

BOROUGH OF RIDGEFIELD

A G E N D A

Executive Session and Public Session Meeting of the Mayor and Council

Date: September 19, 2018

Open Public Meetings Statement by Mayor Suarez

Public Session to Adjourn to Executive Session: C.T.O.: 6:39 P.M. Adjourn: 6:40 P.M.

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

Executive Session: 6:30 P.M. C.T.O.: 6:40 P.M. Adjourn: 7:26 P.M.

Public Session: 7:30 P.M. C.T.O.: 7:37 P.M. Adjourn: 7:51 P.M.

Pledge of Allegiance

Invocation

Citizens Comment on Agenda:

Correspondence:

**ROLL CALL-PUBLIC SESSION**

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

**ROLL CALL-EXEC. SESSION**

	PRESENT	ABSENT
	Mayor Suarez	X
Castelli	X	
Penabad	6:45 P.M.	
Shim	X	
Jimenez	X	
Kontolios	X	
Larkin	X	

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As advertised, hearing will be held on Ordinance No. 2344 entitled, “AN ORDINANCE AMENDING SECTION 390-25 OF THE CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED DRIVEWAYS”

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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Introduction of Ordinance No. 2346 entitled, “AN ORDINANCE TO ELIMINATE THE POSITION OF COMMUNICATIONS DIRECTOR”

First Reading of Ordinance

Roll Call

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**CONSENT AGENDA:**

245-2018	Mayor Suarez	Community Development Representatives
246-2018	Councilman Castelli	Oppose Suez Water Rate Increase
247-2018	Councilwoman Larkin	Appointment to Youth Commission
248-2018	Councilman Castelli	Encroachment License Agreement
249-2018	Mayor Suarez	Proclamation-National Suicide Prevention Awareness Month
250-2018	Councilman Jimenez	Chapter 159-NJSEA Arbor Tree Grant
251-2018	Councilman Castelli	Appoint School Crossing Guards
252-2018	Councilman Castelli	Appoint Per Diem Community Service Officer
253-2018	Councilman Castelli	Endorse/Support Establishment of Bus Stops
254-2018	Councilman Penabad	Hire P/T Fire Inspector/Property Maintenance Inspector
255-2018	Mayor Suarez	Proclamation-English Neighborhood Reformed Church
256-2018	Councilman Castelli	Correcting Resolution No. 240-2018

**COUNCIL VOTE**

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

**RESOLUTIONS:**

257-2018	Councilman Castelli	Adopt Personnel Policies and Procedures Manual
258-2018	Councilman Jimenez	Warrants
259-2018	Councilman Castelli	Approve Fireworks Contract
260-2018	Mayor Suarez	Appoint OEM Director

COMMENTS BY MAYOR:

COMMENTS BY COUNCILMEN:

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

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

Respectfully submitted,

Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 19, 2018

Presented by Mayor Suarez

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

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

COUNCIL VOTE				
	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
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 September 19, 2018

Presented by Councilman Castelli

ORDINANCE NO. 2344

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

“AN ORDINANCE AMENDING SECTION 390-25 OF THE CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED DRIVEWAYS”

introduced on the 20<sup>th</sup> day of June, 2018, 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	X			
Penabad	X			
Shim	X			
Jimenez	X			
Kontolios	X			
Larkin	X			
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting June 20, 2018

Presented by Councilman Castelli

ORDINANCE NO. 2344

“AN ORDINANCE AMENDING SECTION 390-25 OF THE CODE OF THE BOROUGH  
OF RIDGEFIELD ENTITLED DRIVEWAYS”

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

Section I: The existing language of Section 390-25, entitled “Driveways”, be and hereby is deleted and replaced with the following:

390-25. Driveways and Parking Vehicles.

For all lots on which there are structures used for one and two family residential purposes, the following regulations shall apply:

A. The following definitions shall apply to this ordinance:

Curb Opening (Curb Cut/Drop Curb): The opening along the curblines at which point vehicles may enter or leave the roadway.

Driveway Apron: Driveway area extending from the curb to the sidewalk. Whenever there is no sidewalk or curb, the driveway apron shall extend from the gutter line of the pavement to the street line.

Driveway: A paved area used for ingress or egress of vehicles and allowing access from a street to a lot, building or other structure of facility.

B. The width of driveways in front yards shall not exceed 12 feet per building lot, except that properties with garage openings of two cars or more, driveway widths may be 23 feet.

