

**MINUTES**  
**Council Meeting**  
**Monday, February 9, 2009**

**CALL THE MEETING TO ORDER**

Council President Jasionowski called the meeting to order at 8:00pm in the Council Chambers of the Municipal Building located at 406 Rivervale Road, River Vale, New Jersey 07675.

**SALUTE TO FLAG**

Council President Jasionowski asked all in attendance to rise and join him in a Salute to the Flag.

**SUNSHINE LAW STATEMENT**

Council President Jasionowski read the Sunshine Statement into the record, as follows:

*“In accordance with the provisions set forth in the Open Public Meetings Law, notification of this meeting has been sent to all officially appointed Township newspapers and notice is posted at the Municipal Office.”*

**ROLL CALL**

Councilman de Stefan, Councilman Matos, Council Vice President Bromberg, Councilwoman Sieg and Council President Jasionowski were present.

**Also present:** Mayor Joseph Blundo, Robert J. Gallione, Jr., Business Administrator, Holly Schepisi, Township Attorney, Dennis Harrington, Township Engineer, Gennaro Rotella, CFO and Karen Padva, Township Clerk.

\*\*\*\*\*

**TOWNSHIP COMMUNICATION**

1. Mayor's Comments

Mayor Blundo reported the loss of long-term resident and retired River Vale Police Officer Sonny Schroeder. Sonny joined the River Vale Police Department in 1968, was an Air Force Veteran and retired from the Police force in 1993. Sonny was 74 years old; Mayor Blundo asked all in attendance for a moment of silence.

The Mayor continued by reporting the preliminary budget discussion concluded on Saturday the 7<sup>th</sup>. Increases in the budget were due to uncontrollable expenses such as contracts and health insurance. Over all the increase per household will be approximately \$111.00; assuming the state aide remains the same. If all state aid is cut, approximately \$120,000, the increase would be \$150.00 per home.

Mayor Blundo was very pleased to report that both the DPW and PBA agreed to contribute to their healthcare costs and to lower increases as well. The Mayor announced that the Budget is scheduled to be introduced at the March 9<sup>th</sup> Council meeting.

The Mayor concluded by reporting that both Woodcliff Lake and Montvale are funding a study to unwind the Regional High School District. The Mayor continued that in this economy towns are being urged to consolidate. He vowed to fight this from moving forward as long as he is Mayor. Mayor Blundo added that the State must also approve the unwinding of the district.

2. Council Comments

Councilman de Stefan announced that he supports the Mayor in keeping a united PVHS Regional District. He doesn't see the benefit in breaking up of a wonderful school system. Councilman de Stefan also thanked the Mayor and Administration for a very good budget process.

Councilman de Stefan announced that his book on the history of River Vale is near competition and that he plans on donating the proceeds to the town. Councilman de Stefan thanked his colleagues Bob Secor and Helen Whelan for their collaboration on the book.

Councilman Matos stated his support of the Mayor regarding the PVHS Regional District and that the district should not be unwound.

Councilwoman Sieg reported that the Residents for a Better River Vale had a very lovely and successful party recently. The Resident's group is civic minded and raises funds to benefit many groups in town. Councilwoman Sieg thought the budget process went very well thanks to the Mayor, Business Administrator, and CFO; all under the leadership of Council President Jasionowski.

Councilman Bromberg added that he too agreed that the budget process went very well. The Mayor and Administrator put together a very good budget and the DPW, Police and Fire Departments were all very reasonable to work with.

Councilman Bromberg also supports the Mayor with regard to the High School. He added that there have been fluctuations over the years with regard to the High School and that it is totally unreasonable to break up the district.

Council President Jasionowski also supports the Mayor on his fight to prevent the unwinding of the High School District. Council President Jasionowski also attended the RFBRV dinner dance and really enjoyed the evening. He concluded by thanking his fellow council members, the administration and department heads for a very well done budget process.

**Business Administrator Report**

The Administrator reported that there will be a census in 2010 and the town will also conduct a dog census due to fees being down. The Shade Tree Commission will be accepting donations and the transition of the Health Department to the County is going very well. Mr. Gallione also gave an update on the upcoming Newsletter and they will be putting out a press release on Councilman de Stefan's new book. The Administrator requested that Resolution 2009-67 be removed due to funding and rolled over to the next Council meeting.

**Township Engineer's Report**

Mr. Harrington reported on several items; he elaborated on the Change order for the DPW parking lot. Rich Campanelli would like to add two (2) roads to the 2009 program; Brook and Thurnau. The Mayor questioned whether we need to do all the roads end-to-end or could we just do the sections in need of repaving. He added that this could allow us to repave more roads. Dennis Harrington answered that the original estimates are for end-to-end repaving; we could do partial roads but it might not be as cost effective.

The Mayor would like to see all the problems spots on the roads repaired within this budget. The Engineer continued his report on the athletic Field improvements including the Basketball Court lighting at Mark Lane. The Plan is for a two (2) pole system with MUSCO Lighting; this will be less intrusive to the neighbors. Mayor Blundo had questions regarding the lighting control system being computerized and the cost of this option. Mr. Harrington answered that he could put this in as an option during bidding.

