipality;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Ridgefield that enactment of S-2795 and A-3835 will decrease municipal revenues and place yet another financial burden on already strained New Jersey Municipalities, and will take away local control over the inspection of multiple dwellings, which is not in the best interest of our residents.

BE IT FURTHER RESOLVED, the Governing Body of the Borough of Ridgefield strongly opposes S-2795 and A-3835.

**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 September 12, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 277-2011

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ridgefield hereby accept this award and that Michael Handschin to be a signatory in connection with aforesaid Grant and Chief Financial Officer Joseph Luppino to sign all vouchers submitted in connection with the aforesaid project.

**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 September 12, 2011

Presented by Councilman Acosta

RESOLUTION NO. 278-2011

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

NANCY BRIERTY

be hired as a per-diem Community Center Attendant effective immediately.

**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 September 12, 2011

Presented by Councilman Castelli

RESOLUTION NO. 279-2011

WHEREAS, the Borough of Ridgefield previously advertised for bids for “HVAC System Repairs at the Ridgefield Public Library”; and

WHEREAS, sealed bids were received and opened on Thursday, September 8, 2011 at 10:00 a.m.; and

WHEREAS, two bids were submitted, one by Energy and Utility Options, Inc., trading as All County Mechanical Contracting, in the amount of \$62,900, and one by Peterson Service Company, Inc. in the amount of \$66,932; and

WHEREAS, the Special Engineer for this project, the Borough Attorney and the Borough Purchasing Agent have reviewed the bid submissions; and

WHEREAS, all parties are agreed to recommend the award of the contract to the low bidder Energy and Utility Options, Inc., trading as All County Mechanical Contracting;

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

1. The bid for HVAC System Repairs at the Ridgefield Public Library be and hereby is awarded to the low bidder Energy and Utility Options, Inc., trading as All County Mechanical Contracting.
2. The Borough Attorney be and hereby is authorized to prepare a contract consistent with that award.
3. The Mayor and Borough Clerk be and hereby are authorized and directed to execute on behalf of the Borough such contract when prepared by the Borough Attorney. The Borough Clerk shall notify both the successful and unsuccessful bidders of the action taken by the Mayor and Council by providing them with a copy of this Resolution.
4. This award is subject to certification of the availability of funds, and subject further to investigation for purposes of compliance with pay to play legislation.

**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 September 12, 2011

Presented by Councilman Castelli

RESOLUTION NO. 280-2011

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that TY Lin be authorized to prepare a Benefit Cost Analysis in support of an application for a FEMA grant for funding to support the design and construction of the Ridgefield Community Center (Hurricane Shelter) for a fee not to exceed \$5,000.00;

BE IT FURTHER RESOLVED that said authorization is subject to certification of the availability of funds by the Chief Financial Officer.

**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 September 12, 2011

Presented by Mayor Suarez

RESOLUTION NO. 281-2011

WHEREAS, Sunday September 11, 2011 was the 10 year anniversary of terrorist attacks on the soil of the United States including, but not limited to, the attack which caused destruction of the Twin Towers of the former World Trade Center; and

WHEREAS, the Mayor and Council of the Borough of Ridgefield wishes to recognize those who lost their lives in these attacks on September 11, 2001; and

WHEREAS, there presently exists in the Borough of Ridgefield a section of Slocum Avenue, between Abbott Avenue and Shaler Boulevard, which is not open to vehicle traffic but serves as a foot path connecting Abbott Avenue and Shaler Boulevard used by many Borough residents including but not limited to school children attending the Slocum-Skewes School; and

WHEREAS, the Mayor and Council now wishes to ratify and affirm the dedication of that portion of Slocum Avenue in honor of those who lost their lives in the attacks of September 11, 2001 including a Ridgefield resident who lost his life;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the section of Slocum Avenue laying between Abbott Avenue and Shaler Boulevard be and hereby is dedicated in the memory of those persons who lost their lives in the terrorist attacks occurring on September 11, 2001, as the 9-11 Memorial Path, and that the ceremonial dedication of same, which took place on Sunday, September 11, 2011, be and hereby is ratified and affirmed.

**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 September 12, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 282-2011

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Borough of Ridgefield, Bergen County, New Jersey for the Transition Year 2011.

BE IT FURTHER RESOLVED, that said budget be published in The Record in the issue of September 19, 2011, and that a hearing on the Budget and Tax Resolution will be held at the Community Center on October 11, 2011 at 7:30 o'clock P.M. or as soon thereafter as the matter may be reached.

**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 September 12, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 283-2011

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred by Reassessment of Real Property, and;

WHEREAS, N.J.S.A. 40A:4-53 et seq., provides that it shall be lawful to make such appropriations, which appropriation and or the "special emergency notes" issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least 1/5 of the amount authorized pursuant to this act,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield in the County of Bergen (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-55;

1. An emergency appropriation be and the same is hereby made for:

Reassessment of Real Property \$ 90,000.00

2. That the Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency.
3. That said emergency appropriation shall be provided for by the inclusion of not less than \$18,000.00 (at least 1/5 of the total amount) in each of the next succeeding annual budgets.

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed with the Director of Local Government Services.

Approved:

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

Attest:

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

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

I, Linda Prina, Acting Borough Clerk of the Borough of Ridgefield, County of Bergen, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Governing Body at a meeting of said Governing Body held on September 12, 2011, and said resolution was adopted by not less than a two-thirds vote of the members of the Governing Body.

---

Witness my hand and seal of the  
Borough of Ridgefield this  
12<sup>th</sup> day September, 2011.

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

---

Joseph Luppino,  
Chief Financial Officer

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 12, 2011

Presented by Councilman Jimenez

RESOLUTION NO. 284-2011

BE IT RESOLVED, that warrants totaling \$2,876,026.87  
be drawn on the following accounts:

CURRENT	\$2,590,338.75
TRUST	\$34,546.95
CAPITAL	\$166,144.70
POOL	\$82,510.10
DOG LICENSE	\$612.00
AGED ITEMS	\$1,874.37
TOTAL	\$2,876,026.87

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