C. There shall be no more than a single driveway and curb opening for each lot to which the ordinance applies. Contiguous lots that are used jointly in connection with a single residential structure are to be considered a single lot for purposes of this ordinance.

D. Automobiles may be parked only on the impervious area of a driveway and not on any other part of a front yard.

E. Driveway aprons, at the point that the apron meets the sidewalk or driveway, shall be no wider than the width of the driveway in the front yard. Curb openings may be no wider than

1.25 x the width of the driveway apron, and aprons may be angled so that the opening at the curb is wider than the opening where the apron meets the sidewalk or driveway.

F. Whenever new sidewalks shall be constructed or existing sidewalks shall be reconstructed, and whenever there is an existing curb, or a curb is to be constructed in conjunction with the sidewalk driveway, aprons shall be of concrete. All concrete driveway aprons shall extend from the curb to the sidewalk.

G. Driveway widths shall be measured from the two widest points of the driveway irrespective of whether the area within those points is fully paved.

H. Driveways shall be constructed of either macadam, concrete, or concrete or clay pavers. For purposes of this ordinance, concrete or clay pavers, once installed, are to be considered an impervious surface.

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 September 19, 2018

Presented by Councilman Jimenez

ORDINANCE NO. 2346

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

“AN ORDINANCE TO ELIMINATE THE POSITION OF COMMUNICATIONS  
DIRECTOR”

introduced on the 19<sup>th</sup> day of September, 2018, 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 3<sup>rd</sup> day of October, 2018 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	X			
Penabad	X			
Shim	X			
Jimenez	X			
Kontolios	X			
Larkin	X			
Mayor Suarez				

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 19, 2018

Presented by Councilman Jimenez

ORDINANCE NO. 2346

“AN ORDINANCE TO ELIMINATE THE POSITION OF COMMUNICATIONS  
DIRECTOR”

Section I:

WHEREAS, the Borough of Ridgefield (“Borough”) presently includes a position entitled “Communications Director”; and

WHEREAS, the Borough has contracted with an independent company to perform the services previously provided by the Communication Director; and

WHEREAS, the Borough has determined that contracting with the independent company will result in an economic savings to the Borough and that it is no longer necessary to maintain the position of Communications Director; and

WHEREAS, the Borough has determined that it is necessary to abolish the position of Communications Director, for reasons of economy and efficiency.

BE IT ORDAINED by the Mayor and Council of the Borough of Ridgefield that the Borough hereby abolishes the position of Communications Director.

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:

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Anthony R. Suarez, Mayor

Attest:

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Linda M. Silvestri,  
Borough Clerk

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 19, 2018

Presented by Mayor Suarez

RESOLUTION NO. 245-2018

WHEREAS, the Borough of Ridgefield has entered into a Three Year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act (N.J.S.A. 40A:8A-1 et seq.) and Title I of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that one Municipal Representative be appointed by the Mayor and one Representative by appointed by the Governing Body of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1, 2018 through June 30, 2019;

NOW, THEREFORE, BE IT RESOLVED that the Mayor hereby appoints

HUGO JIMENEZ

as his representative to participate on the Community Development Regional Committee; and

CARLO OROPESSA

as the Mayor's alternate on said committee.

BE IT FURTHER RESOLVED that the Governing Body hereby appoints

RUSSELL CASTELLI

as its representative to participate on the Community Development Regional Committee; and

RAY PENABAD

as the Governing Body alternate on said committee.

BE IT FURTHER RESOLVED that an original copy of this resolution be forwarded to Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, Fourth Floor; Hackensack, NJ 07601 for receipt no later than Friday, October 12, 2018.

**COUNCIL VOTE**

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

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 September 19, 2018

Presented by Councilman Castelli

RESOLUTION NO. 246-2018

WHEREAS, Suez Water has filed an application for another increase of an average of 18.8% with the Board of Public Utilities; and

WHEREAS, the Borough of Ridgefield purchases water for its residents and businesses from Suez Water and would be required to pass any increase on to its Ridgefield customers; and

WHEREAS, the projected rate hike, if granted, comes on top of prior rate increases, including one granted in 2016 of 8%, bringing a total increase granted to Suez Water since 2008 to approximately 68%; and

WHEREAS, a pattern has developed whereby Suez Water petitions the Board of Public Utilities for rate increases every few years and eventually Suez Water receives the rate increases they originally request; and

WHEREAS, this proposed increase will create a hardship on the residents and businesses of Ridgefield;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that it hereby goes on record opposing Suez Water's request for a 18.8% increase in its rates and strongly recommends that the Board of Public Utilities take into account the past increases granted to Suez Water and deny this increase in rates; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to send certified copies of this resolution to Governor Murphy, the State Board of Public Utilities, Senator Sarlo and Assemblymen Calabrese and Schaer.