The last item covered by Mr. Harrington is the Economic Stimulus program requesting a new salt shed. Councilman Bromberg questioned the cost of this project; the Engineer responded that with site work the project is estimated at \$320,000. All the applications are due by March 2<sup>nd</sup>. Councilman de Stefan added his concern regarding the slope failure at Town Hall.

\*\*\*\*\*

**HEARING OF THE PUBLIC**

Motion by Councilman Matos; seconded by Councilman Bromberg to open the meeting to the public.

Council President Jasionowski read the following statement into the record.

*“Each person wishing to address the Council shall step up to the microphone, shall give his or her name in an audible tone for the record. All member of the public are expected to conduct themselves in a proper manner. Any derogatory, abusive or threatening statements will not be permitted. The Chair will immediately rule such conduct out of order and terminate any further comments.”*

Joe Massin –69 Holiday Court – Thanked the Mayor and Council on their comments of the unwinding of the School District. Mr. Massin believed we need to research the method for school funding.

Jim Hanna – 381 Sunset Road – Commented that there will be an audio display in the Veteran’s Memorial Park for the USS Enterprise; courtesy of the History Channel. Mr. Hanna also reported that the River Vale lost a piece of history in a home near Edgewood Country Club that was torn down recently. This particular home had the oldest indoor swimming pool in Bergen County. Mr. Hanna also requested the Township pursue obtaining our own zip code; he noted that federal grants are sometimes given out by zip code.

Mr. Hanna also reported that part of Rivervale Road is sinking; near Edgewood Country Club. He also suggested the possibility of using tar and stone for road repairs due to it being more economical. He concluded his comments by asking what became of the article he distributed regarding River Vale recording the coldest temperature in 1904.

Don Rifkind – 543 Brook Avenue– suggested a potential commercial property for COAH housing on Westwood Avenue. The property could possibly provide 15 units but would need to be rezoned for mixed use. Mr. Rifkind asked the Council to consider this property as an option.

Mayor Blundo elaborated on the property which is located near both PNC and Kearney Federal Banks. The property owner will not deal with the Planning Board; only if the Council rezones the property. The Mayor has asked the Township Attorney to look into the possibility; with the goal to reduce the impact at the Meskers and Kirk sites.

Councilman de Stefan expressed that it is good to look at all the options. Councilman Matos agreed with considering all options to alleviate the COAH burden.

Council President Jasionowski suggested informing the residents that we are looking at a COAH and retail concept in order to get feedback.

Mayor Blundo agreed and also suggested that it could be a discussion topic at the next meeting.

Councilman Bromberg added that we are willing to look at any reasonable options; he also wants to minimize the overall impact of COAH.

Bob Fortsch – 511 Bernita Drive – questioned the status of the International Property Maintenance Code. He also remarked that the town is doing a great job with the brine system. Mayor Blundo added that he is being interviewed about the brine system on February 18<sup>th</sup>. Bob Gallione added that the town could be possibly start selling the brine to other towns. Mr. Fortsch also commended the DPW on the Recycling Center and free wood pile.

John Donovan – 63 Rivervale Road—questioned the resolution regarding the complaint against COAH regulations. Holly Schepisi elaborated on the suit filed by Medford Township. River Vale may join this suit or file their own. Mr. Donovan also supports the Township exploring other feasible options for COAH housing.

There being no further questions or comments from the public; motion by Councilman Bromberg; seconded by Councilman Matos to close the meeting to the public.

\*\*\*\*\*

**RESOLUTIONS –**

Motion by Councilman Bromberg; seconded by Councilman de Stefan to approve Resolution #2009-57, as follows:

**Resolution #2009-57**

**RESOLUTION APPROVING MINUTES–January 26, 2009 Regular Meeting**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the minutes of the January 26, 2009 Regular Meeting of the Township Council are hereby approved.

**ROLL CALL VOTE**

Councilman de Stefan, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes. Councilman Matos abstained.

\*\*\*\*\*

Motion by Councilman Matos; seconded by Councilman Bromberg to approve Resolution #2009-56 through #2009-71 with the exception of Resolutions #2009-57 and #2009-67 (pulled by Council President Jasionowski) on Consent Agenda, as follows:

**Resolution #2009-56**

**RESOLUTION APPROVING MINUTES–January 1, 2009 Reorganization Meeting**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the minutes of the January 1, 2009 Reorganization Meeting of the Township Council are hereby approved.

\*\*\*\*\*

**Resolution #2009-58**

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN DPW CONTRACT – LOCAL 32**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the Mayor is hereby authorized to the DPW Contract for Local 32 for a five (5) term expiring December 31, 2013.

\*\*\*\*\*

**Resolution #2009-59**

**RESOLUTION CONFIRMING APPOINTMENT OF BOND COUNSEL**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that DeCotiis, Fitzpatrick, Cole & Wisler, LLP be appointed as the Township Bond Counsel with a term expiring December 31, 2009 is hereby confirmed.

\*\*\*\*\*

**Resolution #2009-60**

**RESOLUTION CONFIRMING APPOINTMENT OF TAX APPEAL ATTORNEY**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that DeCotiis, Fitzpatrick, Cole & Wisler, LLP be appointed as the Township Tax Appeal Attorney with a term expiring December 31, 2009 is hereby confirmed.

