

MINUTES
Council Meeting
Monday, January 24, 2011
8:05pm

CALL THE MEETING TO ORDER

Council President Jasionowski called the meeting to order at 8:05pm 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 Matos, Councilman Bromberg and Council President Jasionowski were present. Councilwoman Sieg was absent.

Also present: Robert Gallione, Business Administrator, Holly Schepisi, Township Attorney, Christopher Statile, Township Engineer, Gennaro Rotella, CFO and Karen Padva Township Clerk.

TOWNSHIP COMMUNICATION

COUNCIL COMMENTS

Council President Jasionowski announced that the Mayor would not be at the meeting this evening. He noted that the turf field hearing will be held at the February 5th budget meeting.

Councilman de Stefan commented on the budget and that the Mayor and administration did a great job. He added that we're in good shape and he could pass the budget right now.

Councilman Matos echoed Councilman de Stefan's comments regarding the budget. The budget looks in good order and he is looking forward to discussing the field issue.

Councilman Bromberg commented on the budget and that the Mayor and professionals do all the tough work with regard to presenting the budget to the governing body. By the time the budget gets to us it is well established. Councilman Bromberg explained that there are a couple items that are beyond anyone's ability to deal with. For example he noted the Bergen County Utility Authority raising rates 8% and we

have no choice but to pay. We have keep under a 2% CAP over all as well as deal with sizable increases in the budget. The administration came in with an excellent budget that that we'll tweak but overall minimizes disruptions while maintaining a desirable level of town service. Councilman Bromberg continued that we are getting a very good reputation for snow removal in the area. Councilman Bromberg is also looking forward to considering capital items such as the turf field as well as other items and the Council will give everything their due consideration.

Business Administrator’s Report

Mr. Gallione announced that the SI bill was conditionally vetoed by the Governor. He also reported that a former resident John Metzger who after reading the *History of River Vale* has donated several old photos to the town (i.e. Cornelius Haring home). Mr. Gallione also reported that permission has been granted and there will be a human interest story in the local paper about Judge Greenhalgh. Judge Greenhalgh is the longest sitting judge and this idea came at the suggestion of the Council President.

Township Engineer’s Report

Mr. Statile reported that he, Bob and Holly have been working with Green Acers and the County with regard to Open Space funds for the Golf Course. Mr. Statile continued that the contractor for the Bike path is stopped due to the weather; however they were able to finish the drainage work in front of the Community Center. He concluded that they are waiting to hear from DOT regarding funding for this years projects.

*****Councilwoman Sieg arrived at 8:20pm*****

HEARING OF THE PUBLIC

Motion by Councilman Bromberg; 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.”

Joe Massin 68 Holiday Court – commented on the Zoning Board appointments. He also commented on a recent very long wait he had in an emergency room. Mr. Massin expressed how glad he was to see the Council passing a resolution supporting the reopening of Pascack Valley Hospital.

Ari Ben-Yishay – 567 Brook Avenue – spoke about the turf field project and because it wasn’t an agenda item tonight he decided to not fill the Council Chambers with hundreds of people showing their support of this project. He thanked the Council President for rekindling this project. Dr. Ben-Yishay remarked

this project has been delayed over the years. He added that there have been favorable reports from the engineer, CFO and Athletic Director. Mr. Ben-Yishay stated that the field conditions are terrible and urged the Council to please do their due diligence and do this for the athletic programs and children.

Bob Fortsch 511 Bernita Drive – commented that the headwall project came out very well and added that there is also bank erosion from all the snow. Mr. Fortsch asked if the Township is going to revisit the cell tower issue now that we own the golf course.

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

RESOLUTIONS

Motion by Councilman Matos; seconded by Councilman Bromberg to approve Resolution #2011-49, as follows:

Resolution #2011-49

RESOLUTION APPROVING MINUTES–JANUARY 1, 2011 SINE DIE MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the January 1, 2011 Sine Die Meeting of the Township Council are hereby approved.

ROLL CALL VOTE

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

Motion by Councilman Matos; seconded by Councilman de Stefan to approve Resolution #2011-50, as follows:

Resolution #2011-50

RESOLUTION APPROVING MINUTES–JANUARY 10, 2011 REGULAR COUNCIL MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the January 10, 2011 Regular Meeting of the Township Council are hereby approved.

