

MINUTES
Council Meeting
Monday, December 14, 2009

CALL THE MEETING TO ORDER

Council President Jasionowski called the meeting to order at 8:00pm in the Council Chambers 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 Bromberg, Councilwoman Sieg and Council President Jasionowski were present. Councilman Matos was absent.

Also present: Mayor Joseph Blundo, Robert Gallione, Business Administrator, Holly Schepisi, Township Attorney, Dominic Carrino, Township Engineer, and Karen Padva, Township Clerk.

TOWNSHIP COMMUNICATION

1. Mayor's Comments

Mayor Blundo announced that on Thursday the Town will be closing on the purchase of the Kirk property. The Mayor added that this is a big step toward the Township's COAH certification. In addition, by the end of the year after 20 years of negotiating the Township will also be closing on the purchase of I6-A. This property is being purchased with Green Acres funds and COAH fees collected from developers. The Mayor continued that that County is in the process of purchasing the I7-C property. The Mayor thanked the prior Mayors and administrations that worked to preserve this open space. He added that only 120 units will be built when originally it could have been as many as 500 units.

The Mayor commented on an ambulance call this past Sunday morning when River Vale had be dispatched to Emerson. At the same time there were three (3) calls in River Vale; Old Tappan, Harrington Park, Westwood and Hillsdale all responded to the calls in River Vale. The Mayor found this not only very heart warming but a good example of sharing services and all the towns backing each other up.

Mayor Blundo thanked Rich Campanelli and the DPW on their fine response during their first deployment dealing with icy roads over the weekend.

The Mayor reported that the Budget is in the process of being prepared and all the department heads have been issued a mandate to reduce their department's expenses by 10% over last year. He continued that due to the drying up of state aide and the uncontrollable costs of both health insurance and contractual raises have driving up expenses. The Mayor is very aware how difficult these cuts can be and thanked everyone for their effort.

Mayor Blundo reported that the Christmas tree lighting was a big success and very well attended. The Menorah Lighting is scheduled for tomorrow the 15th at 6:30. He hopes everyone is enjoying the new holiday lights downtown. He thinks the lights look very festive and has received a lot of positive feedback. The Mayor noted that the lights where purchased with donated funds.

The Mayor announced that Jared Lans is resigning as the Athletic Director as of the end of the year. The Mayor, Councilman Matos, and Council President Jasionowski conducted interviews

and decided to create Co-Athletic Director positions. He continued that as of January 1st Kathy Blazina and Paul Criscuolo will be appointed as Co-Athletic Directors; splitting the salary and responsibilities.

Mayor Blundo introduced Dr. Matthew Murphy, the new River Vale School Superintendent. Dr. Murphy addressed the Mayor, Council and residents and stated that he is looking forward to working in cooperation with the town. He started on November 3rd and has had a wonderful first month. Dr. Murphy thanked the Mayor and Council and wished everyone a Merry Christmas and Happy Hanukkah.

Mayor Blundo announced that River Vale would like to recognize its most successful baseball team. The Sandy Koufax 13U team won the State Championship and then went on to play in the World Series in Michigan. The Mayor continued that he was very proud of the teams' high level of accomplishment.

The Mayor then introduced Coach Rich Dehn. Coach Dehn thanked the Mayor and Council; he offered a brief overview of the teams' success and expressed what a great experience it was for everyone taking the team to World Series in Michigan.

Mayor Blundo thanked the Coaches and referenced a phrase from the Secretary of State; "...it takes a village..." The Mayor stated that it does take a village to raise a child; and the countless hours of the coaches and parents cannot be credited it enough. The Mayor encouraged the team to enjoy this well earned experience that they will carry with them throughout their entire lives.

Coach Dehn and Mayor Blundo presented each of the players with a Certificate of Recognition:

2009 Sandy Koufax 13U State Champions
Manager – Rich Dehn
Coaches – Frank McKeary, Steve Bart, Dave White

**Stephen Bart, Jonathon Bonica, Jimmy Butler, Kevin Dehn, Bruce Dennis,
Danny DeProspero, Evan Dymond, Ryan MacNaughton, Frankie McKeary,
Timmy O'Shea, Danny White**

2. Council Comments

Councilman de Stefan stated how great it was to meet the new Superintendent in addition to the recognition of both the kids and adults who helped them tonight. He also felt overwhelmed by the Mayor's comments and the town's two (2) great accomplishments with regard to moving forward with both the COAH project and the preservation of open space. Councilman de Stefan acknowledged the Mayor, Administration, Holly and his colleagues for all their work; as well as the five (5) administrations and 20 years of work on the preservation of open space. He also agreed with the Mayor and has heard very good comments about the holiday lights.