\*\*\*\*\*

**Resolution #2009-61**

**RESOLUTION APPROVING THE APPOINTMENT OF ALTERNATE MUNICIPAL PROSECUTORS**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the following individuals be appointed as an Alternate Municipal Prosecutors for a one (1) year term ending December 31, 2009.

Christopher Martin

Dennis Harraka

\*\*\*\*\*

**Resolution #2009-62**

**RESOLUTION CONFIRMING THE PLANNING BOARD APPOINTMENT OF AN ENGINEER**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the appointment of Christopher Statile as the Planning Board Engineer with a term expiring December 31, 2009 is hereby confirmed.

\*\*\*\*\*

**Resolution #2009-63**

**RESOLUTION CONFIRMING THE PLANNING BOARD APPOINTMENT OF AN ATTORNEY**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the appointment of Dennis Deutsch as the Planning Board Attorney with a term expiring December 31, 2009 is hereby confirmed.

\*\*\*\*\*

**Resolution #2009-64**

**RESOLUTION CONFIRMING THE ZONING BOARD OF ADJUSTMENT APPOINTMENT OF AN ENGINEER**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the appointment of Boswell Engineering as the Zoning Board of Adjustment Engineer with a term expiring December 31, 2009 is hereby confirmed.

\*\*\*\*\*

**Resolution #2009-65**

**RESOLUTION CONFIRMING THE ZONING BOARD OF ADJUSTMENT BOARD APPOINTMENT OF AN ATTORNEY**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the appointment of Brian Giblin as the Zoning Board of Adjustment Attorney with a term expiring December 31, 2009 is hereby confirmed.

\*\*\*\*\*

**Resolution #2009-66**

**RESOLUTION AUTHORIZING NOT TO EXCEED LIMITATIONS FOR T & M ASSOCIATES – DEP ECONOMIC STIMULUS PROGRAM – SALT STORAGE SHED**

**WHEREAS** the Township is desirous to submit an application for the DEP Economic Stimulus program for the construction of a new salt storage shed; and

**WHEREAS** the construction of new salt storage shed will promote storm water management regulation within the Township;

**NOW THEREFOR BE IT RESOLVED**, by the Township Council of the Township of River Vale that limitations in an amount not to exceed \$28,000.00 be authorized for services to the Engineering Firm of T & M Associates in connection with the above mentioned program.

\*\*\*\*\*

**Resolution #2009-68**

**RESOLUTION AUTHORIZING NOT TO EXCEED LIMITATIONS FOR ENVIRONMENTAL TECHNOLOGIES GROUP, INC. – PHASE I HOLDRUM FIELD**

**WHEREAS** the Township is preparing to proceed with the construction improvements to the Holdrum School field;

**NOW THEREFOR BE IT RESOLVED**, by the Township Council of the Township of River Vale that limitations in an amount not to exceed \$ 2,600.00 be authorized for the services of Environmental Technologies Group, Inc. to conduct the Phase I environmental study of the Holdrum field (Block 1301 Lot 27).

\*\*\*\*\*

**Resolution #2009-69**

**RESOLUTION APPROVING CHANGE ORDER #2 FOR THE DPW COMPLEX PARKING LOT IMPROVEMENTS**

**WHEREAS**, there were various changes necessary during the construction of the River Vale DPW Complex Parking Lot Improvement project in the Township of River Vale; and

**WHEREAS**, these changes have been approved by the Township Engineer and detailed in a letter from the Engineer dated February 3, 2009, which letter can be found on file in the Clerk’s office;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of River Vale that change Order #2 for the above mentioned project be approved as follows:

Original Contract Sum was	<b>\$ 126,870.25</b>
Contract Sum Decrease Change	
Order #1	\$ 16,047.84
Contract Sum Increase Change	
Order # 2	<u>\$ 2,910.00</u>
<b>New Contract Sum</b>	<b>\$ 113,732.41</b>

\*\*\*\*\*

**Resolution #2009-70**

**RESOLUTION**  
**(TEMPORARY EMERGENCY)**

**WHEREAS**, N.J.S. 40A:4-19 provides that where contracts, commitments or payments are to be made prior to final adoption of the 2009 Budget, temporary appropriations should be made for the purposes and amounts required in the manner and time provided.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body that the following additional temporary appropriations be made and a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

APPROPRIATION	SALARIES & WAGES	OTHER EXPENSES
Engineering		30,000.00
Capital Improvements		30,000.00
 Total		 60,000.00

\*\*\*\*\*

**Resolution #2009-71**

**RESOLUTION AUTHORIZING THE FILING OF A COMPLAINT  
CHALLENGING COAH THIRD ROUND REGULATIONS**

**NOW THEREFOR BE IT RESOLVED** by the Township Council of the Township of River Vale authorizing the filing of a complaint with the council on local mandates and related action on behalf of the township of River or joining the existing suit brought by Medford Township, challenging COAH's third round regulations and assembly Bill A-500, amending the fair housing act, for imposing unconstitutional unfunded mandates on the Township of River Vale.

**ROLL CALL VOTE**

Councilman de Stefan, Councilman Matos, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes.

