

MINUTES
Council Meeting
Monday, October 26, 2009

CALL THE MEETING TO ORDER

Council President Jasionowski called the meeting to order at 8:00pm in the Community Center located at 628 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, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski were present.

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

TOWNSHIP COMMUNICATION

1. Mayor’s Comments

Mayor Blundo offered a brief update on the 7-11 application that is coming before the Planning Board on November 10th. He also thanked Bob Gallione, Joanne Foy and Rich Campanelli for all their work on making the Octoberfest a success. The Mayor reported that he attended a recent meeting in Woodcliff Lake on the potential breakup of the High School District. The Mayor explained the devastating impact this will have on River Vale. The Mayor continued that there very little we can do now but there will come a time when the residents will have to speak out against the breakup of the High School district.

RIVER VALE POLICE DEPARTMENT PROMOTIONS

Mayor Blundo stated what a privilege it is for him to promote four (4) River Vale Police Officers to new ranks.

The Mayor swore in the following Police Officers:

- **Detective John DeVoe to Sergeant**
- **Police Officer Christopher Bulger to Segeant**
- **Sergeant Robert Ryan to Lieutanant**
- **Detective Sergeant Sean Scheidle to Lieutenant**

Council President Jasionowski requested a brief recess at 8:25pm.

The Council reconvened at 8:35pm.

ROLL CALL

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

2. Council Comments

Councilman de Stefan commented on what a rewarding evening it has been and that the Mayor is doing a great job. He also added that he will not be able to attend the November 23rd Council meeting due to a prior commitment.

Councilman Matos echoed Councilman de Stefan's comments and congratulated our fine law enforcement department.

Councilwoman Sieg expressed what a great way to start the evening and the wonderful show of support seen at this evening's meeting. She reported that she also attended the meeting in Woodcliff Lake with Mayor Blundo regarding the potential breakup of the High School district. Councilwoman Sieg explained how important our Mayor's presence is at these meetings and how he's acting in the best interest of the residents.

Councilman Bromberg offered his congratulations to all the officers and also agreed that the Mayor did a great job. He added that the River Vale Police Department is extremely well respected. Councilman Bromberg could not attend meeting in Woodcliff Lake regarding the break up of the High School District; however he fully supports the Mayor and hopes both Montvale and Woodcliff Lake see this effort as futile.

Councilman Bromberg concluded with comments regarding the property maintenance code. He noted that most towns in the Pascack Valley have their own code and not the *International Property Maintenance Code*. He suggested tweaking our own code and per a discussion he had with the construction code official.

Council President Jasionowski added his congratulations and recognition of all the officers promoted this evening. He also noted the award of the Rescue Truck bid on this evening's agenda. Council President Jasionowski thanked Bill Peters for all his work on this project and the benefit this truck will provide to all the residents.

Councilman de Stefan added that the Fire Department always keeps in mind the best interests of the residents.

Business Administrator's Report

Mr. Gallione reported on the tax collection rate and announced the extended tax collection hours of the tax office. He also noted that a Mr. John Dunbar of upstate New York visited the USS Enterprise Memorial recently. Mr. Dunbar was a former crew member of the Enterprise and provided the Township with photos of his time served on board. The Administrator also announced that the Veteran's Day Ceremony will be held on November 11th at 9:00am.

The Mayor added that he has recently had contact with several members of the Ranges Family and hopes to have some of these relatives at the upcoming Veteran's Day Ceremony. He continued that he feels its important for the resident's to know who the fields in town are named for.

The Administrator continued with an update on the energy audit. Mr. Gallione concluded with offering his thanks to the local school administration and Kelly Ippolito for their help in running a very successful Ragamuffin Parade.

Township Engineer's Report

Mr. Carrino reported that close out documents for both the Holdrum Field and DPW Building are complete. The plans for Bernita Drive Headwall have been submitted to both the Town and DEP and plans are to start the work in the spring of 2010 and that there has been some progress with the County with regard to the Slope failure. Mr. Carrino concluded he is still waiting for the extension of the maintenance bond from the Mark Lane Basketball Court lighting project.