Approved:

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

Attest:

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

COUNCIL VOTE

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 19, 2018

Presented by Councilwoman Larkin

RESOLUTION NO. 247-2018

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

ANNA SUTTORA

be appointed to the Youth Commission for the remainder of 2018.

COUNCIL VOTE

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

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 September 19, 2018

Presented by Councilman Castelli

RESOLUTION NO. 248-2018

WHEREAS, the owners of property commonly known as 821 Edgewater Avenue, further known as Lot 3, Block 2702, in the Borough of Ridgefield have requested an encroachment license agreement; and

WHEREAS, the homeowner Carey Weiss is desirous of constructing steps, which would be located partially in the Borough's right of way; and

WHEREAS, the application for an encroachment license agreement has been reviewed by the Public Works Committee and recommended for approval; and

WHEREAS, it is in the best interests of the Borough of Ridgefield to approve the encroachment license agreement in the form attached hereto;

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

1. The attached encroachment license agreement for property known as 821 Edgewater Avenue, Ridgefield, New Jersey, being further known as Lot 3, Block 2702, be and hereby is approved.
2. The Mayor and Borough Clerk be and hereby are authorized and directed to execute same on behalf of the Borough of Ridgefield.

Approved:

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

Attest:

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

**COUNCIL VOTE**

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 19, 2018

Presented by Mayor Suarez

**P**roclamation

RESOLUTION NO. 249-2018

WHEREAS, September is known around the United States as National Suicide Prevention Awareness Month and is intended to help promote awareness surrounding each of the Suicide Prevention resources available to us and our community. The simple goal is to learn how to help those around us and how to talk about suicide without increasing the risk of harm; and

WHEREAS, suicidal thoughts can affect anyone regardless of age, gender, race, orientation, income level, religion, or background; and

WHEREAS, according to the CDC, each year more than 41,000 people die by suicide; and

WHEREAS, suicide is the 10<sup>th</sup> leading cause of death among adults in the US, and the 2<sup>nd</sup> leading cause of death among people aged 10-24; and

WHEREAS, Ridgefield, NJ is no different than any other community in the country, but chooses to publicly state and place our full support behind local educators, mental health professionals, athletic coaches, pack leaders, police officers, and parents, as partners in supporting our community in simply being available to one another; and

WHEREAS, local organizations like Suicide Prevention Services (SPS) and national organizations like the National Alliance on Mental Illness (NAMI) are on the front lines of a battle that many still refuse to discuss in public, as suicide and mental illness remain too taboo a topic to speak on; and

WHEREAS, every member of our community should understand that throughout life's struggles we all need the occasional reminder that we are all silently fighting our own battles; and

WHEREAS, I encourage all residents to take the time to inquire as to the wellbeing of their family, friends, and neighbors over the next few days and to genuinely convey their appreciation for their existence by any gesture they deem appropriate. A simple phone call, message, handshake, or hug can go a long way towards helping someone realize that suicide is not the answer.

NOW, THEREFORE, BE IT RESOLVED that we, Mayor Anthony Suarez and the Ridgefield Borough Council, do hereby proclaim the month of September 2018, as National Prevention Awareness Month in the Borough of Ridgefield.

**COUNCIL VOTE**

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

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 September 19, 2018

Presented by Councilman Jimenez

RESOLUTION NO. 250-2018

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an appropriation for an equal amount; and

WHEREAS, the Borough of Ridgefield has been awarded grants, and wishes to amend its 2018 Calendar Year Budget to include this amount as a item of revenue; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Mayor and Council hereby requests the Director of Government Services to approve the insertion of an item of revenue in the Calendar Year Budget of 2018 in the sum of \$1,000.00 which is now available as a revenue item from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenue Off-set with Appropriations:

NJSEA Arbor Tree Grant \$1,000.00

BE IT FURTHER RESOLVED that a like sum of \$1,000.00 be and the same is hereby appropriated under the caption:

General Appropriations

Operations excluded from CAPS

Public and Private Revenues Off-set by Appropriations:

NJSEA Arbor Tree Grant \$1,000.00

BE IT FURTHER RESOLVED that the Chief Financial Officer file an electronic copy of this resolution with the Director of Local Government Services for approval.