\*\*\*\*\*

**ORDINANCES 1<sup>ST</sup> Reading**

**Ordinance #204-2009**

**Motion to Introduce:** Councilman de Stefan

**Second:** Councilman Matos

**AN ORDINANCE TO CREATE AN OPEN SPACE TRUST FUND FOR THE  
TOWNSHIP OF RIVER VALE**

**WHEREAS**, New Jersey Statutes Annotated, N.J.S.A. 40:12-15.7 authorizes the governing body of any New Jersey municipality to submit to the voters of the

municipality in a general election a referendum question authorizing imposition of an annual levy for an amount or at a rate deemed appropriate for the following purposes:

- a.) acquisition, development and maintenance of lands for recreation and conservation purposes;
- b.) acquisition of farmland for farmland preservation purposes;
- c.) acquisition or preservation of historic properties; or
- d.) for the payment of debt service incurred by the Township for these purposes.

**WHEREAS**, the Council of the Township of River Vale determined that it would be in the public interest to place a non-binding referendum question on the November 2008 general election ballot for the purpose of assessing voter preference with regard to the question as to whether the Township of River Vale shall continue its municipal open space recreation and farmland preservation trust fund program for the purposes aforesaid funded by an annual levy, i.e. Tax, at an annual rate not to exceed \$.01 per \$100.00 of total municipal equalized real property valuation shall be imposed in the Township of River Vale.

**WHEREAS**, by vote of 2127 in favor to 1165 opposed, the voters of the Township indicated their interest in the continuing of an open space trust fund; and,

**WHEREAS**, the River Vale Township Council now wishes to continue a perpetual open space trust fund and concurrent funding source by the dedication of a specific tax to fund this open space trust.

**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the Township of River Vale, County of Bergen, State of New Jersey, that the River Vale Township Council does hereby create a Township open space trust fund and concurrent funding source, via a separate tax, as follows:

**Section 1.** There is hereby created a River Vale Township Open Space Trust Fund, whose purposes are set forth below.

**Section 2.** The purposes of the River Vale Township Open Space Trust fund are as follows:

- a) to acquire, develop and maintain lands/properties within the Township for recreation and conservation purposes;
- b) to assist in the preservation of farmland within the Township wherein there is a funding necessity, either through matching grants for farmland preservation/acquisition or through funding for the reservation of farming privileges and/or the acquisition of development rights as established by State law and/or the Bergen County Board of Chosen Freeholders or their designees;
- d) to acquire or preserve historic properties; or
- e) to provide funding for the payment of debt service related to appropriations in accordance with the subsections a) through d) above.

**Section 3.** The funding source for the Township Open Space Trust Fund shall be the establishment of a separate Township tax line item at an annual rate not to exceed One cent (\$.01) per one hundred (\$100) dollars of ratables for each and every taxable property located within the Township. The rate shall be set every year by the Township Council, by resolution, during the existence of the Township Open Space Trust Fund, no later than the meeting at which the Township budget shall be introduced. The Township Chief Financial Officer, the Township Auditor, the Township Tax Collector and the Township Tax Assessor, where applicable, shall assist the Mayor and Council in the annual creation/collection of this open space tax.

**Section 4.** The determination of how the Township Open Space Trust Fund shall be expended at anytime shall be at the sole discretion of the Mayor and Township Council and they shall be the final determiners of the allocation(s) of the Trust fund during its existence. The Township reserves the right to establish an Open Space Advisory Committee to assist the Township in addressing the provisions of this Ordinance.

**Section 5.** The provisions of taxation to create and fund Open Space Trust Fund and the existence of the Township Open Space Trust Fund shall be perpetual, unless terminated by the Township Council.

**Section 6. Severability.** If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

**Section 7. Repealer.** All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

**Section 8. Effective Date.** This ordinance shall take effect after publication and passage according to law.

**ROLL CALL VOTE**

Councilman de Stefan, Councilman Matos Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes. .

\*\*\*\*\*

**ORDINANCES 2<sup>nd</sup> Reading**

Motion by Councilman Bromberg; seconded by Councilman de Stefan to open the Public Hearing on Ordinance #202-2009.

The being no questions or comments motion by Councilman Bromberg; seconded by Councilman de Stefan to close the public hearing on Ordinance #202-2009.

**Motion to Adopt:** Councilman Matos

**2<sup>nd</sup>:** Councilman Bromberg

**Ordinance #202-2009**

**AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY, AMENDING CHAPTER 18 OF THE CODE ENTITLED “FIRE DEPARTMENT BYLAWS”**

**BE IT ORDAINED** by the Township Council of the Township of River Vale that Chapter 18 of the Code entitled “Fire Department Bylaws” be amended in its entirety, as follows:

**ARTICLE I  
Name**

§ 18-1. Name of Department.

**ARTICLE II  
Purpose**

§ 18-2. Purpose of Department.

**ARTICLE III  
Members**

- § 18-3. Composition of Department.
- § 18-4. Qualifications of active members.
- § 18-5. Application for membership.
- § 18-6. Probationary members.
- § 18-7. Inactive members.
- § 18-8. Exempt members.
- § 18-9. Honorary members.

§ 18-10. Active life members.

