

BOROUGH OF RIDGEFIELD

A G E N D A

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

Date: September 28, 2015

Open Public Meetings Statement by Mayor Suarez

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

- JEG Energy Services Presentation

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

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

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

Pledge of Allegiance

Invocation:

Citizens Comment on Agenda:

Correspondence:

ROLL CALL-WORK SESSION

Table with 3 columns: Name, PRESENT, ABSENT. Rows include Mayor Suarez, Castelli, Acosta, Penabad, Shim, Todd, Vincentz.

ROLL CALL-EXEC. SESSION

Table with 3 columns: Name, PRESENT, ABSENT. Rows include Mayor Suarez, Castelli, Acosta, Penabad, Shim, Todd, Vincentz.

ROLL CALL-PUBLIC SESSION

Table with 3 columns: Name, PRESENT, ABSENT. Rows include Mayor Suarez, Castelli, Acosta, Penabad, Shim, Todd, Vincentz.

As advertised, hearing will be held on Ordinance No. 2287 entitled, “A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$175,000.00 FOR ABBOTT AVENUE IMPROVEMENTS, SECTION 3, PROJECT BY THE BOROUGH OF RIDGEFIELD FOR AND TO APPROPRIATE \$149,000.00 FROM A NJDOT FISCAL YEAR 2015 MUNICIPAL AID GRANT AND 26,000.00 FROM BERGEN COUNTY RIDGEFIELD BOROUGH CAPITAL IMPROVEMENT FUND”

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

Public Hearing

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

Final Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2288 entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 375 “VEHICLES AND TRAFFIC” SECTION 375-6 “LIMITED DURATION PARKING AREAS” TO ADD ADDITIONAL AREAS”

First Reading of Ordinance

Roll Call

Introduction of Ordinance No. 2289 entitled, “AN ORDINANCE AMENDING SECTION 375-5 OF THE CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED NO PARKING AREAS”

First Reading of Ordinance

Roll Call

PROPOSED CONSENT AGENDA:

238-2015	Councilman Penabad	Overpayment Refund Due to Homestead Rebate
239-2015	Councilman Penabad	Overpayment of Taxes – Block 101, Lot 15
240-2015	Councilman Penabad	Refund 2015 Veteran Deduction
241-2015	Councilman Penabad	Cancel Accounts Payable
242-2015	Councilman Castelli	Authorize Mayor to Sign Grant Agreement for Improvements to Oak Street
243-2015	Councilman Penabad	COAH Approve Amendment to MSSDA
244-2015	Councilman Acosta	Hire DPW Seasonal Employee
245-2015	Councilman Penabad	Authorize Release of Performance Bond
246-2015	Mayor Suarez	Continuing Support for the Goals and Purposes of the 2004 Highlands Water Protection and Planning Act
247-2015	Councilman Castelli	Endorse 2016 CDBG Project – Edgewater Avenue Sewer Repairs
248-2015	Councilman Castelli	Change Order – Professional Services

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

RESOLUTIONS:

249-2015	Mayor Suarez	Appoint OEM Director
250-2015	Councilman Acosta	Renewal of Liquor License
251-2015	Councilman Penabad	Warrants

COMMENTS BY MAYOR:

Coin Toss Request:

RMHS Project Graduation
November 28, 2015
April 9, 2016

Slocum Skewes 8th Grade Class
March 19, 2016
April 30, 2016

Request to Close Street:

A.W. Meyer – Oct-tool-berfest
Close Oritan Avenue
September 30-October 3, 2015

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 28, 2015

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				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
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 28, 2015

Presented by Councilman Penabad

ORDINANCE NO. 2287

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

“A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$175,000.00 FOR ABBOTT AVENUE IMPROVEMENTS, SECTION 3, PROJECT BY THE BOROUGH OF RIDGEFIELD FOR AND TO APPROPRIATE \$149,000.00 FROM A NJDOT FISCAL YEAR 2015 MUNICIPAL AID GRANT AND 26,000.00 FROM BERGEN COUNTY RIDGEFIELD BOROUGH CAPITAL IMPROVEMENT FUND”

introduced on the 14th day of September, 2015, 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				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 14, 2015