**COUNCIL VOTE**

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

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 September 19, 2018

Presented by Councilman Castelli

RESOLUTION NO. 251-2018

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

SANDRA CASTRO

and

AGUSTIN AROCHO

be appointed as a School Crossing Guards for the 2018/2019 school year effective immediately at the hourly rate of \$12.90.

COUNCIL VOTE

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

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 September 19, 2018

Presented by Councilman Castelli

RESOLUTION NO. 252-2018

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

JUAN MIRANDA

be appointed as a per-diem Community Service Officer effective immediately at the hourly rate of \$15.00.

COUNCIL VOTE

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

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 September 19, 2018

Presented by Councilman Castelli

RESOLUTION NO. 253-2018

WHEREAS, the NJDOT has proposed establishing bus stops along New Jersey State Route 63 (Bergen Boulevard); and

WHEREAS, NJDOT has asked for a resolution of support by the Mayor and Council; and

WHEREAS, the Chief of Police has reviewed and approved the proposed bus stop locations;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that the Borough hereby endorses and supports the establishment of bus stops along New Jersey State Route 63 (Bergen Boulevard) as contained in the June 14, 2018 correspondence of the NJDOT addressed to Borough Clerk Linda Silvestri, which is attached to this Resolution.

COUNCIL VOTE

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

Approved:

Attest:

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

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



## State of New Jersey

DEPARTMENT OF TRANSPORTATION  
P.O. Box 600  
Trenton, New Jersey 08625-0600

PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lt. Governor*

DIANE GUTIERREZ-SCACCETTI  
*Commissioner*

**BUS STOPS**  
Route NJ 63  
Various locations  
Ridgefield Borough  
Bergen County

June 14, 2018

Linda Silvestri  
Borough Clerk  
604 Broad Avenue  
Ridgefield, New Jersey 07657

Dear Ms. Silvestri:

This is in reference to a survey conducted by the New Jersey Department of Transportation (NJDOT) to inventory all Bus Stops along State and US Routes in New Jersey. Based upon an investigation conducted by the engineering firm of Jacobs Engineering, and a field review by the NJDOT Bureau of Traffic Engineering (BTE), the bus stop locations indicated below can be recommended for approval.

In addition to those bus stop locations recommended by Jacobs Engineering, NJ Transit and the NJDOT have conducted a survey to inventory all existing bus stop locations along Route NJ 63 within the Borough of Ridgefield. Based upon this survey all currently recommended and existing approved bus stop locations will be approved by a new Traffic Regulation Order (TRO). This consolidation will enable NJDOT to update our regulation files of all existing bus stop locations along Route NJ 63 in the Borough of Ridgefield, County of Bergen.

In order to legally establish these bus stops, the New Jersey Department of Transportation is required to promulgate a TRO. An initial step in the TRO process is to receive a Resolution of Support from the municipal governing body. It is therefore requested that a certified adopted Resolution of Support affixed with the raised seal of the Borough of Ridgefield be submitted to this office to read substantially as follows:

**Bus Stops:**

**Along Route NJ 63, northbound, on the easterly side at:**

"IMPROVING LIVES BY IMPROVING TRANSPORTATION"  
New Jersey Is An Equal Opportunity Employer • Printed on Recycled and Recyclable Paper

- A. Fairview Terrace – (near side) (NJ Transit ID# 13202)  
Beginning at the southerly curb line of Fairview Terrace and extending 105 feet southerly therefrom.
- B. Edgewater Road (CR50) – (far side) (NJ Transit ID# 13203)  
Beginning at the northerly curb line of Edgewater Road and extending 100 feet northerly therefrom.
- C. Art Lane – (near side) (NJ Transit ID# pending)  
Beginning at the southerly curb line of Art Lane and extending 105 feet southerly therefrom.
- D. Washington Avenue – (near side) (NJ Transit ID# 13206)  
Beginning at the southerly curb line of Washington Avenue and extending 105 feet southerly therefrom.
- E. Columbia Avenue – (far side) (NJ Transit ID# 13207)  
Beginning at the northerly curb line of Columbia Avenue and extending 100 feet northerly therefrom.
- F. Lafayette Avenue – (near side ) (NJ Transit ID# 13208)  
Beginning at the southerly curb line of Lafayette Avenue and extending 105 feet southerly therefrom.