ARTICLE IV  
Board of Fire Officers

- § 18-11. Membership.
- § 18-12. Members ex officio.
- § 18-13. Regular Meetings
- § 18-14. Special Meetings
- § 18-15. Quorum.
- § 18-16. Rules of procedure for regular and special meetings.
- § 18-17. Interpretation of code.
- § 18-18. Duties.
- § 18-19. Voting requirements.
- § 18-20. Grievances Process

ARTICLE V  
Election of Officers

- § 18-21. Officers enumerated.
- § 18-22. Nominations.
- § 18-23. Notice of election.
- § 18-24. Balloting.
- § 18-25. Nominations to fill vacancies.
- § 18-26. Rerun in case of tie.
- § 18-27. Qualifications.
- § 18-28. Nomination regulations.
- § 18-29. Deputy Chief automatic candidate for Chief.
- § 18-30. Candidates
- § 18-31. Appointment to fill vacancy.

ARTICLE VI  
Installation of Officers

- § 18-32. When installation takes place.

ARTICLE VII  
Duties of Officers

- § 18-33. Chief.
- § 18-34. Deputy Chief.
- § 18-35. Captain.
- § 18-36. Lieutenants.
- § 18-37. Temporary officers.
- § 18-38. Fire Police

**[HISTORY: Adopted by the Township Committee of the Township of River Vale 6-13-74 as Ord. No. 0-8-74; amended in its entirety by the Township Council 12-15-83 by Ord. No. 0-14-83(Chapter 31A of the 1967 Code). Subsequent amendments noted where applicable.]**

GENERAL REFERENCES  
**Fire Department – See Chapter 17**  
**Fire Prevention – See Chapter 112**

ARTICLE I  
Name

- § 18-1. Name of Department.

The name of this organization shall be the "River Vale Volunteer Fire Department," located at 330 River Vale Rd., River Vale, New Jersey. It is referred to in the following as "this Department" or as "the Department."

## ARTICLE II Purpose

### § 18-2. Purpose of Department.

The purpose of this Department shall be the protection of life and property from fire and other emergencies and the procuring of personnel.

## ARTICLE III Members

### § 18-3. Composition of Department.

This Department shall consist of active, probationary, inactive, exempt, honorary and active life members.

### § 18-4. Qualifications of active members.

A. The active members shall be:

- (1) A citizen of the United States;
- (2) A resident for at least six (6) months prior to his/her application:
  - (a) of the Township of River Vale, New Jersey, or
  - (b) of a surrounding township and residing no more than three (3) miles from a Department fire house;
- (3) Able to read and write the English language;
- (4) At least eighteen (18) years of age with proof of birth;
- (5) Able to pass the state physical examination;
- (6) Able to attend sixty percent (60%) of monthly meetings; fire calls and drills. This will constitute membership in good standing; and,
- (7) Fingerprinted and investigated by the River Vale Police Department

B. Any active member not attending at least forty percent (40%) of fire calls and drills for the fire year (November 1 of the preceding year to October 30 of the current year) will be dropped from membership in the River Vale Volunteer Fire Department.

### § 18-5. Application for membership.

Each application for active membership shall be made in writing using the state standard form. The application shall be forwarded to the membership committee, and, upon favorable report of same at the monthly meeting of the Board of Fire Officers, the applicant shall be recommended to the Mayor for the appointment as a probationary firefighter for a period of not less than one (1) year.

§ 18-6. Probationary members.

A probationary member shall be an individual whose membership has been conditionally accepted by the Board of Fire Officers but has not completed the necessary fire courses. Upon appointment as a probationary firefighter by the Mayor, the member must meet the requirements of an active member, but he/she will not be eligible to vote, hold office or become a qualified driver. Upon determination by the Board of Fire Officers that a probationary member has satisfactorily completed Firefighter I and any other required courses at the Bergen County Police and Fire Academy or equivalent, and his/her probationary period, he/she shall be accepted as an active member.

§ 18-7. Inactive members.

A. Any active member in good standing may request to be put on the inactive membership list. This request must be made in writing and submitted to the Board of Fire Officers. The Board of Fire Officers will make a determination whether the request is justified, on a case by case basis, before or during its next meeting.

B. The Board of Fire Officers may grant an active member inactive membership for a period of up to six (6) months. At this time, the member on inactive status may request in writing an extension or further extension of up to six (6) months.

C. No member shall be granted inactive membership for a period exceeding twelve (12) months unless said member has:

- (1) been a member in good standing for a period of three (3) years prior to his/her request;
- (2) is actively serving in the military; or
- (3) is enrolled in an accredited college or higher educational program and is actively working in furtherance of obtaining a degree.

D. An inactive member may attend meetings and answer fire alarms.

E. An inactive member is not required to attend his specified percentage of fires or meetings until he/she returns to the active list.

F. An inactive member may not nominate or vote for any line officers of the active Fire Department.

G. An inactive member may request to be returned to the active list at any time during his/her inactive membership. This request shall be made in writing and shall be presented to the Board of Fire Officers for their acceptance or rejection.

§ 18-8. Exempt members.

An exempt membership to the Department shall be available, in accordance with the requirements of the laws of the State of New Jersey, to any person who shall be an active member of the Department at the time of his/her application. No member of the Department shall be granted a certificate as an exempt firefighter unless evidence is presented, sufficient in law to justify such

issuance. Any active member joining that is over the state-required age will be granted exempt status through the Mayor after completion of all state-requirements for Exempt status.

§ 18-9. Honorary members.

Honorary membership to the Department shall be available, by election by the members of the Department, to any person for outstanding service to the Department. Such election shall require a favorable vote of at least three-fourths (3/4) of the members present at a regular meeting.