Councilman Matos thanked Mr. Carrino for doing a fine job on the basketball court lights and Councilman de Stefan added his appreciation for Mr. Carrino's progress on the slope failure.

HEARING OF THE PUBLIC

Motion by Councilman de Stefan; seconded by Councilman Matos 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."

John Muldino – State Farm Insurance Company – Mr. Muldino thanked the Mayor and Council for putting Resolution #252 on the agenda and brining it to the attention of our residents. He also thanked Councilman de Stefan, in particular, for sponsoring this resolution.

Paul Greco – 243 Collignon Way - questioned as to whether the Farmer's Market could be moved to the shopping center.

Mayor Blundo answered that the Town doesn't own the property however; we can look into the possibility. He realizes the market could help both the vendors and store owners but there are insurance issues and traffic concerns. Councilwoman Sieg suggested reaching out to Rica Fakazis, who runs the market.

Mr. Greco also questioned the status of a 7-11 coming into town.

The Mayor answered that 7-11 will honor the Town ordinance and that they may or may not apply for a variance in the future. The Mayor explained that the Ordinance should hold up and in other tows there has not been any successful opposition.

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

Council Discussion:

Councilman Matos commented on the appointment of Eric Wolfe to the Planning Board and that he is a fine candidate. Councilman de Stefan stated that he was glad to see Scott Lippert move up on the Planning Board and he is a fine candidate as well.

Councilman Bromberg commented on the Fire Truck award and the reduced change orders for both the Holdrum Field and Road Program projects.

Mayor Blundo commented on how pleased he is to see the approval of the Interlocal Agreement with Old Tappan for Police Dispatch services. He added how pleased is not to lose that income and that Council President Jasionowski lead the negotiations for a continued seven (7) year contract.

Motion by Councilman de Stefan; seconded by Councilman Matos to approve Resolution #2009-235, as follows:

Resolution #2009-235

RESOLUTION APPROVING THE MINUTES OF THE SEPTEMBER 14, 2009 COUNCIL MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the September 14, 2009 Council meeting are hereby approved.

ROLL CALL VOTE

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

Motion by Councilman Bromberg; seconded by Councilman de Stefan to approve Resolution #2009-236, as follows:

Resolution #2009-236

RESOLUTION APPROVING THE MINUTES OF THE SEPTEMBER 29, 2009 COUNCIL MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the September 29, 2009 Council meeting 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 Resolutions #2009-237 through #2009-252 on Consent Agenda, as follows:

Resolution #2009-237

RESOLUTION AUTHORIZING NOT TO EXCEED LIMITATIONS FOR SURVEYING SERVICES FOR THE DPW BUILDING SITE

BE IT RESOLVED, by the Township Council of the Township of River Vale that limitations in an amount not to exceed \$1,785.00 be authorized for services of the DPK Consulting LLC for the surveying of the DPW Building site.

Resolution #2009-238

RESOLUTION APPROVING CHANGE ORDER #1 FOR THE HOLDRUM SCHOOL ATHLETIC FIELD IMPROVMENTS PROJECT

WHEREAS, there were various reductions in the as-built quantities during the Holdrum Athletic Field Improvement project; and

WHEREAS, these items are outlined in change order approved by the Township Engineer on October 8, 2009; a copy of which is 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 #1 for the above mentioned project be approved as follows:

<u>DECREASE</u>	
Original Contract Sum was	\$ 150,655.00
Contract Sum Decrease	
Change Order #1	\$ - 10,437.49
New Contract Sum	\$140,217.51

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of River Vale hereby confirm endorsement of the aforesaid project; and

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

Resolution #2009-243

RESOLUTION
(Disabled Veteran Tax Exemption)

WHEREAS, N.J.S.A. 54:4-3.30 allows for Disabled Veterans to receive 100 % exemptions from Property Taxes, and the following individual is eligible for said exemption, and any Property Taxes paid after the date of eligibility should be refunded;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale, that the Tax Collector be authorized to cancel the following Property Taxes, and the Chief Financial Officer be authorized to issue a Township check for Property Taxes paid.

