

**MINUTES**  
**Council Meeting**  
**Monday, March 22, 2010**  
**8:00pm**

**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, Gennaro Rotella, CFO, Christopher Statile, Engineer, and Karen Padva, Township Clerk.

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**TOWNSHIP COMMUNICATION**

1. Mayor's Comments

The Mayor opened with comments on the severe cuts the Governor has made to our municipal budget. The Mayor explained that our proposed budget assumed the same cuts in municipal aide from last year that would have resulted in an increase of less than \$100 to the taxpayers. However, the Governor's budget has made an additional cut to the ERT Tax; which amounted to cut of a quarter of a million dollars to River Vale. The Mayor continued that the budget was introduced and is out of the administrations hands. We need to be very careful about how the Council handles any changes made to the budget; we need to be completely transparent and within the subscribed laws and rules.

Mayor Blundo has proposed that the CFO and Business Administrator to identify \$250,000 in cuts to the operating expense in the budget. It is still a goal to keep the tax increase at less than \$100. Once the list is developed it will be prioritized and presented to the Council for their consideration. The Mayor continued that before final passage you will have the opportunity to either accept the cuts, do different cuts and decide areas that can't be cut. Together we will decide, with the Mayor's support, if you don't want to cut all the way to the bone and let the increase to go a little higher than \$100. Additionally, the Mayor stated that there is no release from the 4% CAP which allows us to raise taxes any higher. Therefore, by fulfilling that goal we have to cut just to remain in compliance with the law.

The Mayor believes we are in much better shape than other communities in terms of coming in at a reasonable tax increase and not having to disturb services to our residents. The Mayor concluded that this is the plan of action and we will be getting this to for your consideration.

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Council President Jasionowski welcomed Bergen County Executive, Dennis McNerney to the meeting.

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Council President Jasionowski commented on the budget and that it is the intention of the Council to continue the budget process as we have for the last several years. The process has been that the administration makes recommendations, and then we have a public meeting to analyze those suggestions and make a final decision before passage.

The Mayor agreed that they were on the same page.

Councilman de Stefan suggested using some of the surplus or perhaps bonding instead of just cuts.

The Mayor answered that after a discussion with the Council President; we don't want to mortgage our futures and dip into surplus, use the deferred school tax or bond to deep. The Mayor had set a goal that we would come in at under \$100.00; if going up to \$115.00 prevents us from going too low in the surplus he would support it. We could look at it and it could be a small part of our plan; everything is on the table. The Mayor also explained that if we cut to what the CAP allows; the most we're looking at is a \$120 increase; he still wants full \$250,000 identified.

The Mayor also commented on the effect of the cuts in state aid to the local River Vale Schools which that amounted to \$650,000. Informally, the School Superintendent stated that he believes a lot will be made up in taxes and some reduced services. The Mayor explained that this works out to a \$200 to \$250 increase to off set that cut. Including the High School increase conservatively at \$100 more, we're looking at, with no increase in service, a \$300 to \$400 increase even despite fiscally responsible government in all three areas. The Mayor concluded that the State is in trouble and something has to be done. We will do our part to keep the impact at a minimum.

Mayor Blundo continued his report that the Fire Department responded to a fire over the weekend at Krell Lighting; unfortunately the building was an entire loss. The Mayor thanked our department for doing a great job assisting our neighboring communities.

The Mayor was pleased announced that five (5) of six (6) River Vale Indoor Soccer teams made the playoffs; and four (4) of those teams won including his son's. This is a very competitive league, the games were very exciting and we're going to invite them to come in for a meeting.

The Mayor concluded with comments on the recent storm and that he's never received more compliments and praise on the way the DPW, Police and EMS handled this storm. The Mayor expressed his gratitude for doing a great job. The Mayor has never been more proud of the residents of River Vale and the extraordinary support that they showed one another during this particular event.

The Mayor also complimented PSE&G for doing an outstanding job restoring power to our community.

Lastly, the Mayor commented on a former employee and resident whose child is going through a difficult time; this particular family has been show an out pouring of support from our residents.

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County Executive McNerney and Freeholder Carroll presented the Township with a check for \$1.5 million for the purchase of the 5 acres of property on Poplar Road (I6-A).