Councilwoman Sieg attended the Holiday Lighting and thought it was very enjoyable and the Breakfast with Santa was a lot of fun as well. She also thanked Ron Tucci for playing a terrific Santa. Councilwoman Sieg concluded that she loved the children at the meeting tonight and she felt very proud of their dedication and what a reflection it is on the parents.

Councilman Bromberg offered congratulations to the youth and the adults who helped them. He also thanked the Mayor and Administration for hopefully successfully culminating the I6-A and COAH projects. Councilman Bromberg wanted to bring attention to the five (5) Interlocal Agreements on the Agenda this evening. He stated how great our Administration is by looking to do anything they can to share items (i.e. street sweepers) to help cut cost yet maintain home rule. He added that this way we can still do things the way our residents would like to see them done, maintain control and save as much money as we can in the process.

Council President Jasionowski announced that tonight was the last council meeting this year. This Sine Die meeting will be January 1st and next years Council Meeting dates will be posted on the website shortly. Council President Jasionowski announced that starting on Saturday, January 16th the public budget meetings will commence and continue forward. The meetings will be held in the Council Chambers at approximately 8:30am.

Council President Jasionowski concluded with comments on a promise the Mayor made when he was sworn in. He stated that the Mayor promised that this administration would be a lot more open and work with both the council and residents. He continued that with the opening of the Athletic Director's position; the Mayor consulted the members of the council, there was and ad on the website, and an application process. A committee was formed (Councilman Matos, the Mayor and Council President Jasionowski) that conducted the final interviews and came with a phenomenal decision. Council President Jasionowski thanked the Mayor for keeping his commitment to have an open and fair administration.

Business Administrator's Report

Mr. Gallione announced that there will be an H1N1 vaccination clinic on December 17th from 4:30pm to 8:30pm at Bergen County Technical School in Paramus for priority groups. Only appointments will be taken. The Administrator reported that the Shade Tree Committee has submitted their Tree City Application for the Town. He will also be asking the schools if the town can take part in the Arbor Day Celebration on April 22nd.

HILLS/VALLEY COALITION PRESENTATION

*Janice Georgallas
Co-Chair Hills/Valley Coalition*

*Jacqueline Murphy
Coalition Consultant*

Ms. Janice Georgallas and Jaqueline Murphy gave the Mayor and Council a presentation on the accomplishments of the Hills/Valley Coalition during this past year. The Hills/Valley Coalition's goal is to promote a substance free environment for our young people. The Coalition could not do this without the support of the schools, law enforcement officers and participating towns. The Coalition reported on the very successful and well attended Internet Safety Program conducted in April of 2009. Ms Murphy, whose role is the Coalition Consultant, gave the Mayor and Council a brief overview of her accomplishments and responsibilities during the year. Ms. Murphy maintained the Coalition website, acted as their liaison, performed grant writing, and coordinated programs.

Mayor Blundo requested that the Township website have a link to the Hills/Valley Coalition website.

Ms. Georgallas thanked the Mayor and Council for their support and requested a similar donation of \$2,500 to help fund the Coalition Consultant. Ms. Murphy wouldn't be the consultant next year however; she will continue volunteer her time.

Council President Jasionowski announced that the Council will support the program next year.

Township Engineer's Report

Mr. Carrino announced that final close out documents for Oradell Construction are complete. He offered updates on the Bernita Drive headwall replacement project. Unfortunately, there has not been much progress made on the slope failure. Councilman de Stefan requested that the Library would like to build out behind their building and the importance of reinforcing the slope.

HEARING OF THE PUBLIC

Motion by Councilman Bromberg; seconded by Councilwoman Sieg 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.”

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

RESOLUTIONS

Motion by Councilman Bromberg; seconded by Councilwoman Sieg to approve Resolution #2009-269, as follows:

Resolution #2009-269

RESOLUTION APPROVING THE MINUTES OF THE NOVEMBER 23, 2009 COUNCIL MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the November 23, 2009 Council meeting are hereby approved.

ROLL CALL VOTE

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

Motion by Councilman Bromberg; seconded by Councilman de Stefan to approve Resolution #2009-270 through #2009-275 on Consent Agenda, as follows:

Resolution #2009-270

RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF WESTWOOD FOR THE CONTINUED SHARED USE OF A STREET SWEEPER

BE IT RESOLVED, by the Township Council of the Township of River Vale that the Mayor and Township Clerk are hereby authorized to execute an Interlocal Services Agreement between the Township of River Vale and the Borough of Westwood for the continued shared use of a Street Sweeper; and

BE IT FURTHER RESOLVED, that said Interlocal Services Agreement has been reviewed and approved by the Township Attorney; and

BE IT FURTHER RESOLVED that the terms and conditions of said Interlocal Services Agreement are on file in the Clerk’s Office;

NOW THEREFORE BE IT RESOLVED THAT a copy of this Resolution be forwarded to the Borough of Westwood.

Resolution #2009-271

RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF OLD TAPPAN FOR THE SHARED USE OF A LAWN SWEEPER

BE IT RESOLVED, by the Township Council of the Township of River Vale that the Mayor and Township Clerk are hereby authorized to execute an Interlocal

Services Agreement between the Township of River Vale and the Borough of Old Tappan for the shared use and maintenance of a Lawn Sweeper; and

BE IT FURTHER RESOLVED, that said Interlocal Services Agreement has been reviewed and approved by the Township Attorney; and

BE IT FURTHER RESOLVED that the terms and conditions of said Interlocal Services Agreement are on file in the Clerk’s Office;

NOW THEREFORE BE IT RESOLVED THAT a copy of this Resolution be forwarded to the Borough of Old Tappan.

Resolution #2009-272

RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF OLD TAPPAN FOR THE SHARED SERVICE AGREEMENT OF THE RIVER VALE DPW TRUCK WASH FACILITY

BE IT RESOLVED, by the Township Council of the Township of River Vale that the Mayor and Township Clerk are hereby authorized to execute an Interlocal Services Agreement between the Township of River Vale and the Borough of Old Tappan for the shared service agreement of the River Vale DPW Truck Wash Facility; and

BE IT RESOLVED, that said Interlocal Services Agreement has been prepared by the River Vale Township Attorney; and

BE IT RESOLVED that the said fees are as follows and that all member towns of this Interlocal Service Agreement would pay an additional \$20.00 monthly administrative fee;

- Regular Truck \$12.00**
- Mason Dump Truck \$18.00**
- Tri-Axle Truck \$25.00**

NOW THEREFORE BE IT RESOLVED THAT a copy of this Resolution be forwarded to the Borough of Old Tappan.

Resolution #2009-273

RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF OLD TAPPAN FOR THE SHARED USE AGREEMENT OF THE RIVER VALE BRINE SYSTEM

BE IT RESOLVED, by the Township Council of the Township of River Vale that the Mayor and Township Clerk are hereby authorized to execute an Interlocal Services Agreement between the Township of River Vale and the Borough of Old Tappan for the shared use agreement of the River Vale DPW Brine System; and

BE IT RESOLVED, that said Interlocal Services Agreement has been prepared by the River Vale Township Attorney; and

BE IT RESOLVED that the said fees all member towns of this Interlocal Service Agreement would pay are as follows;

<u>Solution</u>	<u>Retail/Gallon</u>
Salt Brine 100%	\$ 0.40

BE IT RESOLVED that the terms and conditions of said Interlocal Agreement are on file in the Clerks' office;

NOW THEREFORE BE IT RESOLVED THAT a copy of this Resolution be forwarded to the Borough of Old Tappan.

Resolution #2009-274

RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL SERVICES AGREEMENT WITH THE TOWNSHIP OF WASHINGTON FOR THE SHARED USE AGREEMENT OF THE RIVER VALE BRINE SYSTEM

BE IT RESOLVED, by the Township Council of the Township of River Vale that the Mayor and Township Clerk are hereby authorized to execute an Interlocal Services Agreement between the Township of River Vale and the Township of Washington for the shared use agreement of the River Vale DPW Brine System; and

BE IT RESOLVED, that said Interlocal Services Agreement has been prepared by the River Vale Township Attorney; and

BE IT RESOLVED that the said fees all member towns of this Interlocal Service Agreement would pay are as follows;

<u>Solution</u>	<u>Retail/Gallon</u>
Salt Brine 100%	\$ 0.40

BE IT RESOLVED that the terms and conditions of said Interlocal Agreement are on file in the Clerks' office;

NOW THEREFORE BE IT RESOLVED THAT a copy of this Resolution be forwarded to the Township of Washington.

Resolution #2009-275

RESOLUTION AUTHORIZING REFUND OF BUILDER'S ESCROW

WHEREAS, the following individuals have posted Escrow Deposits as requested by both the Zoning Board of Adjustment; and

WHEREAS, the Zoning Board has determined this project is complete;

NOW, THEREFORE BE, IT RESOLVED, by the Township Council of the Township of River Vale that the Escrow Deposit be released;

BE IT FURTHER RESOLVED, by the Township of the Township of River Vale that the Chief Financial Officer be directed to release the Escrow Deposits of the following business.

Rosell's Citgo, Inc.	307 Cedar Lane	\$462.06
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ROLL CALL VOTE

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

Resolution #2009-276

Council Discussion Resolution #2009-276

Ms. Schepisi reported that she will be working together with to resolve the issue. She would like to see the municipality have a level of comfort and still allow it to take place. Ms. Schepisi stated that the developer is concerned that the deed restrictions may hinder the sale of the homes. The Mayor added that the document submitted by Dennis Deutsch was not accepted by the developers.

Ms. Schepisi assured the Council that they will come up with a solution. Council President Jasionowski does not want this to be a hardship to the town. He added that he would like a resolution for the Sine Die meeting. The Township Attorney requested tabling the resolution to allow for discussion.

Motion by Councilman Bromberg; seconded by Councilwoman Sieg to table Resolution #2009-276.

RESOLUTION AUTHORIZING ACCEPTANCE OF UNDERGROUND DETENTION SYSTEM FOR BLUE HILL ESTATES ABBE COURT EXTENSION

Motion by Councilman de Stefan; seconded by Councilman Bromberg to approve Resolution #2009-277, as follows:

Resolution #2009-277

**RESOLUTION
(TRANSFERS)**

WHEREAS, there exists a need to make transfers in the 2009 Budget Appropriations, and there exists balances from which to make said transfers,

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the Chief Financial Officer hereby be authorized to make the following transfers to the 2009 Budget Appropriations.

Inside CAP:

To:

Fire Prevention-Hydrants OE	\$ 14,000.00
Snow & Ice Removal OE	\$ 7,400.00
Snow & Ice Removal S&W	\$ 3,000.00
Streets & Roads OE	\$ 1,000.00
Garage – Auto Repairs OE	\$ 4,500.00

Total \$ 29,900.00

Inside CAP:

From:

Gas & Oil OE	\$ 5,000.00
Police Patrol OE	\$ 10,000.00
Group Health OE	\$ 14,900.00

Total \$ 29,900.00

ROLL CALL VOTE

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

Motion by Councilman de Stefan; seconded by Councilwoman Sieg to approve Resolution #2009-278, as follows:

Resolution #2009-278

RESOLUTION FOR PAYMENT OF BILLS

BE IT RESOLVED by the Township Council of the Township of River Vale, County of Bergen, State of New Jersey, that the Business Administrator be, and hereby is authorized to pay the following claims:

RESERVE CURRENT ACCOUNT claims in the amount of:	\$ 21.00
CURRENT ACCOUNT claims in the amount of:	\$ 129,645.88
DOG TRUST ACCOUNT claims in the amount of:	\$ 11.40
APPROPRIATION RESERVE ACCOUNT claims in the amount of:	\$ 0.00
CAPITAL ACCOUNT claims in the amount of:	\$ 14,405.31
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$ 275.00
RECREATION TRUST ACCOUNT claims in the amount of:	\$ 14,749.73
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$ 2,891.39
PRIVATE DUTY ESCROW ACCOUNT claims in the amount of:	\$ 6,553.71
TRUST ACCOUNT claims in the amount of:	\$ 39,769.59
OPEN SPACE TRUST ACCOUNT claims in the amount of:	\$ 51,450.00
BOND ESCROW TRUST ACCOUNT claims in the amount of:	\$ 0.00
SPECIAL TRUST ACCOUNT claims in the amount of:	\$ 1,240.50
HOUSING TRUST ACCOUNT claims in the amount of:	\$ 15,095.25

TOTAL CLAIMS TO BE PAID **\$ 276,108.76**

BE IT FURTHER RESOLVED by the Township Council of the Township of River Vale that the following claims have been paid by the Business Administrator prior to the Bill List Resolution in the following amounts:

APPROPRIATED RESERVE ACCOUNT claims in the amount of:	\$ 0.00
CURRENT claims in the amount of:	\$ 3,504,654.25
CAPITAL ACCOUNT claims in the amount of:	\$ 0.00
SPECIAL TRUST ACCOUNT claims in the amount of:	\$ 200.00
STATUTORY ACCOUNT claims in the amount of:	\$ 441,715.25
BOND ESCROW TRUST ACCOUNT claims in the amount of:	\$ 4,842.00
HOUSING SPACE TRUST ACCOUNT claims in the amount of:	\$ 0.00
TOTAL CLAIMS PAID	<u>\$ 3,951,411.50</u>

TOTAL BILL LIST RESOLUTION **\$ 4,227,520.26**

**MANUAL DISBURSEMENTS
BILL LIST FOR DECEMBER 14, 2009**

11/30/2009 – Transfer Payroll	\$ 211,100.58
12/14/2009 – Transfer Payroll	\$ 230,614.67
TOTAL STATUTORY ACCOUNT DISTRIBUTIONS	<u>\$ 441,715.25</u>

ROLL CALL VOTE

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

Motion by Councilman de Stefan; seconded by Councilman Bromberg to approve Resolution #2009-279, as follows:

Resolution #2009-279

RESOLUTION AUTHORIZING THE MAYOR TO SIGN AMENDMENT TO GREEN ACRES PROJECT AGREEMENT

BE IT RESOLVED, by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the amended agreement to the Green Acres Agreement with the State of New Jersey Department of Environmental Protection for the purchase of I-6A.

ROLL CALL VOTE

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

HEARING OF THE PUBLIC

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

James Delia – Wells, Jaworski & Liebman, LLP Paramus, NJ (Blue Hill Estates) – Mr. Delia explained the detention system and how the drainage system will work. The main function would be to collect water run off and the proposed system meets RSIS standards. He added that they would need permission of the Mayor and Council.

Council President Jasionowski added that there seems to be a lot to resolve between the attorneys and suggested that we put this item on the Sine Die agenda; if it’s acceptable. The Developer did not have an issue with the January 1st deadline.

Richard Eichenlaub – R.L. Engineering (Blue Hill Estates) – Mr. Eichenlaub explained that this system is required and the underground method is preferred by most municipalities. The system is conditionally approved by the Planning Board and there are already two (2) detention systems in place on Abbe Court; this one would be in the extension.

The Mayor questioned whether the two (2) current detention systems are in the right-of-way. Mr. Eichenlaub answered that they are both located within easements.

Mayor Blundo added that he believes that this will work however; he wants to make sure the town is protected and our exposure is limited

Councilman Bromberg stated his previous concerns about the maintenance, sewage cleaning and OSHA compliance that is required. He questioned whether these special credentials would be required for the maintenance of this system.

Mr. Eichenlaub answered that there is a license that is necessary to allow the DPW staff to work on the enclosed sewer system.

The Mayor added that we currently share the required certification with another community. Therefore we are covered for that certification; in addition we have someone on staff working on obtaining the certification.

Councilman Bromberg stated that with the support of the attorneys he would feel confident they would approve.

Joe Massin – 68 Holiday Court – commented on the State’s withholding of aide.

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

The Mayor very pleased to report that the tax collection rate is at 99%.

ORDINANCES 1st Reading

There were no Ordinances for 1st reading this evening.

ORDINANCES 2ND Reading

Motion by Councilman Bromberg; seconded by Councilwoman Sieg to open the public hearing on Ordinance #223-2009.

Joe Massin- 68 Holiday Court -- questioned whether the Town has the ability to enforce the International Property Maintenance Code. Mayor Blundo answered that he has been assured that the Town has the manpower to enforce. This ordinance is designed to be compliant and safety based and gives us the authority to enforce. The Mayor also added we can make changes to this ordinance.

Bob Fortsch – 511 Bernita Drive – asked if the new ordinance deals with illegal apartments. Mr. Fortsch explained that he feels in these hard economic times people may be renting out part of their homes illegally.

Council President Jasionowski answered that this ordinance deals with only violations.

There being no further questions or comments from the public; motion by Councilman Bromberg; seconded by Councilman de Stefan to close the public hearing on Ordinance #223-2009.

Council Comments Ordinance #223-2009

Councilman de Stefan agreed with the Mayor and Council that this ordinance was needed and look overdue. He had problems with Article One; however it has been stricken. Councilman de Stefan stated that he is very pleased how well the administration worked together in cooperation to get this accomplished. He also noted the need to strengthen the existing property maintenance code. He will vote yes and appreciates the commitment that we can amend this ordinance.

Councilwoman Sieg will support this ordinance. She sees the need and also feels it's important to help our construction official get his job done and leave our options open at the same time.

Councilman Bromberg stated his concern with the *International Property Maintenance Code* is with Section 3. Councilman Bromberg believes it covers more minutia with respect to the inside of personal dwellings than government in general has a necessary interest in. He prefers the least intrusive ordinance is as possible and necessary. Councilman Bromberg noted that even as encompassing as the code is; there are some issues that are not covered that may still require subsequent ordinances.

Councilman Bromberg agreed with Councilman de Stefan that no piece of legislation is ever perfect but it was his strong preference to revise our existing ordinance and tailor it to the needs of River Vale. Even though he is outside the general consensus he believes the process did work.

Councilman Bromberg does appreciate that the onerous administration section was removed from the final ordinance.

In conclusion, Councilman Bromberg stated the that Mayor Blundo and his colleagues on the Council; after much debate and discussion believe that the *International Property Maintenance Code* as adopted will best serve the needs of the residents of River Vale. Councilman Bromberg stated that he will vote his conscience against it.

Council President Jasionowski thanked Councilman Bromberg for his excellent statement. Council President Jasionowski noted that after almost two (2) of delays and working together they have come up with something that worked for both the administration and the Council. He stated that the process worked and the public has the Council's commitment that they will monitor and make changes if necessary. Council President Jasionowski appreciates Councilman Bromberg concerns and comments; however he is in favor of this ordinance.

Motion to Adopt: Councilman de Stefan

Second: Councilwoman Sieg

ORDINANCE # 223-2009

AN ORDINANCE ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE WITH THE EXCEPTION OF CHAPTER ONE

BE IT ORDAINED by the Township Council of the Township of River Vale, County of Bergen, and State of New Jersey that the 2006 edition of the International Property Maintenance Code is hereby adopted, as follows:

Section 1:

That a certain document, three copies of which are on file in the office of the Municipal Clerk of the Township of River Vale, being marked and designated as the International Property Maintenance Code, 2006 Edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Township of River Vale, in the State of New Jersey, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as provided in the chapter; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of such property maintenance on file in the office of the Municipal Clerk of the Township of River Vale are referred to adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed Section 2 of this ordinance.

Section 2: The following section(s) is hereby deleted:

- **Chapter 1 ADMINISTRATION** is removed in its entirety

Section 3: That Ordinance No. 163-2006 of the Code of the Township of River Vale and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4: That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Township Council of the Township of River Vale hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase therefore, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5: That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6: That the Municipal Clerk is hereby ordered and directed to cause this ordinance to be published and posted as required.

Section 7: That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effects and be in full force and effect twenty (20) days after its final passage.

ROLL CALL VOTE

Councilman de Stefan, Councilwoman Sieg and Council President Jasionowski voted yes. Councilman Bromberg voted no. Councilman Matos was absent.

ADJOURNMENT

Motion by Councilman Bromberg; seconded by Councilwoman Sieg to adjourn the meeting at 9:40pm.

Council President
Glen Jasionowski

ATTEST:
Karen Padva
Township Clerk