<u>Refund</u>	<u>Name</u>	<u>Address</u>	<u>Eligibility Date</u>	<u>Year</u>	<u>Amount</u>	<u>of</u>
	Reynold J. Kossman	770 Orangeburgh Road (Block 101, Lot 15)	01/31/09	2009	\$4,816.90	

Resolution #2009-244

RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE INTERLOCAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF RIVER AND BOROUGH OF OLD TAPPAN FOR POLICE DISPATCH SERVICES

BE IT RESOLVED by the Township Council of the township of River Vale that the Mayor is hereby authorized to sign the Interlocal Services Agreement between the Township and the Borough of Old Tappan for Emergency and Police Dispatch Services is hereby approved.

Resolution #2009-245

RESOLUTION ENDORSING BERGEN COUNTY OPEN SPACE TRUST FUND MUNICIPAL PARK IMPROVEMENT PROGRAM FRANK GIORDANO PLAYGROUND

WHEREAS, a Bergen County Open Space Trust Fund application in the amount of \$15,000 has been proposed by the Township of River Vale for improvements to the Frank Giordano Playground in the Township of River Vale, and

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

WHEREAS, the aforesaid project is in the best interest of the people of the Township of River Vale,

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of River Vale hereby confirm endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that the Governing Body is committed to providing a dollar for dollar cash match for the project; and

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

Resolution #2009-246

**RESOLUTION AUTHORIZING THE RELEASE OF CAPITAL IMPROVEMENT CONTRIBUTION FOR PROPOSED TRAFFIC LIGHT—
KALIAN COMPANIES
PINE LAKE VILLAGE**

WHEREAS, on September 27, 1999 the final site plan submitted by Kalian Companies was approved by the Planning Board to construct the Pine Lake Village development in the Township of River Vale; and

WHEREAS, as part of the final site plan approval Kalian Construction posted a \$10,000 fair share contribution to the Township's Capital Account toward the proposed construction of a traffic light at the intersection of Poplar Road and or Prospect Road in the Township of River Vale; and

WHEREAS, as part of said approval the Township was granted ten (10) years from the date of the final site plan approval to file the appropriate application to the State for said traffic light;

WHEREAS, in the event the Township does not file the appropriate application within the ten (10) year period from the date of the final site plan approval the money shall be returned to the applicant; and

WHEREAS, the time period of ten (10) years has elapsed and no application was made to the State for said traffic light;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the Capital Improvement Refund for the proposed traffic light be released;

BE IT FURTHER RESOLVED, by the Township Council of the Township of River Vale that the Chief Financial Officer be directed to issue a check in the amount of \$10,000 to payable to Kalian Companies, 225 Highway 35, Red Bank, New Jersey 07701.

Resolution #2009-247

RESOLUTION

(Release of Performance Bond)

WHEREAS, Caitlin Construction Co., LLC had posted a Performance Bond of \$477,962.40 as requested by the Planning Board for a Major Subdivision of Block 302, Lot 30; and

WHEREAS, the Planning Board Engineer has deemed that all the requirements as set forth in the Developer's Agreement of March 3, 2004 have been completed satisfactorily for said project(s) on Hoiem Court and Orangeburgh Road (Block 302, Lot 30);

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the remainder of the Performance Bond in the amount of \$80,412.72 be released to Caitlin Construction Co., LLC, 221 Sunrise Court, River Vale, New Jersey 07675

Resolution #2009-248

RESOLUTION APPROVING CHANGE ORDER #1 FOR THE 2009 ROAD PROGRAM

WHEREAS, there were various reductions in the as-built quantities during the 2009 Road Program; and

WHEREAS, these items are outlined in change order approved by the Township Engineer on September 25, 2009; a copy of which is 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 #1 for the above mentioned project be approved as follows:

DECREASE

Original Contract Sum was	\$ 460,628.00
Contract Sum Decrease	
<u>Change Order #1</u>	<u>\$ - 49,725.40</u>
New Contract Sum	\$410,902.60

Resolution #2009-249

RESOLUTION AWARDING THE LIGHTING AND POWER UPGRADES FOR THE RIVER VALE FREE PUBLIC LIBRARY

WHEREAS, the Township received several bids for the Lighting and Power Upgrades for the River Vale Public Library renovation project; and