Presented by Councilman Penabad

ORDINANCE NO. 2287

“A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$175,000.00 FOR ABBOTT AVENUE IMPROVEMENTS, SECTION 3, PROJECT BY THE BOROUGH OF RIDGEFIELD FOR AND TO APPROPRIATE \$149,000.00 FROM A NJDOT FISCAL YEAR 2015 MUNICIPAL AID GRANT AND 26,000.00 FROM RIDGEFIELD CAPITAL IMPROVEMENT FUND”

BE IT ORDAINED, by the Governing Body of the Borough of Ridgefield in the County of Bergen, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

SECTION 1. The improvement described in Section 2 of this Ordinance is hereby respectively authorized as a general improvement to be made by the Borough of Ridgefield, New Jersey, for the said improvements or purposes stated in Section 2, there are hereby appropriated the sum of money therein stated as the appropriation made for said improvement or purpose, said sum being inclusive of all appropriations heretofore made thereof and amounting in the aggregate to \$149,000.00 from a NJDOT Fiscal Year 2015 Municipal Aid Grant and \$26,000 which is now available in the Capital Improvement Fund.

SECTION 2. The Borough of Ridgefield, in the County of Bergen, State of New Jersey, is hereby authorized to provide for the following:

Abbott Avenue Improvements, Section 3	
Including all labor, material costs and	
Appurtenances necessary and related thereto	<u>\$175,00.00</u>

SECTION 3. It is hereby determined and stated:

(a) That said purpose is not a current expense. That the same is an improvement which the municipality may lawfully make and that no part of the cost of said improvement has been or shall be specifically assessed on properties specifically benefited.

It is not necessary to finance said appropriation by the issuance of obligations by the Borough of Ridgefield pursuant to the Local Bond Law of the State of New Jersey, for the reason that monies sufficient to cover the appropriation thereof shall be available from a NJDOT Fiscal Year 2015 Municipal Aid Grant in the amount of \$149,000.00 and from the Capital Improvement Fund in the amount of \$26,000.00.

SECTION 4. The Capital Budget of the Borough of Ridgefield is hereby amended or established to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing all detail of the amended or temporary Capital Budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and is available for public inspection.

SECTION 5. The sum of \$175,000.00 is hereby appropriated for the aforementioned purpose.

SECTION 6. It is hereby determined and stated that no supplemental debt statement is required to be made and signed in connection with said appropriation, since the gross debt of the municipality, as defined under the Local Bond Law, is not increased by this Ordinance and no obligations in the matter of notes or bonds are authorized by this Ordinance.

SECTION 7. This Ordinance shall take effect after publication thereof and final passage as required by law.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 28, 2015

Presented by Councilman Acosta

ORDINANCE NO. 2288

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

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 375 “VEHICLES AND TRAFFIC” SECTION 375-6 “LIMITED DURATION PARKING AREAS” TO ADD ADDITIONAL AREAS”

introduced on the 28th day of September, 2015 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 12th day of October, 2015 at 7:30 P.M. or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Ridgefield Public Library, 527 Morse 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				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 28, 2015

Presented by Councilman Acosta

ORDINANCE NO. 2288

“AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 375 “VEHICLES AND TRAFFIC” SECTION 375-6 “LIMITED DURATION PARKING AREAS” TO ADD ADDITIONAL AREAS”

BE IT ORDAINED, by the Mayor and Council of the Borough of Ridgefield, County of Bergen, State of New Jersey, being the governing body thereof, that Chapter 375 “Vehicles and Traffic”, Section 375-6 “Limited Duration Parking Areas” of the Code of the Borough of Ridgefield be and is hereby amended and supplemented as follows:

Section I:

§ 375-6 Limited duration parking areas.

C. Parking is hereby prohibited on the following streets or parts thereof in the Borough of Ridgefield between the hours of 8:30 a.m. and 4:30 p.m. for a period longer than 30 minutes:

(4) On the westerly side of Bergen Boulevard beginning at a point 72 feet north from the point where said westerly curb line of Bergen Boulevard intersects with the northerly curb line of Oakdene Avenue and continuing in a northerly direction along Bergen Boulevard a distance of 20 feet to 92 feet, directly adjacent to the address commonly known as 611 Bergen Boulevard.