Along Route NJ 63, southbound, on the westerly side at:

- A. Ray Avenue – (far side) (NJ Transit ID # 13209)  
Beginning at the southerly curb line of Ray Avenue and extending 100 feet southerly therefrom.
- B. Columbia Avenue – (near side) (NJ Transit ID# 13210)  
Beginning at the northerly curb line of Columbia Avenue and extending 105 feet northerly therefrom
- C. Washington Avenue – (near side) (NJ Transit ID# 13211)  
Beginning at the prolongation of the northerly curb line of Washington Avenue and extending 135 feet northerly therefrom.
- D. Art Lane – (near side) (NJ Transit ID# 13212)  
Beginning at the northerly curb line of Art Lane and extending 105 feet northerly therefrom
- E. Day Avenue – (near side) (NJ Transit ID# 13213)  
Beginning at the northerly curb line of Day Avenue and extending 105 feet northerly therefrom
- F. Edgewater Road (CR50) – (near side) (NJ Transit ID# 13214)  
Beginning at the northerly curb line of Edgewater Road and extending 105 feet northerly therefrom
- G. Fairview Terrace – (far side) (NJ Transit ID# 13215)  
Beginning at the prolongation of the southerly curb line of Fairview Terrace and extending 110 feet southerly therefrom.

**Repealer Clause:**

**The Borough of Ridgefield concurs that any approved bus stop locations or traffic regulations in conflict with or inconsistent with the provisions of this resolution be rescinded upon approval of the Traffic Regulation Order.**

Once this office is in receipt of the certified adopted Resolution of support from the Borough of Ridgefield's governing body, a Traffic Regulation Order will be promulgated.

Should you have any questions regarding this matter, please contact Senior Traffic Investigator, Troy Midgette at (609) 530-2436. Please enclose a copy of this letter with any further correspondence concerning this matter in order to expedite the process.

Sincerely,

*Original signed by:*

Mark A. Hiestand  
Supervisor, Traffic Investigations  
Bureau of Traffic Engineering

C: Paul Spiegel, Manager, Bus Stop Sign and Shelter Programs, NJ Transit  
Joseph DeMauro, Field Representative, NJ Transit (via email)  
Chief Thomas J. Gallagher, Ridgefield Police Department



ROUTE	LOC	SID	STOP_NUM	COMMENTS	NOTES	SOURCE	LENGTH	DIST	DIR	FROM	DIR	END	TRNO	MO	SID_MAP
NB	Near Side	Fairview Terrace	13202			Jacobs	105	0	Southerly	Southerly	Southerly				0.99
NB	Far Side	Edgewater Road (CR50)	13203			Jacobs	100	0	Northerly	Northerly	Northerly				1.08
NB	Near Side	Greenmount Avenue	13204	vehicles parked in bus stop		Jacobs	105	0	Southerly	Southerly	Southerly				1.17
NB	Near Side	Art Lane	pending		to replace 13204 and 13205	New	105	0	Southerly	Southerly	Southerly				1.27
NB	Far Side	Oakdene Avenue	13205		insufficient space between intersections	Jacobs	100	0	Northerly	Northerly	Northerly				1.32
NB	Near Side	Washington Avenue	13206			Jacobs	105	0	Southerly	Southerly	Southerly				1.38
NB	Far Side	Columbia Avenue	13207			Jacobs	100	0	Northerly	Northerly	Northerly				1.51
NB	Near Side	Lafayette Avenue	13208			Jacobs	105	0	Southerly	Southerly	Southerly				1.68
SB	Far Side	Fairview Terrace	13215			Regs	110	0	Southerly	Southerly	Southerly			RP-85-70	0.99
SB	Near Side	Edgewater Road (CR 50)	13214			Jacobs	105	0	Northerly	Northerly	Northerly				1.08
SB	Near Side	Day Avenue	13213			Jacobs	105	0	Northerly	Northerly	Northerly				1.18
SB	Near Side	Art Lane	13212	missing A sign		Jacobs	105	0	Northerly	Northerly	Northerly				1.27
SB	Near Side	Washington Ave	13211	school		Regs	135	0	Northerly	Northerly	Northerly			RP-80-34	1.41
SB	Near Side	Columbia Avenue	13210			Jacobs	105	0	Northerly	Northerly	Northerly				1.51
SB	Far Side	Ray Avenue	13209			Jacobs	100	0	Southerly	Southerly	Southerly				1.68

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 19, 2018

Presented by Councilman Penabad

RESOLUTION NO. 254-2018

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

JAMES BRIERTY

be appointed as a part-time Fire Inspector/Property Maintenance Inspector effective immediately at the hourly rate of \$25.00.

