

MINUTES
Council Meeting
Monday, August 22, 2011
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 Criscuolo, Councilwoman Sieg and Council President Jasionowski were present. Councilmen Bromberg and Matos were absent.

Also present: Mayor Joseph Blundo, Chris Stewart, Acting Township Attorney, Christopher Statile, Township Engineer, Gennaro Rotella, Administrator/CFO and Karen Padva, Township Clerk.

TOWNSHIP COMMUNICATION

COUNCIL COMMENTS

Councilman Criscuolo had no comments this evening.

Councilwoman Sieg had no comments this evening.

Council President Jasionowski had no comments this evening.

*******Councilman Matos arrived at 8:03pm*******

Township Engineer’s Report

The Township Engineer gave updates on the solar panel installation program and that the Township has expressed their dissatisfaction to the BPU. The pre-construction meeting was held for the 2011 Road Program which is expected to start in mid-September. The Engineer also reported that the bids were received on August 4th for the NJDOT Road Improvement project and exceeded estimates. Mr. Statile gave an update on the Turf Field Project; which is moving forward ahead of schedule and very little debris was found during the excavation for the field. He concluded with updates on the grant applications and that the Planning Board has approved the re-examination of the Master Plan which will now be brought before the Council.

MAYOR’S COMMENTS

Mayor Blundo reported that their number one priority are the flooding conditions and that he would like to have the DPW both clean and repair catch basins throughout the town.

Business Administrator’s Report

Mr. Rotella reported on a meeting of the Pascack Valley Waterway Management Risk Force held on August 11th in Westwood regarding the flooding issues. The Task Force is committed to providing relief to flood prone areas. He added they are looking for a larger venue for their next meeting which will be open to the public and he advised to check the website for updates.

HEARING OF THE PUBLIC

Motion by Councilman Matos; seconded by Councilman Criscuolo 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.”

Jim Hanna—381 Sunset Road – offered his congratulations to Councilman Criscuolo. Mr. Hanna requested an update on the repair of the portion of Rivervale Road that is collapsing. He also brought to the Council’s attention that flooding conditions have worsened after the reconstruction of the Harriot Avenue Bridge.

David Lee—607 Montview Place— distributed to the Mayor and Council photos of flooding on his property that occurred during a recent storm. Commented on the drains installed by the town on his property; but believes the problem is that the road is higher than his driveway.

Mayor Blundo stated that they will listen to Mr. Lee’s comments however due to litigation he asked the Council to refrain from commenting.

Mr. Lee requested the town repave his road and that this is a serious matter to him.

Mayor Blundo thanked Mr. Lee and noted that they are aware of the history.

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

PUBLIC HEARING

**Bergen County Open Space Grant Application
River Vale County Club (Block 701, Lots, 2, 3, 4, 5, 5.01, 6, 7, 8, 9 and 12)**

The Township Engineer opened with an explanation of the application and distributed a copy of the Project Map for the Open Space Application to the Mayor and Council.

Motion by Councilman Matos; seconded by Councilwoman Sieg to open the Public Hearing for the Bergen County Open Space Grant Application.

There being no question or comments from the public. Motion by Councilman Criscuolo; seconded by Councilman Matos to close the public hearing.

RESOLUTIONS

Motion by Councilman Mats seconded by councilwoman Sieg to approve Resolution #2011-208 through Resolution #2011-214 on Consent Agenda, as follows:

Resolution #2011-208

RESOLUTION ENDORSING APPLICATION TO THE BERGEN COUNTY OPEN SPACE TRUST FUND FOR PURCHASE OF THE RIVER VALE GOLF COURSE

WHEREAS, the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides grants to municipal governments and to nonprofit organizations for assistance in the acquisition of lands for open space conservation purposes and/or outdoor recreation facilities; and,

WHEREAS, the Township of River Vale desires to further the public interest by obtaining a grant of \$2 million from the County Trust Fund to fund the purchase of the River Vale Golf Course; and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, the County Program Open Space Policy and Procedures Manual, and the open space application and instructions and desires to make an application for such a grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body/board will hold/has held a public hearing on August 22, 2011 to receive comments prior to the submission of said application(s); and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project(s); and

WHEREAS, if the applicant is successful in acquiring said project through the use of a County Trust Fund grant, then the applicant will permanently preserve said project for open space conservation and/or outdoor recreation purposes through a recorded deed of easement.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of River Vale:

1. That it is hereby authorized to submit the above completed project application to the County by this year's deadline established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the applicant has, or will secure, the balance of funding necessary to complete the project; and,
3. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
4. That this resolution shall take effect immediately.

Resolution #2011-209

RESOLUTION ENDORSING THE BERGEN COUNTY OPEN SPACE GRANT APPLICATION FOR THE AMPHITHEATRE LIGHTING AND IMPROVEMENTS

WHEREAS, the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of municipal recreation facilities; and,

WHEREAS, the Township of River Vale desires to further the public interest by obtaining a matching grant of \$20,000 from the County Trust Fund to fund the following project: Amphitheatre Lighting and Improvements; and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body/board will hold/has held a public hearing on August 22, 2011 to receive comments prior to the submission of said application(s); and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project(s).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of River Vale:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of September 1, 2011, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the applicant has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the applicant is committed to providing a dollar for dollar cash match for the project; and,
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
5. That this resolution shall take effect immediately.

Resolution #2011-210

RESOLUTION TO ADOPT A FORMAL SAFETY PROCEDURE TO ENSURE THAT ALL PARK AND RECREATION FACILITIES ARE INSPECTED

WHEREAS, the State of New Jersey has mandated a 2012 Best Practices Inventory Questionnaire, and

WHEREAS, the Township of River Vale strives to adopt best practice in order to provide a more efficient and cost effective service to its residents, and

WHEREAS, the 2012 Best Practices Inventory questionnaire recommends that a municipality have a formal procedure to ensure that all park and recreation facilities are inspected/assessed periodically to determine whether property maintenance is being done to ensure the safety of the using public, and

WHEREAS, the Township of River Vale is a member of the Bergen County Municipal Joint Insurance Fund, and

WHEREAS, the Bergen Country Municipal Joint Insurance Fund has a Safety Incentive Program, part of which encourages its members to periodically inspect and assess their parks and recreation facilities to ensure the safety of the using public.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of River Vale does hereby confirm that their formal procedure to ensure the safety of the public in their park and recreation facilities is that of the procedures for inspection assessment adopted by Bergen County Municipal Joint Insurance Fund as part of its Safety Incentive Program

Resolution #2011-211

RESOLUTION CHAPTER 159 SENIOR CITIZEN ACTIVITIES (2011-2012)

WHEREAS, NJS 40A:4087 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item has been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of River Vale hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$4,469 which is now available from The County of Bergen 2011 Consolidated Plan submitted to the U.S. Department of Housing and Urban Development.

BE IT FURTHER RESOLVED that the like sum of \$4,469 is hereby appropriated under the caption of Public and Private Programs.

Resolution #2011-212

RESOLUTION CHAPTER 159 ADA IMPROVEMENTS CLUBHOUSE MUNICIPAL GOLF COURSE (2011-2012)

WHEREAS, NJS 40A:4087 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item has been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of River Vale hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$40,000 which is now available from The County of Bergen 2011 Consolidated Plan submitted to the U.S. Department of Housing and Urban Development.

BE IT FURTHER RESOLVED that the like sum of \$40,000 is hereby appropriated under the caption of Public and Private Programs.

Resolution #2011-213

RESOLUTION AUTHORIZING THE EMERGENCY APPROPRIATION IN ACCORDANCE WITH N.J.S.A 40A:4-48 LEGAL SERVICES – OTHER EXPENSES

WHEREAS, an emergency has arisen with respect to unanticipated litigation and, no adequate provision was made in the 2011 budget for the aforesaid purpose, and N.J.S.A 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$60,000 and three (3) percent of the total operating appropriations in the budget for 2011 is \$368,187.60 and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2011,

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with N.J.S.A 40A:4-48:

1. An emergency appropriation is here made by for Legal Expenses in the amount of \$60,000
2. That said emergency appropriation shall be provided for in full in the 2012 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1)
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

FOOTNOTE: OMIT 3, 4 AND 5 IF EMERGENCY NOTES ARE NOT AUTHORIZED

Resolution #2011-214

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:	\$147,867.77
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$75,726.75
ANIMAL TRUST ACCOUNT claims in the amount of:	\$9.60
RESERVE CURRENT ACCOUNT claims in the amount of:	\$2,829.88

OPEN SPACE TRUST ACCOUNT claims in the amount of:	\$35,081.50
RECREATION TRUST ACCOUNT claims in the amount of:	\$18,513.15
SNOW REMOVAL TRUST ACCOUNT claims in the amount of:	\$0.00
APPROPRIATION RESERVE ACCOUNT claims in the amount of:	\$630.00
PRIVATE DUTY ESCROW ACCOUNT claims in the amount of:	\$1,131.03
HOUSING TRUST ACCOUNT claims in the amount of:	\$5,412.50
GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of:	\$0.00
RESERVE RECREATION TRUST ACCOUNT claims in the amount of:	\$0.00
RESERVE GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$0.00
CAPITAL ACCOUNT claims in the amount of:	\$14,338.44
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$1,686.10
SPECIAL TRUST ACCOUNT claims in the amount of:	\$998.00
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$0.00
TOTAL CLAIMS TO BE PAID	\$304,224.72

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:	\$4,598,148.34
CAPITAL ACCOUNT claims in the amount of:	\$131,205.82
RESERVE TRUST ACCOUNT claims in the amount of:	\$0.00
RECREATION TRUST ACCOUNT claims in the amount of:	\$43,722.95
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$150,559.22
ANIMAL TRUST ACCOUNT claims in the amount of:	\$4,252.12
UNEMPLOYMENT TRUST ACCOUNT claims in the amount of:	\$6,672.64
STATUTORY ACCOUNT claims in the amount of:	\$408,368.92
TRUST ACCOUNT claims in the amount of:	\$0.00
GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of:	\$0.00
TOTAL CLAIMS PAID	\$5,342,930.01

TOTAL BILL LIST RESOLUTION **\$5,647,154.73**

**MANUAL DISBURSEMENTS
BILL LIST FOR AUGUST 22, 2011**

07/29/2011 – Transfer Payroll	\$ 205,422.05
08/15/2011 – Transfer Payroll	\$ 202,946.87
TOTAL STATUTORY ACCOUNT DISTRIBUTIONS	<u>\$ 408,368.92</u>

ROLL CALL VOTE

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

ORDINANCES 1st READING

Motion to Introduce: Councilman Matos

Seconded: Councilwoman Sieg

ORDINANCE #256-2011

AN ORDINANCE VACATING THOSE LANDS AND PREMISES IN THE TOWNSHIP OF RIVER VALE KNOWN AS A PORTION OF A SPRING STREET RIGHT-OF-WAY

ADJACENT TO BLOCK 1501.2, LOT 32.05 MORE PARTICULARLY DESCRIBED ON SCHEDULE "A" ATTACHED HERETO PURSUANT TO AND IN ACCORDANCE WITH N.J.S.A. 40:67-1, ET SEQ.

WHEREAS, the Planning Board of the Township of River Vale approved an application for a five lot subdivision in the matter of the application of the Estate of Edith Kern;

WHEREAS, pursuant to the resolution of the Planning Board of the Township of River Vale for such subdivision the application is required to seek from the Mayor and Township Council the vacation of a portion of a Spring Street right-of-way adjacent to Block 1501.2, Lot 32.05.

WHEREAS, the Township Council is in receipt of a request for the vacation of those lands and premises in the Township of River Vale known as a portion of a Spring Street right-of-way adjacent to Block 1501.2, Lot 32.05, more particularly described in Schedule "A" attached hereto; and

WHEREAS, the Township Council is of the opinion that the referred to rights of- way are no longer required for public use,

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN, AND STATE OF NEW JERSEY, as follows:

1. That the Township of River Vale does hereby vacate all public rights and interests in and to those lands and premises in the Township of River Vale known as a portion of a Spring Street right-of-way adjacent to Block 1501.2, Lot 32.05, more particularly described on Schedule "A" attached hereto.
2. That the Township of River Vale shall retain any right, title or interest to any existing utilities that may exist within the proposed area to be vacated.
3. This Ordinance shall not affect the right of any utility company or cable television company to locate or maintain any facilities within or around the above-described premises.
4. That the Township Clerk, in accordance with N.J.S.A. 40:67-21, shall record a copy of this Ordinance with the Office of the Bergen County Clerk within sixty (60) days of its final adoption.
5. Pursuant to the provisions of N.J.S.A. 40:69A-181(b), this Ordinance shall take effect twenty (20) days after its final passage by the Township Council and approval by the Mayor where such approval is required by law.

ROLL CALL VOTE

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

ORDINANCES 2nd READING

There were no Ordinances for 2nd Reading this evening.

HEARING OF THE PUBLIC

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

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

ADJOURNMENT

Motion by Councilman Matos; seconded by Councilwoman Sieg to adjourn the meeting at 8:35pm.

Council President
Glen Jasionowski

ATTEST:
Karen Padva
Township Clerk