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:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 28, 2015

Presented by Councilman Acosta

ORDINANCE NO. 2289

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 375-5 OF THE CODE OF THE BOROUGH OF RIDGEFIELD ENTITLED NO PARKING AREAS”

introduced on the 28th day of September, 2015 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 12th day of October, 2015 at 7:30 P.M. or as soon thereafter as the matter may be reached at the regular meeting of the Borough Council in the Ridgefield Public Library, 527 Morse 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				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 28, 2015

Presented by Councilman Acosta

ORDINANCE NO. 2289

“AN ORDINANCE AMENDING SECTION 375-5 OF THE CODE OF THE BOROUGH OF
RIDGEFIELD ENTITLED NO PARKING AREAS”

BE IT ORDAINED, by the Mayor and Council of the Borough of Ridgefield, County of Bergen, State of New Jersey, that Chapter 375 “Vehicles and Traffic”, Section 375-5 “No Parking Areas” of the Code of the Borough of Ridgefield be and is hereby amended and supplemented as follows:

Section I:

§ 375-5 No parking areas.

- A. Parking is hereby prohibited on streets or parts thereof in the Borough of Ridgefield as follows:

(108) On the northerly side of Maple Avenue beginning at a point 282 feet west from the point where said northerly curb line of Maple Avenue intersects with the westerly curb line of Broad Avenue at the northwestern corner of that intersection, and continuing in a northerly direction from that point a distance of 9 feet, to the point of 291 feet.

Section II: In all other respects, the terms, conditions and provisions of Section 375-5 of the Code of the Borough of Ridgefield are hereby ratified and affirmed.

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

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

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 28, 2015

Presented by Councilman Penabad

RESOLUTION NO. 238-2015

WHEREAS, the State of New Jersey issued Homestead Rebates for qualified properties located in the Borough of Ridgefield that were directly applied to homeowner's Second Quarter 2015 property taxes; and

WHEREAS, applying said rebates has caused an overpayment to occur on properties where the Second Quarter 2015 payments had already been made or were exempt from paying taxes to the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that refunds be issued according to the following schedule:

<u>Property Owner</u>	<u>Block Lot Qualifier</u>	<u>Address</u>	<u>Amount</u>
Grace Oriente	Block 106 Lot 2	554 Elm Avenue	\$576.05

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 28, 2015

Presented by Councilman Penabad

RESOLUTION NO. 239-2015

WHEREAS, an overpayment of taxes was received in the Borough of Ridgefield for the fourth quarter 2014 for Block 101 Lot 15, also known as 585 Elm Avenue;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that a refund in the amount of \$1,327.06 for the fourth quarter 2014 be issued to Ana Reyes.

BE IT FURTHER RESOLVED that the Chief Financial Officer/Treasurer be and he is hereby authorized to issue a check in the total amount of \$1,327.06 made payable to Ana Reyes and be mailed to 585 Elm Avenue, Ridgefield, New Jersey 07657.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 28, 2015

Presented by Councilman Penabad

RESOLUTION NO. 240-2015

WHEREAS, the property owner at 684 Linden Avenue, also known as Block 203 Lot 5 in the Borough of Ridgefield was to receive a Veteran deduction for the year 2015 which was erroneously removed from the tax bill;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that a refund in the amount of \$250.00 for the Veteran Deduction be given to Lillian Benvenuti for the year 2015;

BE IT FURTHER RESOLVED that the Chief Financial Officer/Treasurer be and he is hereby authorized to issue a check in the total amount of \$250.00 made payable to Lillian Benvenuti and be mailed to 684 Linden Avenue, Ridgefield New Jersey 07657.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 28, 2015

Presented by Councilman Penabad

RESOLUTION NO. 241-2015

WHEREAS, the Borough awarded a contract to Accutech Environmental Services in the amount of \$11,730.00 on October 8, 2012 by Resolution 254-2012 for certain environmental remediation services in connection with the groundwater investigation and cleanup at Willis Park; and

WHEREAS, said project is now complete and there is \$1,621.58 unexpended on said contract; and

WHEREAS, the Borough wishes to cancel the balance of said contract:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield, that the CFO is and hereby authorized to cancel the outstanding encumbrance on Purchase Order 67318 in the amount of \$1,621.58 and return that amount to fund balance.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 28, 2015

Presented by Councilman Castelli

RESOLUTION NO. 242-2015

BE IT RESOLVED that the Mayor and Council of the Borough of Ridgefield wishes to enter into a Grant Agreement with the County of Bergen for the purpose of using \$83,894.00 in FY2015/2016 Community Development Block Grant for Improvements to Oak Street; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorizes Anthony R. Suarez, Mayor to be a signatory to aforesaid Grant Agreement; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorizes Frank Berardo, CFO to sign all county vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED that the Mayor and Council recognizes that the Borough of Ridgefield is liable for any funds not spent in accordance with the Grant Agreement and that the liability of the Mayor and Council is in accordance with HUD requirements.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 28, 2015