County Executive McNerney thanked the Mayor and Council. The County Executive remarked that he had been driving through River Vale during the recent storm and was amazed by the Township's first responders (Police, Fire & DPW) response during the storm.

The Mayor thanked the County Executive and Freeholder Carroll and offered a brief history about the watershed property and the many years of work that has gone into preserving this land as open space. The land is being purchased with State Green Acres Funds as well as funds from the County to help protect and keep safe our natural resources. The Mayor thanked and applauded everyone involved in this effort.

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\*\*\*\*\*Councilman Matos arrived at the meeting at 8:20pm\*\*\*\*\*

2. Council Comments

Councilman de Stefan commented on the grand reopening of the Library on March 13<sup>th</sup>. The event was attended by the Mayor, Library Director, Ann McCarthy, Tom O'Brien, the County Executive, our Senator and Assembly people. Councilman de Stefan urged people to visit the library see the renovation; it's a jewel and it's beautiful. He also thanked all his colleagues for their support.

Councilman Matos commented on how impressed he is with the open space check from the County for the purchase of the property on Poplar Road.

Councilwoman Sieg commented on how impressed she was with the response of the EMS and DPW during the recent storm; they went over and beyond the call of duty. She is also very impressed with the Open Space check and feels very fortunate to be a part of the history and the preservation of open space.

Councilwoman Sieg noted the out standing work of our Fire Department when responding the fire at Krell Lighting and that thankfully no one was hurt.

She also echoed the Mayor's comments and that she feels very fortunate to live in River Vale. River Vale always rally's together in a time of need and she feels honored to a part of the Governing Body and live in this community.

Councilman Bromberg summed up the comments this evening with the word "balance." This Town, the administration, governing body and its residents all maintain an exquisite balance. Councilman Bromberg commented on Round 2 of budget talks. He assured that Mayor that we will all be there and work together to put the best package forward. We will be taking everything into account with a minimal tax increase and maintaining services. Councilman Bromberg also commented on the Krell fire and how well it was contained and controlled. This was in large part was due to the expertise of the fire department personnel and the equipment the tax payers have provided. He also commented on the check for \$1.5 million which comes from the tax payers and also maintains the balance.

Councilman Bromberg concluded that he is very happy to be part of this governing body and this is a great town to live in.

Council President Jasionowski also commented on the storm and asked Rich to let his entire department know the gratitude this Council has for the great job they did. He concurred with the Mayor and has heard accolades from many residents complimenting the DPW. This is very impressive considering the magnitude of what occurred; it was also not an easy or safe situation considering the rain, and the downed trees and power lines.

Also, that evening in addition to the Police and Fire Department responding to emergencies; the Mayor was out the entire night with the OEM Director making sure everything was being handled. Council President Jasionowski stated that there were 60 to 70 people out in the elements dealing with the emergencies and he can't say enough to thank them.

Council President Jasionowski announced some minor changes to the agenda; he would like to add Resolution #2010-116 appointing Alejandro Alvarado to the Zoning Board to fill an unexpired term. Council President Jasionowski also noted some minor changes to Ordinance #229-2010.

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**Business Administrator's Report**

Mr. Gallione thanked the Mayor and Council for providing him with the cell phone which enabled him to call Rich Campanelli during the storm. He also announced that on April 30<sup>th</sup> in Newark, River Vale will receive award for being a Tree City. Mr. Gallione added that we will be celebrating Arbor Day with the local schools and will hopefully distributing trees again this year.

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**Township Engineer's Report**

Mr. Statile offered updates on the Bernita Headwall replacement project and that they have found a new access way. He also toured the sidewalks at Woodside School and the plans to replace as part of the capital projects. Mr. Statile also reported that there are plans for the aerification and top dressing of four (4) of the recreational fields. He concluded that the easement agreements have been sent to residents regarding the Bike Path.

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**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.”*

Theresa Stasko—612 Park Place— commented that she is very proud to live in a town like River Vale. Ms. Stasko commented on an ongoing drainage problem on her property from the work done on Interglen Avenue. As part of the resolution to her problem she had signed an easement with the Town to put a 6” drain in the driveway that would slope toward the storm drain. Ms. Stasko stated that instead 2” drain was installed and sits level. She continues to have problems and would like a resolution.

The Mayor stated that there two (2) are issues; one being the easement to install the drain. The second being the notice of tort filed against the Township by Ms. Stasko for potential loses from the fire. The Mayor would like to deal with only the easement drainage issue. Therefore, he requested Christ Statile review the history and look into this particular problem.

Bob Fortsch – 511 Bernita Drive—commented on bank stabilization in other communities. He also suggested the Sunny Hill Woods as a good Eagle/Girl Scout or a philanthropic project. The Mayor appreciates the suggestions and wishes he could save everything but we must maintain a balance within the Town.

Joe Massin – 68 Holiday Court— complimented the fantastic job done by all the volunteers and DPW during the recent storm. He stated that it’s during these times we ask what we would do with out them; at a time when the State is making cuts. Mr. Massin continued that we have to stop dumping on the hard working public employees; including teachers that put in untold hours and instead say thank you and not vilify them.

John Donovan – 63 Rivervale Road – congratulated the Town on the COAH certification. Mr. Donovan suggested forming a standing COAH committee in order to be more proactive.

Mayor Blundo thought this was a great idea. Mr. Donovan also questioned the resolution for the Quit Claim Deed.

Mr. Donovan complimented Rich and his guys on doing a great job on the cleanup after the storm.

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

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**RESOLUTIONS**

Motion by Councilman Bromberg; seconded by Councilman de Stefan to approve Resolution #2010-109, as follows:

**Resolution #2010-109**

**RESOLUTION APPROVING RAFFLE LICENSE FOR RESIDENT’S FOR A BETTER RIVER VALE—ON PREMISES 50/50**

**BE IT HEREBY RESOLVED**, that the following license to conduct an off premises raffle be issued to:

NAME: Resident’s for a Better River Vale  
744 Westwood Avenue  
River Vale, New Jersey 07675

LOCATION OF RAFFLE: Florentine Gardens  
97 Rivervale Road  
River Vale, NJ 07675

DATE OF RAFFLE: May 4, 2010 7:00pm

I.D. #: 123-8-33288

RAFFLE LICENSE: RL 329

**BE IT FURTHER RESOLVED** that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

**ROLL CALL VOTE**

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

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Motion by Councilman Matos; seconded by Councilman Bromberg to approve Resolution #2010-108 through #2010-116 with the exception of #2010-109 on Consent Agenda, as follows:

**Resolution #2010-108**

**RESOLUTION APPROVING RAFFLE LICENSE FOR TABLE TO TABLE—  
OFF PREMISES**

**BE IT HEREBY RESOLVED**, that the following license to conduct an off premises raffle be issued to:

NAME: Table to Table, Inc.  
PO Box 1051  
Englewood Cliffs, New Jersey 07632

LOCATION OF RAFFLE: Florentine Gardens  
97 Rivervale Road  
River Vale, NJ 07675

DATE OF RAFFLE: May 19, 2010 6:00pm

I.D. #: 109-4-36274

RAFFLE LICENSE: RL 328

**BE IT FURTHER RESOLVED** that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

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**Resolution #2010-110**

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN DEVELOPER'S  
AGREEMENT**

**BE IT RESOLVED** by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the Developer's Agreement with Raymond Sauod for the property located at 460 Cedar Lane (Block 1301, Lot1).

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**Resolution #2010-111**

**RESOLUTION AUTHORIZING UNITED WATER EXTENSION FOR GRANEY DRIVE**

**WHEREAS**, United Water has presented an application for an extension to its distributing system consisting of installing 95 feet of 6 inch ductile iron pipe for two (2) stand alone homes on Graney Drive;

**WHEREAS**, the Township Engineer has reviewed said application and recommended for approval.

**NOW THEREFOR BE IT RESOLVED** by the Township Council of the Township of River Vale that said extension is hereby approved.

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**Resolution #2010-112**

**RESOLUTION**  
(TRANSFERS)

**WHEREAS**, there exists a need to make transfers in the 2009 Budget Appropriations Reserves, 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 Reserves.

**Inside CAP:  
From:**

Law OE	\$ 3,400.00
<b>Total</b>	<b>\$ 3,400.00</b>

**Inside CAP:  
To:**

Community Services Act OE Kelly Bill	\$ 3,400.00
<b>Total</b>	<b>\$ 3,400.00</b>

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**Resolution #2010-113**

**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 2010 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:

<b><u>APPROPRIATIONS:</u></b>	<b><u>SALARY &amp; WAGES</u></b>	<b><u>OTHER EXPENSES</u></b>
General Administration	\$ 55,000.00	\$ 16,520.00
Mayor & Council	\$ 4,500.00	\$ 200.00
Township Clerk	\$ 14,000.00	\$ 1,600.00
Financial Administration	\$ 37,350.00	\$ 1,000.00
Special Consultants	\$	\$ 2,000.00
Tax Revenue Administration	\$ 12,600.00	\$ 1,500.00
Tax Assessment	\$ 3,750.00	\$ 2,250.00
Department of Law	\$ 750.00	\$ 20,000.00

Engineering Services	\$	\$ 14,250.00
Planning Board	\$ 12,000.00	\$ 4,000.00
Zoning Board	\$ 1,600.00	\$
Uniform Construction Code	\$ 34,500.00	\$ 600.00
Insurance – Liabilities		\$103,250.00
Insurance – Health		\$291,000.00
Insurance – Dental		\$ 3,800.00
Insurance – Unemployment		\$ 1,000.00
Police Department	\$698,300.00	\$ 32,000.00
Office of Emergency Management	\$ 1,200.00	\$ 200.00
Fire Department		\$ 6,650.00
Fire Prevention Bureau	\$ 3,500.00	\$ 18,750.00
Prosecutor’s Office	\$ 2,300.00	
Public Works Department	\$188,250.00	\$ 7,700.00
Director’s Office DPW	\$ 31,000.00	\$ 4,425.00
Vehicle Maintenance	\$ 17,000.00	\$ 9,200.00
Recycling		\$ 66,500.00
Buildings & Grounds		\$ 6,250.00
<b>APPROPRIATIONS:</b>	<b>SALARY &amp; WAGES</b>	<b>OTHER EXPENSE</b>
Health & Human Services	\$ 5,000.00	
Social Services	\$ 1,550.00	
Recreation	\$ 1,500.00	\$ 3,500.00
Dept of Social and Cultural Affairs	\$ 2,000.00	\$ 1,834.00
Library Contribution		\$166,250.00
Utilities		\$ 38,500.00
Street Lights		\$ 13,250.00
Telephone Charges		\$ 13,500.00
Gasoline		\$ 15,250.00
Solid Waste Disposal		\$178,000.00
Statutory Expenses – F.I.C.A.		\$ 84,000.00
Municipal Alliance Grant		\$ 2,500.00
Municipal Recycling Assistance Grant		\$ 9,000.00
NJ DOT Road Improvement Grant		\$200,000.00
Bergen County Historical Grant		\$ 1,925.00
Municipal Court	\$ 25,250.00	\$ 1,500.00
Public Defender		\$ 800.00
Interest on Notes		\$ 20,000.00
Interlocal County of Bergen Dog Warden		\$ 3,500.00
Interlocal County of Bergen Health Services		\$ 13,350.00
	<b>\$1,152,900</b>	<b>\$1,381,304</b>

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**Resolution #2010-114**

**RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP ATTORNEY TO PREPARE AND EXECUTE A QUIT CLAIM DEED**

**WHEREAS**, the Township of River Vale recently acquired Lot 10.01 in Block 1001.01 commonly known as I-6A on Poplar Road for open space;

**WHEREAS**, the Township of River Vale has been authorized to receive a grant of \$1,600,000 from Green Acres for such acquisition;

**WHEREAS**, the survey prepared by Keller & Kirkpatrick on behalf of the Township of River Vale showed an encroachment of approximately 247 square feet by the Owners of Tax Lot 4 in Block 1001.01 on the Township’s property commonly known as I-6A;

**WHEREAS**, Green Acres has indicated that such encroachment must be resolved prior to the Township of River Vale receiving it’s funding from Green Acres;

**WHEREAS**, the Township of River Vale is desirous of receiving this funding in the most expeditious manner and after discussions with Green Acres and Keller & Kirkpatrick it has been recommended that the Township of River Vale quit-claim the encroached area in question to the Owners of Tax Lot 4 in Block 1001.01 for nominal consideration;

**NOW THEREFORE**, the Mayor and the Township Attorney are authorized to prepare and execute a Quit Claim Deed to the owners of River Vale Tax Block 1001.01, Lot 4, being part of Block 1001.01, Lot 10.01, situated in the Township of River Vale, Bergen County, New Jersey, more particularly described as follows:

**BEGINNING** at a point marked by a concrete monument found on the northerly right-of-way line of Poplar Road (fifty feet wide), said point also being in the dividing line between Tax Lot 10.01 and Lot 4 in Block 1001.01, said point also being the beginning corner of Lot 10.01 in Block 1001.01 as described in Bergen County Deed Book 8525, Page 207&c., and running; thence

- 1.) Along the dividing line between said Lot 10.01 and Lot 4 in Block 1001.01, North eight degrees, forty-three minutes, forty-three seconds West (N 08° 43' 43" W), a distance of sixty-nine and forty-three hundredths (69.43') feet to a point, marked by a re-bar with Keller & Kirkpatrick cap set; thence
- 2.) Along a new line through said Lot 10.01 Block 1001.01, South eighty-eight degrees, six minutes, sixteen seconds East (S 88° 06' 16" E), a distance of two and seventy-two hundredths (2.72') feet to a point, marked by a re-bar with Keller & Kirkpatrick cap set; thence
- 3.) Along another new line through said Lot 10.01 Block 1001.01, South ten degrees, thirteen minutes, forty-eight seconds East (S 10° 13' 48" E), a distance of sixty-eight and ninety-five hundredths (68.95') feet to a point in the aforesaid northerly right-of-way line of Poplar Road, marked by a re-bar with Keller & Kirkpatrick cap set; thence
- 4.) Along said northerly right-of-way line South eighty-one degrees, sixteen minutes, seventeen seconds West (S 81° 16' 17" W) a distance of four and forty-eight hundredths (4.48') feet to the Point and Place of **BEGINNING**.

Containing 247 square feet or 0.0057 acres or land, more or less.

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**Resolution #2010-115**

**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:

CURRENT ACCOUNT claims in the amount of:	\$ 116,637.73
TRUST ACCOUNT claims in the amount of:	\$ 0.00
ANIMAL TRUST ACCOUNT claims in the amount of:	\$ 206.40
RESERVE OPEN SPACE TRUST ACCOUNT claims in the amount of:	\$ 2,192.00
RESERVE CURRENT ACCOUNT claims in the amount of:	\$ 29,745.14
APPROPRIATION RESERVE ACCOUNT claims in the amount of:	\$ 0.00
RESERVE TRUST ACCOUNT claims in the amount of:	\$ 7,686.38
PRIVATE DUTY ESCROW ACCOUNT claims in the amount of:	\$ 6,051.11
HOUSING TRUST ACCOUNT claims in the amount of:	\$ 722.00
OPEN SPACE TRUST ACCOUNT claims in the amount of:	\$ 134.50
RECREATION TRUST ACCOUNT claims in the amount of:	\$ 2,577.00
CAPITAL ACCOUNT claims in the amount of:	\$ 5,428.00
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$ 110.25
SPECIAL TRUST ACCOUNT claims in the amount of:	\$ 153.00
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$ 483.00
<b>TOTAL CLAIMS TO BE PAID</b>	<b><u>\$ 172,126.51</u></b>

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:	\$ 58,628.02
CURRENT claims in the amount of:	\$2,652,243.87
CAPITAL ACCOUNT claims in the amount of:	\$ 0.00
TRUST ACCOUNT claims in the amount of:	\$ 2,497.50
RESERVE RECREATION TRUST ACCOUNT claims in the amount of:	\$ 196.02
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$ 0.00
SPECIAL TRUST ACCOUNT claims in the amount of:	\$ 0.00
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$ 0.00
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:	\$ 0.00
STATUTORY ACCOUNT claims in the amount of:	\$ 412,444.96
HOUSING TRUST ACCOUNT claims in the amount of:	\$ 0.00
OPEN SPACE TRUST ACCOUNT claims in the amount of:	\$ 38,031.59
<b>TOTAL CLAIMS PAID</b>	<b><u>\$ 3,164,041.96</u></b>
<b>TOTAL BILL LIST RESOLUTION</b>	<b><u>\$ 3,336,168.97</u></b>

**MANUAL DISBURSEMENTS  
BILL LIST FOR MARCH 22, 2010**

02/28/2010 – Transfer Payroll	\$ 202,317.63
03/15/2010 – Transfer Payroll	\$ 210,127.33
<b>TOTAL STATUTORY ACCOUNT DISTRIBUTIONS</b>	<b><u>\$ 412,444.96</u></b>

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**Resolution #2010-116**

**RESOLUTION CONFIRMING COUNCIL APPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT – Unexpired Term**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the appointment of Alejandro Alvarez to the Zoning Board of Adjustment to fill an unexpired term ending December 31, 2010 is hereby confirmed.

**ROLL CALL VOTE**

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

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

**Council Discussion Ordinance #229-2010**

Council President Jasionowski explained that this ordinance, presented by our Code Enforcement Official, allows people to operate their business out of their house without having a full commercial fleet parked in their yard. Council Matos was concerned about the inclusion of boats and trailers. Council President Jasionowski explained that not everyone stores their vehicles properly. He will ensure that Mike Sartori is present at the meeting when this ordinance is adopted to address questions and concerns.

Council President Jasionowski added that people in the residential areas want it to be residential. Councilwoman Sieg stressed that storing vehicles in the backyard when they live on a corner lot can be a problem as well because that could be some else’s front yard. Councilman Matos strongly objects to including RVs, boats and recreational vehicles. Holly Schepisi explained that the definition of a “motor vehicle” in this ordinance is that it can be driven on a highway; therefore recreational vehicles would be excluded from this ordinance because they can’t be driven on a highway.

Mayors Blundo stated that what we’re saying in this ordinance is that it doesn’t need to be visibly shielded; but stored on an impervious surface (the boat or the vehicle) and a limit to the number of commercial vehicles. Council President Jasionowski added that because this is a Land Use Ordinance residents will have the ability to apply for a variance.

Council President would like to introduce this Ordinance amending it to exclude “boats”. He also stressed that this ordinance is only enforceable by complaint. Council Matos agrees that there are some problems but wants have the verbiage in the ordinance to protect the good guys.

Council President Jasionowski requested that the language is changed (Paragraph B) to read 10 tons or less, to remove any verbiage to boats including the definition, and the verbiage motor vehicle (paragraph C) and its definition is stricken. Councilman Bromberg questioned whether the first line of Paragraph C is a fragment; Holly Schepisi stated that is the title of that section.

Council President Jasionowski thanked the Council for their input and dialogue.

**ORDINANCE # 229-2010**

**Motion to Introduce:** Councilman de Stefan

**Seconded:** Councilman Matos

**AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, BERGEN COUNTY, NEW JERSEY, AMENDING CHAPTER 142 LAND USE, ENTITLED “VEHICLE PARKING”**

§142-259. Vehicle Parking

A. No business or commercial vehicle having a gross vehicle weight in excess of 10 tons (20,000 pounds) shall be parked out of doors on any property or premises or on any street in any residential or office zone, except for pickup, delivery or services to or for the residents on said street and then only for such time as may be necessary to make such pickup or delivery or to render such services in accordance with the hours stated in the Noise Ordinance section of the Township of River Vale.

B. Not more than one business or commercial vehicle, including taxicabs, having a gross vehicle weight of 10 tons or less, which vehicle is used by the owner or lessee of the property for the transportation of people, goods, wares, merchandise, tools and/or equipment, and which is the principal vehicle used by said owner or lessee of the property in connection with said property owner's or lessee's business, shall be parked on the property or premises.

C. Off-street, driveway parking and garages in any zoning district except for the commercial zone. Any permitted business, commercial vehicle, vehicle, trailer, machinery, and construction equipment may not be stored, parked or maintained on any residential property, except in an enclosed garage or on an approved driveway. Driveways must be constructed of macadam, concrete, pavers, asphalt, or decorative stone. Driveways constructed of dirt, grass, crushed stones, or other materials not described herein are prohibited. Existing driveways of crushed stone may not be expanded. Not with standing here into the contrary, a resident may, be permitted, to store, park, or maintain, a trailer for a period not to exceed sixty days in the discretion of the Construction Official, or his designee for purposes due to unforeseen circumstances.

§142-260. No machinery or equipment such as is commonly used in connection with construction, excavating and filling of land shall be parked or stored on any property or premises within the residential zones except while in use thereon.

§142-261 For the purpose of this article, the terms used herein are defined as follows:

**COMMERCIAL VEHICLE** – includes every type of motor driven vehicle used for commercial purposes on the highways, such as the transportation of goods, wares and merchandise, excepting such vehicles as are run only upon rails or tracks and vehicles of the passenger car type used for touring purposes or the carrying of farm products and milk, as the case may be.

**PROPERTY or PREMISES**-Any parcel or contiguous parcels of land in single ownership, whether or not divided into two or more lots as shown on the Official Assessment Map.

**TRAILER** – means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

**VEHICLE** – means every device in, upon, or by which a person or property is or may be transported upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks or motorized bicycles.

**ROLL CALL VOTE**

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

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

**ORDINANCE # 227-2010**

Motion by Councilman Matos; seconded by Councilwoman Sieg to open the public hearing on Ordinance #227-2010.

There being no questions or comments from the public motion by Councilman Bromberg; seconded by Councilman Matos to close the public hearing on Ordinance #227-2010.

**Motion to Adopt:** Councilman Matos

**2<sup>nd</sup>:** Councilwoman Sieg

**AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE TOWNSHIP OF RIVER VALE AND APPROPRIATING \$1,200,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,140,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP OF RIVER VALE TO FINANCE THE SAME**

**BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF all members thereof affirmatively concurring) AS FOLLOWS:**

Section 1. The several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of River Vale, in the County of Bergen, New Jersey (the "Township"), as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement or purpose, such sums amounting in the aggregate to \$1,200,000, including the aggregate sum of \$60,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,140,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement

and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

- (a) Purpose: Acquisition of furniture and Council Chamber recording system for the Township's Administration Building, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$16,500.00  
Maximum Amount of Bonds or Notes: \$15,675.00  
Period or Average Period of Usefulness: 7 years  
Amount of Down Payment: \$ 825.00

- (b) Purpose: Improvements to Benita Drive Headwall, stream de-slag and DPW building site work for the Township's Administration Building, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$66,000.00  
Maximum Amount of Bonds or Notes: \$62,700.00  
Period or Average Period of Usefulness: 15 years  
Amount of Down Payment: \$ 3,300.00

- (c) Purpose: Acquisition of pagers and portable radios and a computer for the Township's Volunteer Ambulance Corps, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$8,800.00  
Maximum Amount of Bonds or Notes: \$8,360.00  
Period or Average Period of Usefulness: 5 years  
Amount of Down Payment: \$ 440.00

- (d) Purpose: Acquisition of turnout gear, hose and nozzle replacement and heavy rescue truck tools for the Township's Volunteer Fire Department, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$73,150.00  
Maximum Amount of Bonds or Notes: \$69,492.50  
Period or Average Period of Usefulness: 15 years  
Amount of Down Payment: \$ 3,657.50

- (e) Purpose: Acquisition of bullard mobile link and charger battery for the Township's Volunteer Fire Department, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$7,700.00  
Maximum Amount of Bonds or Notes: \$7,315.00  
Period or Average Period of Usefulness: 7 years  
Amount of Down Payment: \$ 385.00

- (f) Purpose: Acquisition of portable radio/two way truck radios, pagers and knox box system for the Township's Volunteer Fire Department, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$14,355.00  
Maximum Amount of Bonds or Notes: \$13,637.25  
Period or Average Period of Usefulness: 5 years  
Amount of Down Payment: \$ 717.75

- (g) Purpose: Acquisition of intruder ballistic shield with light for the Township's Police Department, including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$11,550.00  
Maximum Amount of Bonds or Notes: \$10,972.50  
Period or Average Period of Usefulness: 15 years  
Amount of Down Payment: \$ 577.50

- (h) Purpose: Acquisition of camera/lap top and vehicle installation, cameras for digital surveillance, and safety raincoats and Info Cop E ticketing for the Township's Police Department, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$46,720.00  
Maximum Amount of Bonds or Notes: \$44,384.00  
Period or Average Period of Usefulness: 5 years  
Amount of Down Payment: \$ 2,336.00

- (i) Purpose: Acquisition of digital portable and mobile radios and bar coded evidence analysis, statistics and tracking LIMS for the Township's Police Department, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$58,810.00  
Maximum Amount of Bonds or Notes: \$55,869.50  
Period or Average Period of Usefulness: 7 years  
Amount of Down Payment: \$ 2,940.50

- (j) Purpose: Reconstruction of various streets and roads in the Township, a complete list of which is on file in the office of the Township Clerk, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$465,215.00  
Maximum Amount of Bonds or Notes: \$441,954.25  
Period or Average Period of Usefulness: 10 years  
Amount of Down Payment: \$ 23,260.75

- (k) Purpose: Improvements to Ranges Field, Roberge Field and EMS Park, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$247,500.00

<u>Maximum Amount of Bonds or Notes:</u>	\$235,125.00
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 12,375.00

- (l) Purpose: Acquisition of tire machine for the Department of Public Works, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$11,000.00
<u>Maximum Amount of Bonds or Notes:</u>	\$10,450.00
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 550.00

- (m) Purpose: Acquisition of truck with salter and for the Department of Public Works, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$123,200.00
<u>Maximum Amount of Bonds or Notes:</u>	\$117,040.00
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$ 6,160.00

- (n) Purpose: Construction and/or reconstruction of sidewalks at various locations, as per a list on file in the office of the Township Clerk, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 49,500.00
<u>Maximum Amount of Bonds or Notes:</u>	\$ 47,025.00
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 2,475.00

(o) The estimated maximum amount of bonds or notes to be issued for the several improvements or purposes is as stated in Section 2 hereof.

(p) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief

financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget, as applicable, of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Township may lawfully undertake as general improvements, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.69 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond

ordinance by \$1,140,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$109,096 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) The Township reasonably expects to commence acquisition and/or construction of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the several improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Township hereby covenants to take any action necessary or refrain from taking such action in order to preserve the exclusion from gross income of interest on the bonds and notes authorized hereunder which are issued as tax-exempt bonds as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The foregoing bond ordinance is hereby approved.

**ROLL CALL VOTE**

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

**ORDINANCE # 228-2010**

Motion by Councilman Matos; seconded by Councilman de Stefan to open the public hearing on Ordinance #228-2010.

There being no questions or comments from the public motion by Councilman Matos; seconded by Councilman de Stefan to close the public hearing on Ordinance #228-2010.

**Motion to Adopt:** Councilman Matos

**2<sup>nd</sup>:** Councilwoman Sieg

**AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, BERGEN COUNTY, NEW JERSEY CALENDAR YEAR 2010 TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A-4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Council of the Township of River Vale in the County of Bergen finds its advisable and necessary to increase its CY 2010 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Council hereby determines that a 3.5% increase in the budget of said year, amount to \$ 290,826 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE BE IT ORDAINED**, by the Township Council of the Township of River Vale, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2010 budget year, the final appropriations of the Township of River Vale shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by up to 3.5%, amounting to \$ 290,826 and that

the CY 2010 municipal budget for the Township of River Vale be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**ROLL CALL VOTE**

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

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**HEARING OF THE PUBLIC**

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

John Donovan – 63 Rivervale Road– commented on the “Land Use” parking ordinance and believes it is a good idea to address these concerns.

Council President Jasionowski added that this ordinance is much less restrictive than other towns. Mr. Donovan suggested limiting the number of vehicles.

Joe Massin 68 Holiday Court - commented on the parking ordinance and suggested limiting the size without being overly restrictive. Mr. Massin also commented on the parking of improperly classified vehicles.

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.

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**ADJOURNMENT**

Motion by Councilman Matos; seconded by Councilman Bromberg to adjourn the meeting at 9:35pm.

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Council President  
Glen Jasionowski

ATTEST:  
Karen Padva  
Township Clerk