WHEREAS, one bid was received from ACI Electrical Contractor, Inc., 604 Pine Avenue, Saddle Brook, New Jersey 07663 and said bid has been reviewed and approved and is hereby accepted as the lowest responsible bidder at the price of

Base Bid	\$ 37,867.64
Alternate #1:	\$ 4,986.03
Alternate #2:	\$ 1,550.93
TOTAL	<u>\$ 44,404.60</u>

WHEREAS, the Township of Chief Financial Officer has certified that funds are available in an amount not to exceed \$ 44,404.60 in the Township Trust fund as a result from contributions for the Township Library in the same amount.

NOW THEREFORE BE IT RESOLVED THAT the bid of ACI Electrical Contractor, Inc. 604 Pine Avenue, Saddle Brook, New Jersey 07663 is accepted as the lowest responsible bidder. The Mayor and Township Clerk are here by authorized and requested to execute a Contract on behalf of the Township of River Vale for the Lighting and Power Upgrades for the River Vale Public Library as described in the Bid Specifications.

Resolution #2009-250

RESOLUTION
(Release of Escrow)

WHEREAS, the individuals had posted Builders Escrow as requested by the Planning Board; and

WHEREAS, the Planning Board Engineer has determined that said projects are complete;

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

BE IT FURTHER RESOLVED, by the Township Council of the Township of River Vale that the Chief Financial Officer be directed to issues checks to the following individuals as follows:

Pamela & Russell Berg
556 Barr Court
River Vale, NJ 07675
(Block 517, Lot 9)
\$200.00

Madeline Minetto
132 E. Kinderkamack Road
Montvale, NJ 07645
(Block 1301, Lot 53)
\$4,842.00

Eugene Friend
566 Cleveland Ave
River Vale, NJ 07675
\$117.50

Resolution #2009-251

RESOLUTION APPROVING THE EXTENSION OF THE SNOW PLOWING CONTRACT FOR THE SECOND SNOW SEASON (2009-2010)

WHEREAS, the current snow plowing services contract is due for renewal on November 1, 2009; and

WHEREAS, the Township of River Vale wishes to extend the Snow Plowing Services Contract with the contractor Zuccaro & Sons, Inc., 64 Commerce Street, Garfield, New Jersey 07026 for the second snow season based on the following terms stated the original agreement dated September 30, 2008:

Base Bid – Second Snow Season (November 1, 2009 – April 20, 2010)
\$105.00 per hour per truck

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of River Vale hereby approves extending the contract for Snow Plowing Services in the Township for the **Second Snow Season**.

Resolution #2009-252

RESOLUTION APPROVING ENDORSEMENT NATIONAL TEEN DRIVER SAFETY WEEK

WHEREAS, motor vehicle crashes are the leading cause of death for adolescents and young adults in the United States, and many of these deaths are preventable; and

WHEREAS, almost 7,000 drivers between the ages of 15 and 20 were involved in fatal crashes in 2007 throughout the United States; and

WHEREAS, according to data from 2007 in New Jersey, 114 young people were involved in fatal car crashes; and

WHEREAS, the fatality rate in the United State for drivers between the ages of 16 and 19 years, based on the miles driven, is 4 times the fatality rate for drivers between the ages of 25 and 69 years; and

WHEREAS, on a per population basis, drivers under the age of 25 had the highest rate of involvement in fatal crashes of any age group; and

WHEREAS, roughly two-thirds of the teenagers killed in motor vehicle accidents in the United States do not use seatbelts; and

WHEREAS, seat belt use among teens and young adults (16 to 24 years old) stood at 76 percent in 2006—the lowest of any age group. In fact, in 2006 the majority (58%) of young people 16ro 20 years old involved in fatal motor crashes were unbuckled.

WHEREAS, approximately 65 percent of teen drivers death in the United State occur while other teenagers are driving; and

WHEREAS, nearly 80 percent of crashes and 65 percent of near-crashes involved some from of driver inattention within three seconds before the event. Primary causes of driver inattention are distracting activities, such as cell phone use, and drowsiness.