ROLL CALL VOTE

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

Motion by Councilman Matos; seconded by Councilman Bromberg to approve Resolutions #2011-51 through Resolution #2011-57 with the exception of Resolution #2011-52 on Consent Agenda, as follows:

Resolution #2011-51

RESOLUTION AUTHORIZING THE SALE OF SURPLUS EQUIPMENT

WHEREAS, the Township of River Vale is the owner of various surplus equipment which is listed on file with the Township Clerk, which is no longer needed for public use; and

WHEREAS, the Township of River Vale desires to authorize the sale of this surplus equipment at a public sale pursuant to N.J.S.A. 40A:11-36, to the highest bidder:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of River Vale, County of Bergen and State of New Jersey, as follows:

1. The Township of River Vale hereby declares that the surplus equipment is no longer needed for public use.
2. The Township of River Vale, its officers and attorney are hereby authorized and directed to take any and all steps necessary to proceed with a public sale of said surplus equipment.
3. The notice of the date, time and place of the public sale together with a description of the surplus equipment and the conditions of sale, shall be published in The Record, the official newspaper of the Township of River Vale, with the sale being held not less than seven (7) nor more than fourteen (14) days after the publication of said notice. The surplus equipment will be sold on a cash basis to the highest bidder(s).
4. No limit shall be placed on the number of surplus equipment that can be purchased by any one bidder.
5. The Township has set a minimum price for each vehicle, and reserves the right to reject any and all bids under the minimum price.

The resolution shall take effect immediately.

Resolution #2011-53

Supporting the Petition filed by Hackensack University Medical Center requesting the New Jersey Department of Health and Senior Services call for the Application of a Certificate of Need Establishing a New Acute Care Hospital in Westwood.

WHEREAS, prompt and efficient delivery of medical services is a vital component of our society; and

WHEREAS, Pascack Valley Hospital was integral to our community as an employer of approximately 1,000 local residents and annually serviced approximately 14,000 inpatient admissions, 42,000 patient days, 5,500 operating room procedures, 11,000 same day center visits, over 1,000 births and approximately 23,000 emergency room visits; and

WHEREAS, for over fifty (50) years this need was met, in substantial part, by Pascack Valley Hospital and the subordinate medical offices and facilities which were located throughout the greater Pascack and Northern Valley communities ; and

WHEREAS, the local economy, medical and social services for our community are in large measure dependent upon a hospital, both as an employer of the skilled and unskilled medical work force residing in our area, and as a provider of medical and social services and a healthcare safety net for our residents including a large population of senior citizens; and

WHEREAS, the closure of Pascack Valley Hospital in November of 2007 coupled with the closures of Passaic Beth Israel and Passaic General Hospitals in Passaic in 2007 along with Barnert Hospital in Paterson in 2008 struck a severe blow to the region and disrupted the long standing system of delivering emergency and non-emergency medical care in Northern New Jersey; and

WHEREAS, the remaining hospitals in the region by reason of distance, travel time, lack of public transportation, and accessibility have been unable to fill the void left by Pascack Valley Hospital as evidenced by the 100% capacity of the main campus of Hackensack University Medical Center and the documented accounts of Valley Hospital utilizing hallways and multi-purpose cafeteria space as staging areas for patients requiring emergency treatment and awaiting admission to rooms; and

WHEREAS, the extra travel time associated with the distance to the remaining hospital facilities has placed an unbearable burden on the Volunteer Ambulance Corps. in surrounding communities and upon the citizens, particularly senior citizens, residing in the area and needing to travel to the hospitals for treatment or assistance of family members at said facilities for treatment; and

WHEREAS, fourteen municipalities in the Pascack and Northern Valleys placed a referendum question on the ballot in November, 2009 resulting in seventy-three percent (73%) of the voters supporting the efforts to open a full service acute care hospital in Westwood; and

WHEREAS, it has been determined that Hackensack University Medical Center has filed petition to the New Jersey State Department of Health and Senior Services to call for the application of a Certificate of Need allowing for the establishment of a new acute care hospital in Westwood; and

WHEREAS, the Mayor and Council of the Township of River Vale wish to express their sentiment and support for the petition by, and subsequent application of Hackensack University Medical Center to operate a full service acute care community hospital in Westwood.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of River Vale as follows:

1. On behalf of its thousands of residents, the Mayor and Council of the Township of River Vale petitions the State of New Jersey Department of Health and Senior Services to affirm the petition of Hackensack University Medical Center as a matter of extreme urgency and with the very realistic potential to be a life and death decision, call for the application of a Certificate of Need for a new hospital in Westwood.
2. The Governing Body of the Township of River Vale specifically rejects the situation that existing hospitals can adequately fill the void left by Pascack Valley Hospital. In the three years following the closure of Pascack Valley Hospital it has been observed, experienced and learned, by the Governing Body, its emergency services, and citizens, that our communities lack the resources to transport patients over the distances said alternative arrangements necessitate and, moreover, in the case of medical emergency, the survival opportunities for critically ill patients decline in direct proportion to the length of travel to remote locations.
3. Waiting times at the remaining hospitals in the region are excessive and unacceptable. Reports are confirmed of hallways clogged with gurneys filled with patients awaiting attention and admission.