§ 18-10. Active life members.

Upon service in the River Vale Fire Department for a period of not less than twenty (20) years, as an active member in good standing, said member shall be reclassified as an "active life member" who shall enjoy the privileges of an active member, but shall not be required to attend fire calls or drills. All active requirements must be met in order for said member to vote or hold office.

ARTICLE IV  
Board of Fire Officers

§ 18-11. Members.

Members of the Board of Fire Officers shall consist of a Chief, Deputy Chief, one (1) Senior Captain, one (1) Captain and a Lieutenant for each line apparatus, and such other officers of the Fire Department as shall be provided pursuant to ordinance.

§ 18-12. Members ex officio.

The members ex officio of the Board shall be the President of the River Vale Fire Department Association and Fire Marshal.

§ 18-13. Regular meetings.

The Board shall hold regular monthly meetings; the time, date and place to be determined by the Board Chairman with the approval of the majority of the Board members, and the Board may hold special meetings upon notice as hereinafter provided.

§ 18-14. Special meetings.

Special meetings may be called at the discretion of the Chairman of the Board, and are intended to address unforeseen circumstances, including emergency or death in the Department, where an immediate decision is required to ensure the proper operation of the Department.

§ 18-15. Quorum.

A quorum shall consist of no less than a majority of the qualified members in order that business may be transacted at either regular or special meetings.

§ 18-16. Rules of procedure for regular and special meetings.

A. For all regular and special meetings, the Chief shall automatically be Chairman of the Board and, in his/her absence,

the Board shall be chaired by the Deputy Chief. In the case where both the Chief and Deputy Chief are unavailable, and a special meeting is necessary, the next available senior officer will act as Chairman of the Board. No regular meeting may be held in the absence of the Chief and the Deputy Chief. One (1) member of the Board shall be designated by the Chairman as Secretary to keep complete records of all regular and special meetings.

B. Transaction of business at all regular Board meetings shall proceed in the following order:

- (1) Reading of the minutes.
- (2) Reading of communications.
- (3) Chiefs report.
  - (a) Department conditions.
  - (b) New members.
  - (c) Grievances.
- (4) Reports of committees.
- (5) Unfinished business.
- (6) New business.
- (7) Good of the Department.
- (8) Adjournment.

C. Transaction of business at all special meetings shall proceed in the following order:

- (1) Report as to the purpose of the meeting.
- (2) Transaction of business for which the meeting was called.
- (3) Adjournment.

D. A majority vote of Board members shall be required to pass any and all Board decisions.

E. The Chairman of the Board may appoint, from the Board membership, any committees which the Chairman deems necessary to assist the Board in its functions.

F. Meetings shall be conducted by "Roberts Rules of Order, Revised."

#### § 18-17. Interpretation of code.

Any question as to the interpretation, intention or meaning of this Code or Code of Control of the River Vale Volunteer Fire Department, or any parts hereof, shall be determined by a majority vote of the members of the Board, at any regular meeting, provided a quorum is present. Any decision shall be transmitted to the active Department at its next regular meeting and a copy retained in a separate file for future reference. It shall be the duty of every

member of the Board to respect and enforce the Code to the best of said member's ability in order that the Board may operate efficiently and in order to ensure that the Department shall function with due regularity and maximum performance.

§ 18-18. Duties.

- A. To formulate, prepare and effect a code for the control and management of the River Vale Volunteer Fire Department.
- B. To determine and recommend exemption certificates for members of the Fire Department who have served the time prescribed by law and have performed the yearly fire duty required of them for a period equal in years to the number of years required by the laws of the State of New Jersey.
- C. To prepare and formulate necessary rules and regulations for Board procedures as it may deem necessary, within the guidelines laid down herein.
- D. To prescribe and determine procedure for the election of departmental officers, determine qualification for office and report the results of elections through the Chief and/or Director of Fire to the Mayor for his approval.
- E. To receive and make recommendations concerning any matter which may be material and of concern to the Fire Department or any of its members, jointly or severally.
- F. To appoint two (2) active ex-Chiefs, one exempt member, and two at-large members to serve on the five-member Grievance Committee
- G. To appoint three (3) active members from the active membership of the Department to serve on the Membership Committee.
- H. To have sole jurisdiction in the assignment of members to serve fire stations and on fire apparatus.
- I. To appoint a member of the Fire Department to maintain records of members' percentages.

§ 18-19. Voting requirements.

In determining decisions to be made by the Board of Fire Officers, a majority vote shall be required, provided that a quorum is in attendance, at any regular or special meeting, and the said members of the Board of Fire Officers, in order to qualify to have their vote valid and effective, must be active and qualified members entitled to vote in the River Vale Volunteer Fire Department.

§ 18-20. Grievances Process.

- A. All grievances against any elected officer or a member must be (a) submitted to the Chief in writing and signed by a member or members in good standing or (b) brought by the Chief directly, The Chief will review the filed grievance and, based on the supporting evidence and seriousness of the alleged grievance, can immediately impose a temporary suspension of a member's active

status of up to 90-days or until final disposition of the grievance by the Grievance Committee or the Board of Fire Officers (if appealed). The member may not attend meetings or serve at fires until the final outcome of the charges is determined and made known to him in writing. If no temporary suspension is ordered, the accused shall be entitled to continue as an active member of the Department in all respects. The Chief's action is not subject to appeal.