Presented by Councilman Penabad

RESOLUTION NO. 243-2015

WHEREAS, the Mayor and Council of the Borough of Ridgefield entered into the Municipal Shared Services Defense Agreement (“MSSDA”) for the purpose as set forth therein, which included retaining a common expert in the Declaratory Judgment action (“Litigation”) that was filed in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (“decision”); and

WHEREAS, the MSSDA identified R. Robert Burchell, a distinguished professor at Rutgers University, as the expert to be retained; and

WHEREAS, Dr. Burchell became ill and has been unable to complete the obligations under the Research Agreement as set forth in the MSSDA; and

WHEREAS, as a result, Rutgers University has exercised its right to terminate the Research Agreement as permitted under its terms; and

WHEREAS, the MSSDA requires modification to allow the members to retain one or more alternative experts, consultants and/or other professionals for the Litigation; and

WHEREAS, an Amendment to the MSSDA (“Amendment”) has been prepared to effectuate the modification; and

WHEREAS, the Mayor and Council of the Borough of Ridgefield recognizes that the Litigation requires immediate action and may require further expedited actions by its counsel determined to be necessary and appropriate; and

WHEREAS, the Mayor and Council of the Borough of Ridgefield has determined that it is in the best interests of the citizens of the Borough of Ridgefield to approve the Amendment, and/or to affirm and ratify the Amendment, and to authorize their designated counsel to take actions on behalf of the municipality with regard to the multiplicity of issues raised and associated with the continued implementation of the MSSDA;

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

1. The terms and conditions of the Amendment to MSSDA attached hereto are hereby approved, and/or ratified and confirmed.

2. The Mayor and Borough Clerk be, and are hereby authorized and directed to execute the aforesaid Amendment on behalf of the Borough of Ridgefield.

3. The Mayor and Council of the Borough of Ridgefield hereby authorizes Jeffrey R. Surenian, Esq. to execute on behalf of the Borough of Ridgefield with the approval of the Borough's designated counsel such other agreement(s) as are advisable to effectuate the purposes of the MSSDA as amended.

4. The Mayor and Council of the Borough of Ridgefield further authorizes its designated counsel to approve such other changes to the MSSDA as may be necessary to effectuate its purposes, and to take action on behalf of the municipality with regard to the multiplicity of issues raised and associated with the implementation of the MSSDA provided that the action will not require the municipality to appropriate and commit any additional funding for the MSSDA.

In the event such changes and actions require the Borough of Ridgefield to appropriate and commit any additional funding for the MSSDA, the Borough of Ridgefield shall only be responsible for such funding if it authorizes same.

5. If additional monies are needed to effectuate the intent and purpose of the MSSDA, no such services shall be authorized by designated counsel without further action from the Borough of Ridgefield.

6. This Resolution shall take effect immediately.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

**AMENDMENT TO THE
MUNICIPAL SHARED SERVICES DEFENSE AGREEMENT**

This Amendment to the Municipal Shared Services Defense Agreement (“MSSDA”) previously entered into in by the Members of the MSSDA in or after June, 2015,

WHEREAS several municipalities have previously entered into a MSSDA authorizing the retention of Rutgers University and its Principal Investigator, Dr. Robert Burchell to perform certain tasks as outlined therein, including, without limitation, the development of a reasonable position consistent with applicable law as the means by which the fair share of municipalities may be determined; and

WHEREAS, Dr. Burchell had a serious health event on or about July 27, 2015 that has impeded the goal of the MG to obtain such a report; and

WHEREAS, more specifically, Rutgers University (hereinafter “Rutgers”) has indicated that Dr. Burchell is the only one at the University that could perform the work contemplated by the contract between the Municipal Group (“MG”) and Rutgers, dated July 2015 (hereinafter “Rutgers Agreement”); and

WHEREAS, as result of the foregoing, Rutgers is not able to complete the work required by the Rutgers Agreement; and

WHEREAS, on September 11, 2015, Rutgers sent the representative of the MG a letter terminating the Rutgers Agreement; and

WHEREAS, even before receipt of the termination letter, vigorous efforts have been made to find an expert that can perform the services that Rutgers is no longer able to provide; and

WHEREAS, it has been determined that Econsult Solutions, Inc. (“Econsult”) has the interest and capability to perform the services as expeditiously as possible; and

WHEREAS, it has been further determined that the MSSDA, as presently written, does not permit the MG to enter into an agreement with any other expert than Rutgers; and

WHEREAS, because of the foregoing, it has been determined that an amendment to the MSSDA is necessary to empower the MG to enter into an agreement with Econsult.