COUNCIL VOTE

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 19, 2018

Presented by Mayor Suarez

RESOLUTION NO. 255-2018

# Proclamation

WHEREAS, on Sunday, September 30, 2018 English Neighborhood Reformed Church will celebrate its 250<sup>th</sup> Anniversary; and

WHEREAS, English Neighborhood Reformed Church's historic history began in 1768 when the church was first constructed in Leonia before being moved to Ridgefield in 1793; and

WHEREAS, throughout the years English Neighborhood Reformed Church has provided untiring service to the residents of the Borough of Ridgefield and surrounding communities through a variety of means including Chaplain to Ridgefield Fire Department and Ambulance Corps, Community Coffee House Benevolences, The Center for Food Action, 9/11 first responder BBQ, Veterans Groups, American Legion, Senior Citizens, Ridgefield Public Library, Ridgefield PBA, clothing drives, food assistance, education to school groups and individuals, annual history day events, Ridgefield Clergy Group, and ecumenical worship events;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Ridgefield issue this Proclamation in recognition of English Neighborhood Reformed Church's historical roots and long history of service to the community; and

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Ridgefield extend sincere best wishes for success in all their future endeavors.

Approved:

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

Attest:

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

**COUNCIL VOTE**

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 19, 2018

Presented by Councilman Castelli

RESOLUTION NO. 256-2018

WHEREAS, on September 5, 2018 the Mayor and Council adopted Resolution No. 240-2018, awarding to 4 Clean Up, Inc. a bid for the CDBG Roadways Improvement Program for the milling and paving of Linden Avenue; and

WHEREAS, the Resolution set forth that Maser Consulting had recommended that the contract be awarded to Marini Brothers Construction Company, Inc.; and

WHEREAS, Maser Consulting, in fact, had recommended that the bid be awarded to 4 Clean Up, Inc., the apparently low bidder; and

WHEREAS, it is in the best interests of the Borough of Ridgefield that Resolution No. 240-2018 be corrected as indicated above;

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

1. Resolution No. 240-2018 be and hereby is corrected and amended to reflect that Maser Consulting had recommended that the contract for the CDBG Roadways Improvement Program for the milling and paving of Linden Avenue be awarded to 4 Clean Up, Inc., the apparent low bidder.

2. In all other respects, the terms and provisions of Resolution No. 240-2018 are ratified and affirmed.

Approved:

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

Attest:

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

COUNCIL VOTE

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 19, 2018

Presented by Councilman Castelli

RESOLUTION NO. 257-2018

WHEREAS, it is the policy of the Borough of Ridgefield to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Attorney General's guidelines with respect to Police Department personnel matters, the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Mayor and Council has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Personnel Policies and Procedures Manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Borough officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Borough employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Mayor and Council.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that the Borough Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Human Resource Officer and Labor Counsel shall assist the Borough Administrator in the implementation of the policies and procedures in this manual.

BE IT FURTHER RESOLVED that the Borough of Ridgefield hereby adopts the Personnel Policies and Procedures Manual as its' Employee Manual.

**COUNCIL VOTE**

	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Castelli	X			
Penabad	X			
Shim	X			
Jimenez	X			
Kontolios	X			
Larkin	X			
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.

---

Diane Sherry,  
Chief Financial Officer

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 19, 2018

Presented by Councilman Jimenez

RESOLUTION NO. 258-2018

BE IT RESOLVED, that warrants totaling **\$2,501,764.75**  
be drawn on the following accounts:

CURRENT	\$2,436,007.25
AMBULANCE CURRENT	\$22,244.48
TRUST	\$35,794.08
POOL OPERATING	\$7,698.94
ANIMAL TRUST	\$20.00
TOTAL	<b>\$2,501,764.75</b>

COUNCIL VOTE

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

Approved:

Attest:

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

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

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 19, 2018

Presented by Councilman Castelli

RESOLUTION NO. 259-2018

WHEREAS, the Borough of Ridgefield wishes to provide its annual fireworks display on September 29, 2018; and