B. If the seriousness of the alleged grievances merit a letter of reprimand, additional suspension time greater than 90-days, or termination of membership, the Chief must submit the written grievance and a request for review to the Grievance Committee. The Grievance Committee will meet as soon as practicable to review the merits of the charges, and take, by majority vote, one of the following actions:

- a. Dismiss the grievance – This action automatically returns the member to active status, removes any letters of reprimand related to the grievance that were filed against the member, and credits the member for all missed fire calls, drills and mandatory meetings while suspended;
- b. Find that the grievance is justified and impose additional penalties, if warranted; or
- c. Find that the grievance is justified, and modify penalties imposed.

C. Appeals to the Board of Fire Officers

(1) The member aggrieved by the decision and penalty of the Grievance Committee can appeal said decision and penalty to the Board of Fire Officers. Such appeal shall be taken by filing a written appeal to the Board of Fire Officers within ten (10) days after notice of the decision by the Grievance Committee.

(2) Upon receipt of the written notice of appeal, the Board of Fire Officers shall schedule a time and date to review the findings of the Grievance Committee as soon as practicable, and must give adequate notice (at least 7 days) to the member appealing the decision of the Grievance Committee of the date and time of the review.

(3) The Board of Fire Officers will, by majority vote, affirm, overturn, or modify the decision of the Grievance Committee.

(4) The accused may appeal the decision of the Board of Fire Officers to the Mayor within ten (10) days in writing directed to the Township Clerk. The determination both as to the charges and penalty shall be consistent with the rules and procedures of the Office of the Mayor and decided by said Mayor and the Mayor's decision shall be final.

(5) In the event an alleged grievance is found to be unjustified by the Grievance Committee, the Board of Fire Officers or the Office of the Mayor, then he/she shall be immediately entitled to resume all rights and privileges as a member of the Department in the event suspension has occurred, or, in the event of no suspension, his/her status shall be that of a member in good standing as though no charges had been brought.

D. Penalties. The Grievance Committee and Board of Fire Officers shall have the authority and the right:

- (1). To suspend for any term and in any manner, any member against whom valid grievances have been filed. In the event said member is suspended, he/she shall remain inactive and may not attend meetings or serve at fires and any compensation from the township shall cease as of the date of his/her suspension;
- (2). To order the removal from Department membership of any member against whom valid grievances have been filed. In the event of discharge of a member of the Department, the member shall no longer be entitled to the rights and privileges of a member of the Department and all compensation shall cease as of the date of discharge;
- (3). To submit Letters of Reprimand into any member's personnel file against whom valid grievances have been filed.

#### ARTICLE V Election of Officers

§ 18-21. Officers enumerated.

The following line officers shall be elected for a term of one (1) year at the regular Department meeting in the month of November:

- A. Chief.
- B. Deputy Chief.
- C. Two (2) Captains at large, one (1) senior.
- D. One (1) Lieutenant for each piece of fire apparatus.

§ 18-22. Nominations.

At the regular meeting of the Department held in the month of October of each year, nominations for election of the officers above named can be made by the active and qualified Department members, subject to the following conditions:

- A. The nominee for Lieutenant must be selected from the members assigned to the fire apparatus to which said Lieutenant will serve.
- B. Rescue truck, Lieutenant to be selected from rescue crew.
- C. The nominee for the office of Lieutenant must be qualified, for at least six (6) months, as a driver of the apparatus for which he/she is seeking position.
- D. No nomination will be considered after the close of the regular October meeting.

§ 18-23. Notice of election.

The Board shall notify all Department members of the date, time and place of said election at least five (5) days prior to the election.

§ 18-24. Balloting.

All elections shall be by a plurality of ballots cast and shall be by secret ballot. Absentee ballots may be cast according to rules prescribed by the Board of Fire Officers.

§ 18-25. Nominations to fill vacancies.

If any office shall be vacated by death, resignation or otherwise, the Board of Fire Officers shall call a special election. Nominations shall be made to the Board of Fire Officers at a meeting to be held at least five (5) days before the date set in the notice of the special election meeting.

§ 18-26. Rerun in case of tie.

If no candidate for an office receives a plurality of ballots cast, an immediate rerun election shall be held between all candidates receiving an equal number of votes. Absentee ballots will be considered on all rerun elections.

§ 18-27. Qualifications.

A. No member shall be eligible to hold office of Chief or Deputy Chief, unless he/she shall have at least five (5) years of active fire duty, including at least one (1) year in office as Captain.

B. No member shall be eligible to hold the office of Captain unless he/she shall have served satisfactorily as a Lieutenant at least one (1) year active fire duty.

C. No member shall be eligible to hold the office of Lieutenant unless he/she shall have at least two (2) years active fire duty, said period to include all probationary periods, and have completed the course in Firefighter I and any other municipal, county, state, or federally-required officer training courses conducted by the Bergen County Fire Academy or other municipal, county, state or federal agency.

§ 18-28. Nomination regulations.

A nominee shall be dropped from consideration if he/she does not accept such nomination by the close of the nominations during the regular October meeting. No member shall be a candidate for more than one (1) office and if so nominated, must choose the office he/she will run for at the same time.