Now, therefore, in consideration of the mutual benefits that will be derived, the Members of the MG hereby agree as follows:

1. Section 1 of the MSSDA, titled "Purpose" is hereby amended as follows:

Section 1(b)-(d) shall be replaced with:

(b) collectively retain such experts and/or consultants, including but not limited to Econsult Solutions, Inc. as may be necessary,

(c) collectively work with experts or consultants that have been retained, including but not limited to Econsult, to conduct an analysis and report of the housing need for each region and the allocation of that need to the individual municipalities in the region;

(d) may elect, at the exclusive expense of any Member or group of Members, to rely upon and present such experts or consultants as a witness in the Litigation, including for any mediation, Alternative Dispute Resolution or other proceeding involving a determination of a Member's Affordable Housing Obligation;

2. Section 3 of the MSSDA titled "Retention of Burchell" is hereby amended and is titled as "Retention of Experts and/or Consultants." This section is amended to provide that the administrators of the MSSDA, shall retain such experts and/or consultants, including but not limited to Econsult, as may be necessary and to communicate with such experts and/or consultants in the method and manner as set forth.
3. Section 5, titled "Shared Costs" is hereby amended to provide that shared costs shall include payment to any expert or consultant, including but not limited to Econsult, and such other professionals, and/or common counsel, as shall be agreed upon by the Members in accordance with the terms and procedures of the MSSDA.
4. Section 6, titled "Expenses Not Covered by This Agreement" shall be amended to allow any member or group of Members of the MSSDA to retain Econsult or any other commonly retained expert and/or consultant for the purposes as set forth in the MSSDA; however, it shall be in accordance with the rate schedule as set forth in any agreement between the MSSDA and such expert and/or consultant; it shall not be based upon the rates as set forth for Dr. Burchell nor shall payment be made to Rutgers except to the extent that representatives of the MG may pay the remainder of the 70,000 in expense allocated for the provision of a final report in accordance with the underlying agreement and/or for the purposes of securing rights to information that otherwise would not be available. Any amounts in excess of the \$70,000 that may be needed to secure the right to use the underlying data that Rutgers has assembled may only be paid if authorized at a meeting held in accordance with paragraph 2 of the underlying agreement.
5. Section 7, titled "Liaison Counselor Committee" is hereby amended to allow Jeffrey R. Surenian, Esq. to pay an administrative assistant to administer this MSSDA and the consortium at a rate not to exceed \$70 per hour and to pay out of pocket expenses.

6. Section 11, titled "Common Interest" is amended by removing any reference to Dr. Burchell and shall refer to any expert and/or consultant, including but not limited to Econsult, that have been retained by the MSSDA.
7. Section 15, titled "Conflict of Interest" is amended by removing any reference to Dr. Burchell and shall refer to any expert and/or consultant, including but not limited to Econsult, that have been retained by the MSSDA.
8. Section 16, titled "Effective Date" is amended removing the reference to "Rutgers" and replacing it with "such experts and/or consultants, including but not limited to Econsult, that have been retained by the MSSDA
9. Section 17, titled "Subsequent Agreement" , shall be amended to include paragraph 17 c as follows: Since the Agreement between Econsult and the MG may not have been finalized at the point of execution of this amendment, the designated attorney for the municipality shall have 10 business days from receipt of the Econsult Agreement by electronic mail to withdraw from the consortium and secure a rebate of the 2,000 paid minus the pro rata share of all costs and expenses incurred to the date of such withdrawal.
10. All other provisions in the MSSDA that refer to or may be interpreted to relate or refer to dealings with Rutgers or Burchell are removed and amended to provide that the MSSDA permits the retaining of such experts and/or consultants, including but not limited to Econsult, as may be agreed upon by the Members in accordance with the terms and provisions of the MSSDA. All other terms and provisions remain unchanged and in effect.