WHEREAS, the Borough has received a proposal from Serpico Pyrotechnics, LLC of 133 Orchid Court, Toms River, New Jersey; and

WHEREAS, the Borough Attorney has reviewed and approved the form of contract; and

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

WHEREAS, the Borough wishes to award said contract in the amount of \$14,500.00 in the form as annexed hereto; and

WHEREAS, this contract is not awarded pursuant to the fair and open process;

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

1. The Borough engages Serpico Pyrotechnics, LLC to perform the Borough's fireworks display to be held on September 29, 2018.
2. The contract is below the bid threshold and accordingly is not awarded through a bidding process.
3. Inasmuch as this contract is not awarded pursuant to a fair and open process, the contractor shall submit appropriate proof of his compliance with the provisions of N.J.S.A. 19:44(a)-20 et. seq.
4. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached form of contract subject to compliance by the vendor with all applicable pay to play legislation.
5. The Borough's Chief Financial Officer has certified the availability of funds from the following account of the CY2018 Temporary Budget:

01-2010-30-4202-001

Celebration of Holiday

\$14,500.00

**COUNCIL VOTE**

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

Approved:

Attest:

---

Anthony R. Suarez, Mayor

---

Linda M. Silvestri,  
Borough Clerk

## DISPLAY CONTRACT

The Borough of Ridgefield, hereinafter referred to as the “sponsor”, hereby agrees to purchase a fireworks display from Serpico Pyrotechnics, LLC/Starfire Corporation, Joint Venture hereinafter referred to as the “company” on the terms and conditions set forth hereinafter.

**1. Purchase Price.** The sponsor will pay to the company (all checks made payable to Serpico Pyrotechnics, LLC) the sum of Fourteen Thousand, Five Hundred Dollars (\$14,500.00) for the display, said sum to be paid as follows:

a. The purchase price shall be paid to the company within 30 days after the display date which is hereinafter set forth.

b. In the purchase price is not paid within 30 days after the display date, all sums owed to the sponsor for the display will bear interest at the rate of 1.5% per month until paid in full. In addition to the foregoing, the sponsor shall pay all of the costs of collection of any amount due hereunder incurred by the company, including reasonable attorney’s fees and court costs. The aforementioned interest charge and collection costs including attorney’s fees shall apply to any sum due pursuant to the terms of this contract if not paid within 30 days of its due date.

**2. Display Date.** The date of the display will be September 29, 2018. The rain date will be mutually agreed to by the parties to a date in 2018.

**3. Display Site.** The sponsor shall provide an appropriate display site that meets the requirements of all applicable NFPA code sections and the applicable provisions of the New Jersey State Statutes and Department of Community Affairs Regulations. Additionally, the site must be approved by the company and the authority having jurisdiction over the display.

**4. Site Security.** The sponsor shall provide police and/or crowd security personnel, proper parking supervision, and insure adequate patrol of the safety zone as marked and secured by the sponsor until the company crew chief advises that this is no longer necessary. Company personnel shall have control of the firing area during the display (although security shall continue to be the sponsor’s responsibility). The sponsor will be responsible for the cleanup of any fallout debris from the display; however company personnel will dispose the boxes brought to the site by the company.

In the event any unauthorized persons or vehicles enter the safety zone, company personnel shall have the right to terminate the display.

Immediately following the display company personnel will search the display area for any unexploded fireworks and safely dispose of any that are found. A company representative will inspect the site the morning after the display if required by the Borough Fire Inspector and safely dispose of any unexploded fireworks discovered during the inspection in accordance with NFPA code requirements. The company will, if requested by the authority having jurisdiction over the display provide a post-display inspection report within 48 hours after the display. The post-display inspection report will contain the time of the search; the results thereof; any product malfunctions and any injuries.

**5. Permits.** The sponsor shall be responsible for obtaining all permits and governing body resolutions required for the display

**6. Postponement or Cancellation of the Display.** In the event of inclement weather or excessive winds on the date of the display, the parties hereto shall confer and if they agree that the weather or wind conditions require the show to be postponed, the show will be postponed to a mutually agreeable date in 2018. In the event the show cannot be fired on the postponed date or another mutually agreeable date in 2018, the sponsor will pay to the company a sum equal to 50% of the total show price.

In the event the show is postponed on the day of the show there will be a postponement fee charged to the sponsor in an amount equal to the costs incurred by the company for transportation, insurance and labor, which sum will not exceed 10% of the total contract price for the show. Said fee shall be paid within 30 days of the date the show is postponed.

**7. Insurance.** The company shall have liability insurance in the amount of \$1,000,000.00/\$9,000,000.00 umbrella policy; workers compensation insurance and vehicle insurance. Proof of the foregoing insurances shall be provided to the sponsor when this contract is executed by both parties.

**8. Personnel.** The company shall provide sufficient trained personnel to set up, fire and break down the display in a workmanlike manner.

**9. Miscellaneous.** The company reserves the right to substitute product in the show with product equal to or greater in value at its discretion. The company shall not be responsible for events beyond its control, including the weather. In the event the display is damaged or destroyed by rain or wind or weather related conditions, the risk of loss shall remain with the sponsor.

In the event the display is set up and it is postponed to the next day due to weather or wind conditions, the display will not be broken down. Additionally, the sponsor shall provide security for the site until the company crew arrives the next day to fire the show.

The authorized representatives of the parties hereby agree to the aforementioned terms and conditions of this contract on the date and year set forth below.

Serpico Pyrotechnics, LLC./  
Starfire Corporation

Borough of Ridgefield

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jack A. Serpico

\_\_\_\_\_  
Date

**ADDENDUM TO CONTRACT AND AGREEMENT  
FOR THE DISPLAY OF FIREWORKS BY AND BETWEEN  
SERPICO PYROTECHNICS, LLC  
AND THE BOROUGH OF RIDGEFIELD**

This is an addendum to the contract and agreement by and between Serpico Pyrotechnics, LLC/Starfire Corporation, having an office at 133 Orchid Court, Toms River, New Jersey (hereinafter "Contractor") and the Borough of Ridgefield (hereinafter "Borough").

**1. Effect of Addendum:** This addendum is intended to modify the main body of a certain contract by and between Contractor and Borough for a fireworks display to be held on September 29, 2018. Should there be a differences or discrepancies between the terms and conditions of this addendum, and the terms and conditions of the main body of the contract, the terms and conditions of this addendum shall prevail.

**2. Insurance Requirements:** The Contractor, prior to commencing work, shall provide at its own expense, insurance coverage that, at a minimum, is of the type and with the limits of liability as set forth below:

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. Ten (10) 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 ten (10) 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.

Successful Contractor shall have the appropriate federal license and shall conform to all safety requirements as outline in local, state and federal laws. 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.

A. Workers' Compensation

The Contractor ( both Serpico & Starfire Corporation are covered by worker's compensation insurance) 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.

D. 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.

E. 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 ten (10) 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 ten (10) 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.

F. 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.

As an express term of this contract, Contractor shall provide to the Borough appropriate certificates reasonably satisfactory to the Borough evidencing the insurance coverage set forth above. Failure to deliver the certificates shall be deemed a breach of the contract.

**3. Display to be Done in Workman-like Manner:** Contractor shall perform its work under this agreement in a professional and workman-like manner. The show details shall be as per the attached Schedule A prepared by the Contractor.

**4. Necessary Licenses and Permits:** Contractor hereby indicates that it possesses all necessary licenses and permits in order to allow it to perform the fireworks exhibition provided in the contract. Failure to have such licenses at the time of the display will constitute a default of this contract. The Borough will apply for and obtain necessary fire permits.

**5. Prevailing Law:** This contract shall be construed and interpreted in accordance with the laws of the State of New Jersey.

IN WITNESS WHEREOF, the parties have set their hands and seals on the date set forth below.

Date:

\_\_\_\_\_

Attest:

\_\_\_\_\_

Linda Silvestri  
Borough Clerk

BOROUGH OF RIDGEFIELD

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

Mayor Anthony Suarez

Date:

\_\_\_\_\_

Attest:

\_\_\_\_\_

SERPICO PYROTECHNICS,  
LLC/STARFIRE CORP.

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

Jack A. Serpico, Authorized  
Company Representative

BOROUGH OF RIDGEFIELD  
Bergen County, New Jersey

Meeting September 18, 2018

Presented by Mayor Suarez

RESOLUTION NO. 260-2018

BE IT RESOLVED that the Mayor appoints

MICHAEL HANDSCHIN

as Director of the Office of Emergency Management for a 30 day holdover beginning September 24, 2018.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Kontolios				
Larkin				
Mayor Suarez				

MAYORAL APPOINTMENT-NO COUNCIL VOTE NECESSARY

Approved:

Attest:

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

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