§ 18-29. Deputy Chief automatic candidate for Chief.

The Deputy Chief shall automatically become a candidate for Chief at all elections to be held for Chief.

§ 18-30. Candidates.

Any duly qualified member of the Department may be entitled to be nominated subject to the limitations hereinabove set forth.

§ 18-31. Appointment to fill vacancy.

The Board of Fire Officers may appoint, in the event of a vacancy in office, a member not fully qualified, to fill said office, for a period of ninety (90) days. The Board of Fire Officers can continue to re-appoint a member not fully qualified until the vacancy is filled through regular or special election.

ARTICLE VI  
Installation of Officers

§ 18-32. When installation takes place.

The duly-elected officers will assume their duties on January 1<sup>st</sup> of each year at 0001 hours (12:01am).

ARTICLE VII  
Duties of Officers

§ 18-33. Chief.

A. The Chief shall have exclusive control and supervision at all fires, Department inspections, drills and reviews or other fire duties.

B. The Chief shall also have supervision of all fire equipment, of all officers and members of the Department.

C. The Chief shall hold the members and officers of the Department strictly to account for neglect of duties, and may suspend any member or officer at any time for refusing to obey orders or for any reason that would promote discord or decrease efficiency in the Department.

D. The Chief shall enforce rules and regulations of the Department,

E. The Chief shall have crews drill on fire duty as often as he/she deems necessary.

F. The Chief shall hold at least one (1) drill each month.

G. The Chief shall check and report to the proper authority all faulty hydrant conditions.

H. The Chief shall be required to select and submit to the Department and the township the names of all drivers of apparatus during his term in office and in this respect, for purposes, among others, of being that of securing insurance coverage for said appointed drivers.

I. The Chief shall be the chief executive officer of the Department.

J. To appoint the Purchasing and Budget Officer, to maintain proper records and provide monthly reports of budget and purchasing matters to the Chief.

K. To appoint a Training Officer and a Radio Officer. At the end of their terms of office, both the Radio and Training Officers shall surrender all properties of the Department to their successors in office.

L. To appoint a Board Secretary from the Board of Fire Officers to prepare the official minutes during all regular and special meetings.

§ 18-34. Deputy Chief.

A. The Deputy Chief shall perform the duties of the Chief in the absence of the Chief and such other duties prescribed by departmental rules.

B. At the end of his/her term of office, he/she shall surrender all properties of the Department to his/her successor.

§ 18-35. Captain.

A. The Captains shall be assigned to a fire station. The fire station to which they are assigned shall be at the discretion of the Chief.

B. Each Captain shall be responsible for the fire apparatus and all Department equipment assigned to his/her fire station.

C. It shall be the duty of each Captain to see that the truck room is always kept clean and in perfect order and to assume charge of his/her respective apparatus and other appliances pertaining thereto so that they are in complete order and working condition.

D. At every alarm of fire or emergency, each Captain is responsible for those firefighters under his/her command and to ensure that each firefighter does his/her duty.

E. Each Captain shall obtain the discharge of his/her station from the Chief or officer acting as Chief after the fire has been extinguished and the roll called.

F. Each Captain shall maintain the discipline of the station under his/her command and instruct the members in their duties.

Each Captain shall carry out the orders of the Chief or officer acting as Chief.

G. Each Captain shall report to the Chief at the time of duty at fires, the conditions thereof and the conditions relating to positions assigned and shall make recommendations where needed to more effectively control said fire.

§ 18-36. Lieutenants.

A. Lieutenants shall be obligated to encourage the members in performance of duties and enforce all orders given by active officers senior in rank.

B. It shall be the duty of each Lieutenant on his/her respective apparatus to properly instruct the persons assigned to that apparatus in the use of the equipment and appliances and to recommend qualified drivers to the Chief.

C. All Lieutenants shall be required to surrender all property delegated to them to their successors in office.

§ 18-37. Temporary officers.

At an alarm of fire, the first officer to arrive at the fire acts as Chief and performs the duties of Chief until his/her superior arrives. If no officer arrives, then the drivers of each truck shall take charge until an officer arrives. If no officers arrive, then the drivers shall continue in charge until the fire is extinguished.

§ 18-38. Fire Police

The Department can designate Fire Police to assist at the scene of an alarm, active fire, accident, or other emergency, consistent with state law.

**ROLL CALL VOTE**

Councilman de Stefan, Councilman Matos Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes.

**HEARING OF THE PUBLIC**

Motion by Councilman Bromberg; seconded by Councilman Matos to open the meeting to the public.

There being no questions or comments from the public; motion by Councilman Bromberg; seconded by Councilman Matos to close the meeting to the public.

Lastly, Mayor Blundo asked that dog owners be considerate and pick up after their pets.

**CLOSED SESSION**

Motion by Councilman Bromberg; seconded by Councilman de Stefan to adjourn to closed session at 9:15 pm. No action will be taken.

Motion by Councilman Matos; seconded by Councilman de Stefan to open the meeting from closed session.

**ADJOURNMENT**

Motion by Councilman Bromberg; seconded by Councilman Matos to adjourn the meeting at 10:10 pm.

---

Glen Jasionowski  
Council President

ATTEST:  
Karen Padva  
Township Clerk