IN WITNESS WHEREOF, the Members hereto, which may be by and through their appointed counsel, enter into this Agreement. Each person signing this Agreement represents and warrants that he or she has been duly authorized to enter into this Agreement by the company or entity on whose behalf it is indicated that the person is signing.

ATTEST:

, Clerk

By: _____
Mayor

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 28, 2015

Presented by Councilman Acosta

RESOLUTION NO. 244-2015

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

VICTOR GALFO

be hired as a DPW seasonal employee at the rate of \$11.00 per hour effective immediately.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 28, 2015

Presented by Councilman Penabad

RESOLUTION NO. 245-2015

WHEREAS, the Planning Board Approval of October 19, 2010 for Site Plan Approval and Major Subdivision Application of Sisters of the Immaculate Heart of Mary at Mirinae for Block 2205, Lot 6, 555 Prospect Avenue required a Performance Bond in the amount of \$16,250.40 to insure certain improvements; and

WHEREAS, the applicant posted a cash performance bond in the amount of \$16,250.40 with the Borough on November 18, 2013; and

WHEREAS, the Project Engineer having been satisfied that the required improvements were satisfactorily completed in accordance with the Planning Board Resolution by letter of November 3, 2014 recommends release of said Performance Bond and retain \$2,031.30 as a Maintenance Bond for a two year period ending Nov 4 2016:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Borough Clerk is and hereby authorized to release the Performance Bond in the amount of \$16,250.40 posted by Sisters of the Immaculate Heart of Mary at Mirinae with the Borough of Ridgefield.

BE IT FURTHER RESOLVED, that the Treasurer is instructed to return \$14,219.10 to the applicant and retain \$2,031.30 as a Maintenance Bond for a two year period ending November 4, 2016.

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Silvestri,
Borough Clerk

COUNCIL VOTE				
	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 28, 2015

Presented by Mayor Suarez

RESOLUTION NO. 246-2015

WHEREAS, New Jersey Highlands Water Protection and Planning Act (The Highlands Act) was enacted in order to protect the State's water supplies and other significant resources; and

WHEREAS, The Highlands Act was passed with overwhelming bipartisan support in both the New Jersey State Senate and New Jersey State Assembly; and

WHEREAS, subsequently in 2008, the New Jersey Highlands Water Protection and Planning Council adopted the New Jersey Highlands Regional Master Plan, and proceeded with a program for its implementation through a Plan Conformance process.

WHEREAS, the Borough of Ridgefield is a municipality that receives all or a portion of its drinking water from sources within the Highland Region and that the Borough of Ridgefield relies of the resources of the Highlands to meet the current and future needs of its residents.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Ridgefield wishes that it be known that we strongly support the goals, policies and objectives of the 2004 Highlands Water Protection and Planning Act and the Highlands Regional Master Plan.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 28, 2015

Presented by Councilman Castelli

RESOLUTION NO. 247-2015

WHEREAS, a Bergen County Community Development Grant of \$100,000.00 has been proposed by the Borough of Ridgefield for the Fiscal Year 2016 CDBG for Edgewater Avenue Sewer Repairs in the municipality of Ridgefield Borough; and

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

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

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

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

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

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 28, 2015

Presented by Councilman Castelli

RESOLUTION NO. 248-2015

WHEREAS, there is a need for Engineering Services for design services for the repair of cracked roof trusses in the Community Center within the Borough of Ridgefield; and

WHEREAS, the Borough has previously retained Jenne Associates, LLC in connection with the above named project for \$41,000.00 by Resolution 140-2015; and

WHEREAS, an aggressive completion schedule has required that additional engineer involvement and on-site time be provided; and

WHEREAS, Jenne Associates, LLC has made a proposal dated September 24, 2015 with an amount of \$12,000.00 which is attached hereto; and

WHEREAS, these services can be awarded as a professional services contract without the need for public bidding:

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

1. Jenne Associates, LLC be and hereby are engaged pursuant to terms of the attached proposal, and the Mayor and Borough Clerk be and they are hereby are authorized and directed to execute same on behalf of the Borough.
2. This contract is awarded for the following reasons: there is a need for Engineering Services for design services for the repair of cracked roof trusses in the Community Center within the Borough of Ridgefield; and services to be rendered constitute a professional service as defined by New Jersey law; and Jenne Associates, LLC have expertise and credentials to perform the service.
3. The within contract has an anticipated value of less than \$17,500 and is, therefore, not subject to the provisions of N.J.S.A.19:44-20.4 ET.SEQ.
4. A copy of this resolution and a copy of the attached contract shall be made available for public inspection as required by law.