WHEREAS, it is necessary to explore effective ways to reduce the crash risk for young drivers by focusing research and outreach efforts on areas of teen driving that show the most promise for improving safety; and

WHEREAS, the national Young Driver Survey, funded by State Farm and administered by The Children’s Hospital of Philadelphia, demonstrates a national need to increase awareness about the risk of using cell phones while driving, the risk of nighttime and fatigued driving, the importance of consistent seatbelt use, and the practice of gradually increasing driver privileges’ over a time as a young driver gains more experience under supervised conditions; and

WHEREAS, there is an increase in teen car crashes in the month of October, when teenagers are in the first months of the school year and faced with many decisions involving driving, including whether to drive with peer passengers and other distractions; and

WHEREAS, designating the third week of October as teen Driver Safety Week will increase awareness of these important issues among teenagers and adults in communities throughout New Jersey as additional research is conducted to develop and test effective innovations that will help teenagers become safer drivers.

NOW, THEREFORE, BE IT RESOLVED, that October 18-24, 2009 was recognized as **NATIONAL TEEN DRIVER SAFETY WEEK**, and encourage the citizens of River Vale to observe this with appropriate activities that promote the practice of safe driving among the state’s licensed teenage drivers.

ROLL CALL VOTE

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

Motion by Councilman de Stefan; seconded by Councilwoman Sieg to approve Resolution #2009-253 as follows:

Resolution #2009-253

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:	\$ 0.00
CURRENT ACCOUNT claims in the amount of:	\$ 336,348.57
DOG TRUST ACCOUNT claims in the amount of:	\$ 22.80
APPROPRIATION RESERVE ACCOUNT claims in the amount of:	\$ 0.00
CAPITAL ACCOUNT claims in the amount of:	\$ 13,129.95
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$ 759.50
RECREATION TRUST ACCOUNT claims in the amount of:	\$ 10,491.53
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$ 1,626.00
PRIVATE DUTY ESCROW ACCOUNT claims in the amount of:	\$ 33,687.26
TRUST ACCOUNT claims in the amount of:	\$ 1,982.45
OPEN SPACE TRUST ACCOUNT claims in the amount of:	\$ 20,675.50
BOND ESCROW TRUST ACCOUNT claims in the amount of:	\$ 0.00
SPECIAL TRUST ACCOUNT claims in the amount of:	\$ 2,816.28
HOUSING TRUST ACCOUNT claims in the amount of:	\$ 1,278.00

TOTAL CLAIMS TO BE PAID **\$ 422,817.84**

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:	\$ 1,681,300.75
PRIVATE DUTY ESCROW ACCOUNT claims in the amount of:	\$ 0.00
ANIMAL TRUST ACCOUNT claims in the amount of:	\$ 6,910.25
STATUTORY ACCOUNT claims in the amount of:	\$ 434,308.97
RECREATION TRUST ACCOUNT claims in the amount of:	\$ 3,614.16
HOUSING SPACE TRUST ACCOUNT claims in the amount of:	\$ 900,000.00
TOTAL CLAIMS PAID	<u>\$ 3,026,134.13</u>

TOTAL BILL LIST RESOLUTION **\$ 3,448,951.97**

**MANUAL DISBURSEMENTS
BILL LIST FOR OCTOBER 26, 2009**

09/30/2009 – Transfer Payroll	\$ 225,199.32
10/15/2009 – Transfer Payroll	\$ 209,109.65
TOTAL STATUTORY ACCOUNT DISTRIBUTIONS	<u>\$ 434,308.97</u>

ROLL CALL VOTE

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

ORDINANCES 1st Reading

There were no Ordinances for 1st reading this evening.

ORDINANCES 2ND Reading

There were no Ordinances for 2nd reading this evening.

HEARING OF THE PUBLIC

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

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

Motion by Councilman de Stefan; seconded by Councilman Matos to enter into Closed Session for the purposes of discussing possible litigation regarding the break up of the Regional High School District at 9:10pm. No Action will be taken.

Motion by Councilman Matos; seconded by Councilman de Stefan to reopen the meeting.

ADJOURNMENT

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

Council President
Glen Jasionowski

ATTEST:
Karen Padva
Township Clerk