4. A system of medical care delivery, including physicians' offices, clinics and off-site medical facilities has grown up around the Pascack Valley Hospital over the last fifty (50) years. The disruption of that system, which would inevitably result from the permanent closure of the former Pascack Valley Hospital, will have, over time, an even greater negative impact on the availability and accessibility of quality medical care, quality of life, and the economy in the surrounding communities than has already been experienced.

THEREFORE, for all of the reasons mentioned above, the Governing Body of the Township of River Vale does hereby urge the State of New Jersey Department of Health and Senior Services to call for the Certificate of Need application and to allow for the establishment of a new acute care hospital in Westwood.

Resolution #2011-54

RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF OLD TAPPAN FOR THE CONTINUED SHARED USE OF A SEWER VACUUM TRUCK

BE IT RESOLVED, by the Township Council of the Township of River Vale that the Mayor and Township Clerk is hereby authorized to execute an Interlocal Services Agreement between the Township of River Vale and the Borough of Old Tappan for the continued maintenance and use of the sewer vacuum truck; and

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

BE IT FURTHER RESOLVED that said Interlocal Services Agreement shall have term of one (1) year commencing January 1, 2011;

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

Resolution #2011-55

RESOLUTION
(TRANSFERS)

WHEREAS, there exists a need to make transfers in the 2010 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 2010 Budget Appropriations Reserves.

Inside CAP:

From:

Police Patrol S&W	\$15,000.00
Dispatching S&W	\$ 4,500.00
DPW S&W	\$10,000.00
Finance S&W	\$ 2,000.00

Taxation S&W	\$ 2,500.00
Engineering Services OE	\$ 5,000.00
Insurance OE	\$20,000.00
Total	\$ 59,000.00

Inside CAP:

To:

Snow & Ice Removal OE	\$54,500.00
Utility OE	\$ 4,500.00
Total	\$ 59,000.00

Resolution #2011-56

RESOLUTION OPPOSING S1 IN ITS CURRENT FORM AND ASKING THE GOVERNOR TO VETO SAME

WHEREAS, both the Senate and the General Assembly passed S1 which would abolish the Council on Affordable Housing and transfer its responsibilities to DCA; and

WHEREAS, the Township of River Vale supports COAH reform legislation, and

WHEREAS, in its current form we cannot support the bill as it substantially increases the gross obligation of affordable units within the entire State of NJ; and

WHEREAS, the bill fails to recognize ongoing compliance efforts of municipalities, denies credits granted by COAH provides inadequate funding to meet the obligations proposed by COAH, and requires the use of a second planner, all of which will drive up costs and local obligation; and

WHEREAS, the bill disproportionately affects non urban communities requiring inclusionary development at a rate of 25% densities of 6 to 50 units per acre, and bonus units of 20% for rental projects; and

WHEREAS, this bill allows for regional planning entities to alter obligations of individual municipalities within their region by up to 50%, but will not reduce the overall obligation causing an increase to the communities within the region ; and

WHEREAS, the bill currently exposes the municipality to trial in the law Division of the Superior Court resulting in protracted and expensive litigation; and

WHEREAS, as currently written the expense to the municipality to meet these levels is prohibitive if not impossible, removes the rights of the community to develop appropriately and eliminates the rights of self governance while imposing harsh and unrealistic non achievable expectations on residents throughout the State of NJ,

BE IT RESOLVED, Governing Body of the Township of River Vale urges the Governor to veto S1 and all companion legislation; and

BE IT FURTHER RESOLVED, that the Township of River Vale strongly opposes S1 and asks that the legislature come up with a fair, equitable and achievable solution

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Governor Christie, Mr. Jeff Chiesa, Chief Counsel to the Governor. Senate President Steven Sweeney, Speaker Sheila Oliver of the General Assembly, New Jersey League of Municipalities, Mr. William Dressel, Director and New Jersey League of Municipalities Mr. Michael F. Cerra.

Resolution #2011-57

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:	\$ 102,107.02
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$ 23,240.99
ANIMAL TRUST ACCOUNT claims in the amount of:	\$ 0.00
RESERVE CURRENT ACCOUNT claims in the amount of:	\$ 163,772.12
RESERVE TRUST ACCOUNT claims in the amount of:	\$ 2,925.45
APPROPRIATION RESERVE ACCOUNT claims in the amount of:	\$ 0.00
RESERVE PRIVATE DUTY ESCROW ACCOUNT claims in the amount of:	\$ 6,964.20
RESERVE HOUSING TRUST ACCOUNT claims in the amount of:	\$ 476.00
GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of:	\$ 8,115.00
RESERVE RECREATION TRUST ACCOUNT claims in the amount of:	\$ 9,770.00
RESERVE GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$ 27,525.80
CAPITAL ACCOUNT claims in the amount of:	\$ 117,272.86
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$ 2,012.55
SPECIAL TRUST ACCOUNT claims in the amount of:	\$ 1,625.33
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$ 263.00
TOTAL CLAIMS TO BE PAID	<u>\$ 466,070.32</u>

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:	\$ 8,734.19
CURRENT claims in the amount of:	\$ 93,332.31
CAPITAL ACCOUNT claims in the amount of:	\$19,103,584.55
RESERVE TRUST ACCOUNT claims in the amount of:	\$ 75,926.27
RECREATION TRUST ACCOUNT claims in the amount of:	\$ 0.00
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$ 14,326.31
ZONING TRUST ACCOUNT claims in the amount of:	\$ 0.00
SPECIAL TRUST ACCOUNT claims in the amount of:	\$ 0.00
UNEMPLOYMENT TRUST ACCOUNT claims in the amount of:	\$ 0.00
STATUTORY ACCOUNT claims in the amount of:	\$ 463,106.94
HOUSING TRUST ACCOUNT claims in the amount of:	\$ 0.00
RESERVE GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$ 13,459.01
TOTAL CLAIMS PAID	<u>\$19,822,469.58</u>
TOTAL BILL LIST RESOLUTION	<u>\$20,288,539.90</u>

**MANUAL DISBURSEMENTS
BILL LIST FOR JANUARY 24, 2011**

12/30/2010 – Transfer Payroll	\$ 233,170.72
01/15/2011 – Transfer Payroll	\$ 229,936.22
TOTAL STATUTORY ACCOUNT DISTRIBUTIONS	<u>\$ 463,106.94</u>

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 Councilman Matos to approve Resolution #2011-52 as amended:

Resolution #2011-52

RESOLUTION CONFIRMING COUNCIL APPOINTMENTS TO THE ZONING BOARD OF ADJUSTMENT

BE IT RESOLVED by the Township Council of the Township of River Vale that the appointments of following individuals to the Zoning Board of Adjustment and their corresponding terms are hereby confirmed:

Thomas Pospisil – (4) year term expiring 12/31/14 (Vice Chairman)

Doug Marchese – (4) year term expiring 12/31/14

Robert Ricco– (1) year term expiring 12/31/11 (Alternate #1)

ROLL CALL VOTE

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

ORDINANCES 1st READING

Motion to Introduce: Councilman Bromberg

Second: Councilman de Stefan

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING CHAPTER 186 ENTITLED “RECYCLING”

BE IT ORDAINED by the Township Council of the Township of River Vale that Chapter 186 of the Code is amended as follows:

§ 186-4. Regulations for residential users.

B. Separation, collection and disposal methods of designated recyclable materials.

(4) Leaves (mandatory) shall be placed at the curb between January 1st and December 31st for collection by the Township for composting; in the alternative, residents shall compost said leaves on their own property.

A. Discarded leaves shall be piled along the curblineline but not within twenty-five feet of any Stop Sign.

This Ordinance shall take effect following adoption and approval in a time and manner prescribed by law.

ROLL CALL VOTE

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

ORDINANCES 2nd READING

There were no Ordinances for 2nd Reading this evening.

HEARING OF THE PUBLIC

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

Joe Massin – 68 Holiday Court— questioned the possibility of there being a traffic signal installed at Piermont and Rivervale Road.

Chris Statile answered that the extra road width needed is not available.

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.

RESOLUTION

Motion by Councilman de Stefan; seconded by Councilman Matos to approve Resolution #2011-58 as follows:

Resolution #2011-58

RESOLUTION AUTHORIZING THE COUNCIL TO ENTER INTO CLOSED SESSION

BE IT RESOLVED, by the Township Council of the Township of River Vale the Council enters into Closed Session to discuss possible litigation regarding the Roberge Field Improvements project. Action may be taken.

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 Councilman Bromberg to reopen the meeting.

ADJOURNMENT

Motion by Councilman de Stefan; seconded by Councilman Bromberg to adjourn the meeting at 9:30pm.

Council President
Glen Jasionowski

ATTEST:
Karen Padvá
Township Clerk