5. The award of this contract is conditioned on the certification of available funds by the Borough's Chief Financial Officer

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri
Borough Clerk

JENNE ASSOCIATES, LLC
Consulting Engineers and Land Surveyors
1362 Crim Road
Bridgewater, NJ 08807
Telephone: (908) 698-2890
Fax: (908) 926-2359

September 3, 2015 **REVISED September 24, 2015**

DPW Committee
Ridgefield Borough Hall
604 Broad Avenue
Ridgefield, NJ 07657

Re: Design Services for Repair of Cracked Roof Trusses in
Community Center
725 Slocum Avenue
JALLC Proposal #R15-004

Dear Councilman Acosta and the DPW Committee:

As I had discussed with you, my original proposal for services during the Construction Phase of this project was based on the assumption that on-site time would be limited.

The aggressive completion schedule and a contractor who provided the Borough such a low price for the work (half the Engineers Estimate and 35% of the other bidder) makes it imperative that considerable additional involvement and on-site time be provided than was assumed, to:

1. Provide daily contact and significantly more frequent field observation when the contractor is on site, full time on days when critical work is being performed.
2. Be in a position to address any small issues that may arise in a virtually immediate manner so that they do not cause a delay or provide an opportunity for the contractor to claim a delay of additional monies.
3. Document work progress to establish a solid history record for use in evaluating potential contractor claims for additional time and/or monies.
4. Review that the workmen he has on site are the same as those he reports on his Certified Payrolls for compliance with the Prevailing Wage requirements of the contract.

For this revised effort an additional \$12,000 is requested in our fee for the Construction Phase Services. The revised total Construction Phase Services Fee of \$18,800 is 7.4% of the awarded contract amount (\$255,617) and only 3.4% of the Engineers Estimate (\$560,000). The revised Total Fee of \$53,000 for the Evaluations, Design and Construction Phase Service amounts to only 9.4% of the Engineers Estimate for the work,

The above lump sum fee does NOT include costs associated with changed construction conditions such as additional cracked trusses and other hidden issues identified after the ceiling and other demolition is completed. Separate time will be kept in those circumstances for separate reimbursement.

If you have any questions or require further information concerning the above matter, please do not hesitate to contact me.

Very truly yours,



Carl A. Jenne, PE, CFM CME
Ridgefield Municipal Engineer

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 28, 2015

Presented by Mayor Suarez

RESOLUTION NO. 249-2015

BE IT RESOLVED that the Mayor appoints

MICHAEL HANDSCHIN

as Director of the Office of Emergency Management for a three year period beginning September 24, 2015 through September 23, 2018.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabaz				
Sin				
Todd				
Vincentz				
Mayor Suarez				

MAYORAL APPOINTMENT-NO COUNCIL VOTE NECESSARY

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 28, 2015

Presented by Councilman Acosta

RESOLUTION NO. 250-2015

BE IT RESOLVED, that Liquor Licenses be issued to the following applicants pursuant to an Act of Legislature of the State of New Jersey, entitled, "AN ACT CONCERNING ALCOHOLIC BEVERAGES" passed December 6, 1953 and amendments thereto, and the Borough Ordinance 498 entitled, "AN ORDINANCE CONCERNING ALCOHOLIC BEVERAGES" adopted July 2, 1946, and amendments thereto, such licenses to expire September 18, 2015 and paid to June 30, 2016.

<u>NAME OF LICENSEE</u>	<u>ADDRESS</u>	<u>STATE LICENSE</u>
<i>PLENARY RETAIL CONSUMPTION</i>		
Texas Steak House	441-445 Broad Avenue Ridgefield, NJ	0249-33-001-010

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincentz				
Mayor Suarez				

Approved:

Attest:

Russell Castelli, Council President

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.

Frank Berardo,
Chief Financial Officer

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting September 28, 2015

Presented by Councilman Penabad

RESOLUTION NO. 251-2015

BE IT RESOLVED, that warrants totaling **\$877,769.29**
be drawn on the following accounts:

CURRENT	\$718,630.60
TRUST	\$24,742.52
CAPITAL	\$102,400.00
POOL	\$31,957.77
DOG LICENSE	\$38.40
TOTAL	\$877,769.29

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Acosta				
Penabad				
Shim				
Todd				
Vincenz				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk