

MINUTES
Council Meeting
Monday, September 26, 2011
8:00pm

CALL THE MEETING TO ORDER

Council Vice President Bromberg 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 Vice President Bromberg asked all in attendance to rise and join him in a Salute to the Flag.

SUNSHINE LAW STATEMENT

Council Vice President Bromberg 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 Vice President Bromberg were present. Councilmen Jasionowski and Matos were absent.

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

TOWNSHIP COMMUNICATION

MAYOR’S COMMENTS

Mayor Blundo reported that River Vale has been asked by the other Pascack Valley towns to participate in a study regarding the impact of flooding on our communities and the affects of water being released from the reservoirs. The Mayor stated that he has moved forward and committed to the \$700 and feels it is money well spent. Mayor Blundo added that he has asked Chris Statile to do a thorough and comprehensive water management study for just River Vale. The money will be proposed in the 2012 budget. He has seen all the devastation in the affected neighborhoods and can’t begin to image what the residents are going through. The Mayor continued that if we can invest money in other projects such as the turf field then we surely can increase our engineering budget by \$20,000 to \$30,000. This study will be a comprehensive and River Vale centric report to help identify the causes and the effects of the releasing water from the reservoirs and whether it helps or not. Chris Statile would be the point person and the Mayor is confident that Chris will be conscience with the funds. He hopes the Council will contemplate this proposal and agree that this is money well spent.

Mayor Blundo also commented that for the past several years former Councilman Hanna has bought up an observation regarding the flooding. Mr. Hanna advised the Mayor to see the bridge in Harrington Park and that the water is higher on one side than the other. The Mayor drove out during the storm and saw the problem that Mr. Hanna has brought to his attention. The Mayor isn't sure what will help solve the flooding problems but we care and we are trying.

COUNCIL COMMENTS

Councilman Criscuolo had no comments this evening.

Councilwoman Sieg had no comments this evening.

Council Vice President Bromberg commented that after the storm he drove throughout town and saw a very impressive number of neighbors helping neighbors. Council Vice President Bromberg also commented that during a storm the police receive many phone calls from residents regarding their PSE&G service. He explained that the Police are not able to answer these types of questions and requested the residents call PSEG directly. Councilman Bromberg also offered special thanks to Bill Peters who is always ready and available to come out of semi-retirement to serve as the OEM Director and to offer his expertise and help.

*******Councilman Matos arrived at 8:10pm*******

Business Administrator's Report

The Business Administrator had no report this evening.

Township Engineer's Report

Mr. Statile reported that the 2011 Road Program should start in a week. Haskell Paving was awarded the NJDOT Cleveland Avenue Project along with the alternate items for the road program. The Engineer announced that the turf is down on the field and they need five (5) days of dry weather in order to spread the sand. The contractor should be done in (2) weeks and they are finishing up on the fencing, guardrail and other items. Mr. Statile noted that drainage works well on the field as noted during the hurricane.

The Engineer gave a brief updates on all the pending grant applications including NJ Green Acres and County Open Space both for the Golf Course. The Township is also applying for a CDBG for ADA improvements and reconstruction of the Town Hall entrance. Mr. Statile also gave an update on the FEMA bank stabilization application and that the Township has been deemed eligible for funding.

The Mayor questioned what the next steps are for both the EMS and Giordano Parks. Mr. Statile stated that he expects to have the bid ready for next week. He explained the plan for Giordano Park will include the planting of additional shade trees and a landscape buffer. The EMS Park plan is finished and will include landscaping, seating and a water feature. Both projects will be bid out together and completed this fall.

The Brookside Avenue project is complete and the Township can expect to receive a check for \$200,000 as reimbursement. He also reported that the Bergen County Road Resurfacing project is presently (2) years behind. Mr. Statile also reported that the drainage issues at the River Vale Developers project on Poplar Road have been remedied. He concluded his report with an update on Bear Ban Developers who have and their applications before the Planning Board.

HEARING OF THE PUBLIC

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

Council Vice President Bromberg 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 – Mr. Hanna suggested the Township purchase as part of their capital budget an emergency generator for the North Firehouse. The fire department has asked in previous budgets. He also noted that the new DPW garage does not have a generator either. In the event of a storm and a power outage they wouldn’t have the ability to repair equipment or vehicles.

David Lee—607 Montview Place—distributed a diagram to the Mayor and Council regarding drainage issues at his house. Mr. Lee stated that the roads surrounding his home slope towards his house. Mr. Lee would like the Town to find a solution.

The Mayor cannot make a commitment but he will have the Township Engineer look at the property and the condition of the road.

The Township Attorney asked Mr. Lee if when he purchased the home it was brought to his attention or disclosed that there was a water issue. Mr. Lee stated that he was not informed. She advised him to speak to whoever helped him with the closing and that it was public knowledge that the home has had water problems.

Howard Lin—804 Clauss Lane—commented on the flooding. Mr. Lin announced that some of the residents in the community have organized and they are hoping the Town can be an enabler. The group would like feedback from the Town regarding the lessons learned and actions the Town can take regarding flooding, the status of the CRS application process, what actions can be taken to help mitigate flooding and how willing the Town will be in assisting in dealing with the DEP, BPU and other agencies. He also questioned what Chris’s role is as it pertains to this assignment and what access do the residents have.

The Mayor agreed that the resident will have access to Chris and his team and the Town will help with regard to opening doors to some of the agencies

The Mayor also commented on Blue Acres and that the Town would be supportive and never stand in the

way of anyone securing those funds.

Bob Fortsch –511 Bernita Drive— commented on the loss of Joe Massin as both colleague and friend. Mr. Fortsch noted that Joe was an accountant by trade but he also was a mechanic and had co-authored a book.

Kim VonTolben– 622 Charles Court—stated that she had only lived in her house for 22 days before Hurricane Irene flooded her home. Ms. VonTolben expressed how she was unaware of the flooding and how upset she is and fearful of the next event.

Mayor Blundo added that we can't regulate the water but we are trying to be proactive and we do take this issue very seriously. The Mayor explained that since 2007 the flooding has been getting worse and more frequent.

Jonathan Barnhart –812 Clauss Lane—commented that at the intersection Daniel & Clauss there is a storm drain that leads to a headwall. Due to the excessive flooding this headwall is eroding and he would like it to be looked at. Mr. Barnhart also noted that he is not in a flood plain but he did obtain flood insurance and it was affordable.

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.

RESOLUTIONS

Motion by Councilman Matos seconded by Councilman Criscuolo to approve Resolution #2011-218, as follows:

Resolution #2011-218

RESOLUTION APPROVING MINUTES–AUGUST 8, 2011 REGULAR COUNCIL MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the August 8, 2011 Regular Council Meeting of the Township Council are hereby approved.

ROLL CALL VOTE

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

Motion by Councilman Criscuolo seconded by Councilman Matos to approve Resolution #2011-219, as follows:

Resolution #2011-219

RESOLUTION APPROVING MINUTES–AUGUST 22, 2011 REGULAR COUNCIL MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the August 22, 2011 Regular Council Meeting of the Township Council are hereby approved.

ROLL CALL VOTE

Councilman Criscuolo, Councilman Matos, and Councilwoman Sieg. Council Vice President Bromberg abstained. Council President Jasionowski was absent

Council Vice President Bromberg removed Resolution #2011-220 from the Agenda.

Motion by Councilman Matos seconded by Councilwoman Sieg to approve Resolutions #2011-221 through #2011-232 on Consent Agenda, as follows:

Motion by Councilman Matos seconded by Councilman Criscuolo to amend Resolution #2011-225 to include the date of December 31st.

Resolution #2011-221

RESOLUTION
REFUND OF TAX OVERPAYMENTS

WHEREAS, tax overpayments for the 3rd quarter have been received and the property owners have requested refund of said tax overpayment;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale, that the Treasurer is hereby authorized to issue a municipal checks as follows:

- | | | |
|---|--|--|
| 1. Block 512, Lot 10
549 Colonial Rd
\$290.29 | 4. Block 1501.04, Lot 12
539 Brook Ave
\$425.00 | 7. Block 409, Lot 10
312 Alpine Circle
\$184.89 |
| Peter & Karen Romero
549 Colonial Rd
River Vale, NJ 07675 | Richard P & Joanne Venino
539 Brook Ave
River Vale, NJ 07675 | Frank & Kristine Palermo
312 Alpine Cir
River Vale, NJ 07675 |
| 2. Block 605, Lot 1
661 Orangeburgh Rd
\$923.39 | 5. Block 1713, Lot 6
547 Bryant Pl
\$1,774.01 | |
| BAC Tax Services
1757 Tapo Canyon, Ste 300
Simi Valley, CA 93063
ATTN: Cash Management | Robert J Kantola
716 Chalmers Ct
River Vale, NJ 07675 | |
| 3. Block 805, Lot 17
564 Egan Terrace
\$284.43 | 6. Block 2001, Lot 26
786 Tiffany Ave
\$125.00 | |

National Real Estate Information Services
Attn: DeeAnn Butchco
100 Beecham Dr
Pittsburgh, PA 15205

Louis & Mary Judith Maday
786 Tiffany Ave
River Vale, NJ 07675

Resolution #2011-222

ENDORISING THE BERGEN COUNTY MUNICIPAL PROGRAM PARK IMPROVEMENT APPLICATION FOR THE RIVER VALE LIBRARY PROJECT

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: River Vale Library Park 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 September 26, 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 #2011-223

**RESOLUTION
ESCROW REFUNDS**

Name	Address	Edmunds Account #	Amount
Zoning			
Talukdar, Lavina	613 Orangeburgh Rd	Z-13-56-857-471	\$221.06
Talocco, Armando	2 Manwarren Ct, Old Tappan	Z-13-56-857-472	\$24.00
Rosell's Citgo	370 Cedar Ln	Z-13-56-857-473	\$153.50
Scialabba, William	26 John Shine Ct	Z-13-56-857-477	\$161.25
Peleg, Ephraim	732 Westwood Ave	Z-13-56-857-489	\$172.22
Saul, Kevin	601 Park Pl	Z-13-56-857-490	\$33.56
Special			
Avila, Juan	38-01 Dobrin Ct, Fair Lawn, NJ 07410	S-13-56-858-304	\$556.75
Plescia, Craig	785 Westwood Ave	S-13-56-858-337	\$501.25
Heck & Son	206 Center Ave, Westwood	S-13-56-858-338	\$576.25
AM Greene	461 Rivervale Rd	S-13-56-858-345	\$371.50
Catanese, Dana	601 Piermont Ave	S-13-56-858-374	\$273.50
AM Greene	461 Rivervale Rd	S-13-56-858-391	\$474.25
Reillo, John	633 Cobh Rd	S-13-56-858-394	\$156.50
Planning			
Spence, J.H.	327 Spring St	P-13-56-858-319	\$318.15
Heck & Son	206 Center Ave, Westwood, NJ	P-13-56-858-320	\$400.00
Heredia, G	Que Pasta, 326 Market St, Saddle Brook, NJ	P-13-56-858-332	\$140.06
Image Salon	650 Westwood Ave	P-13-56-858-335	\$57.36
Eden Nails	655 Westwood Ave	P-13-56-858-338	\$122.95
Clemente, D	650 Westwood Ave	P-13-56-858-339	\$123.24

Resolution #2011-224

RESOLUTION CONFIRMING THE MAYORAL APPOINTMENT TO TOTHE RIVER VALE COUNTRY CLUB ADVISORY COMMITTEE (STEVE BIFULCO)

BE IT RESOLVED by the Township Council of the Township of River Vale that the appointment of Steve Bifulco to the Advisory Committee of the River Vale Country Club is hereby confirmed.

Resolution #2011-225

ENDORISING AND CONFIRMING THE WAIVER OF PERMIT FEES FOR RESIDENTS AFFECTED BY HURRICANE IRENE

WHEREAS, the Township Council of the Township of River Vale is desirous of helping residents who had damage to their homes during Hurricane Irene;

NOW, THEREFORE, BE IT RESOLVED that the Township Council hereby waives building permit fees and inspection fees for all permits issued through December 31, 2011 is hereby confirmed.

Resolution #2011-226

RESOLUTION APPROVING THE RAFFLE LICENSE FOR HSA HARRINGTON PARK-(50/50 ON PREMISES)

BE IT HEREBY RESOLVED, that the following license to conduct a 50/50 on premises raffle license be issued to:

NAME: HSA Harrington Park
191 Harriot Avenue
Harrington Park, NJ 076401

LOCATION OF RAFFLE: River Vale Country Club
660 Rivervale Road
River Vale, NJ 07675

DATE OF RAFFLE: October 13, 2011 (12pm – 8:00pm)

I.D. #: 198-5-30223

RAFFLE LICENSE: RL 367

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.

Resolution #2011-227

RESOLUTION APPROVING THE RAFFLE LICENSE FOR HSA HARRINGTON PARK- (50/50 MERCHANDISE RAFFLE)

BE IT HEREBY RESOLVED, that the following license to conduct a 50/50 on premises merchandise raffle license be issued to:

NAME: HSA Harrington Park
191 Harriot Avenue
Harrington Park, NJ 07640

LOCATION OF RAFFLE: River Vale Country Club

660 Rivervale Road
River Vale, NJ 07675

DATE OF RAFFLE: October 13, 2011 (12pm – 8:00pm)
I.D. #: 198-5-30223
RAFFLE LICENSE: RL 368

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.

Resolution #2011-228

RESOLUTION APPROVING THE RAFFLE LICENSE FOR HSA HARRINGTON PARK– (LONGEST DRIVE)

BE IT HEREBY RESOLVED that the following license to conduct a Longest Drive raffle be issued to:

NAME: HSA Harrington Park
191 Harriot Avenue
Harrington Park, NJ
LOCATION OF RAFFLE: River Vale Country Club
660 Rivervale Road
River Vale, NJ 07675
DATE OF RAFFLE: October 13, 2011 (12pm – 8:00pm)
I.D. #: 198-5-30223
RAFFLE LICENSE: RL 369

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.

Resolution #2011-229

RESOLUTION AWARDING THE 2011 NJDOT ROAD RESURFACING PROGRAM (CLEVELAND AVENUE) & ALTERNATE ITEMS OF WORK FOR 2011 ROAD RESURFACING PROGRAM

WHEREAS, the Township of River Vale and Borough of Hillsdale entered into a joint bid for the 2011 NJDOT Road Resurfacing Program; and

WHEREAS, the improvements include the milling and resurfacing of Cleveland Avenue and other alternate items of work; and

WHEREAS, on September 20, 2011 several bids were received regarding the above mentioned project;
and

WHEREAS, the bid from Haskell Paving, 30 Greenwood Lake Turnpike, Ringwood, New Jersey 07456 has been reviewed and approved and is accepted as the lowest responsible bidder at a price of

\$ 128,275.25 (Base Bid Cleveland Avenue)

WHEREAS, the Treasurer has certified that funds are available in an amount not to exceed \$ 128,275.25 in the NJDOT Improvement Fund;

WHEREAS, the Treasurer has certified that funds are available in an amount not to exceed \$ 97,190.00 in the Capital Account for the Alternate Items of work for the 2011 Road Resurfacing Program;

\$ 22,500.00 (Alternate Bid #1 Roberge School Drainage Repairs)

\$ 16,300.00 (Alternate Bid #2 Central Avenue Drainage)

\$ 58,390.00 (Alternate Bid #3 DPW Garage Site work)

NOW THEREFORE BE IT RESOLVED, the Mayor and Township Clerk are authorized to execute a contract with Haskell Paving, Lake Turnpike, Ringwood, New Jersey 07456 for the 2011 NJDOT Resurfacing Program as described in the Bid Specifications.

Resolution #2011-230

RESOLUTION AUTHORIZING NOT TO EXCEED LIMITATIONS FOR CHRISTOPHER P. STATILE (ALTERNATE ITEMS OF WORK 2011 ROAD RESURFACING PROGRAM)

BE IT RESOLVED, by the by the Township Council of the Township of River Vale that limitations in an amount not to exceed \$ 14,250.00 be authorized for engineering services of Christopher Statile for the design and construction inspection services of the alternate items listed below are hereby approved.

Alternate Item #1 Roberge School Drainage Repairs

Alternate Item #2 Central Avenue Drainage

Alternate Item #3 DPW Garage Site work

Resolution #2011-231

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR SPECIAL LEGAL SERVICES

WHEREAS, the Township of River Vale has a need to acquire legal services and special counsel as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, the Business Administrator has determined and certified in writing that the value of the services will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Schepisi & McLaughlin, P.A will provide certain legal services and special counsel with regard to the Vaughn litigation matters;

WHEREAS, Schepisi & McLaughlin, P.A. have completed and submitted a Business Entity Disclosure Certification which certifies that Schepisi & McLaughlin, P.A. has not made any reportable contributions to a political or candidate committee in the Township of River Vale in the previous one year, and that the contract will prohibit Schepisi & McLaughlin, P.A. from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified the availability of funds required for this contract *N.J.A.C. 5:30-5.4*.

NOW THEREFORE, BE IT RESOLVED that the Township Council of the Township of River Vale authorizes the Mayor to enter into a contract with Schepisi & McLaughlin P.A. as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to cause a copy of this resolution to be published as required by law.

Resolution #2011-232

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:	\$158,539.41
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$59,304.71
ANIMAL TRUST ACCOUNT claims in the amount of:	\$0.00
RESERVE CURRENT ACCOUNT claims in the amount of:	\$2,259.72
OPEN SPACE TRUST ACCOUNT claims in the amount of:	\$3,511.37
RECREATION TRUST ACCOUNT claims in the amount of:	\$5,081.36
SNOW REMOVAL TRUST ACCOUNT claims in the amount of:	\$0.00
APPROPRIATION RESERVE ACCOUNT claims in the amount of:	\$0.00
PRIVATE DUTY ESCROW ACCOUNT claims in the amount of:	\$7,343.09
HOUSING TRUST ACCOUNT claims in the amount of:	\$0.00
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:	\$582,748.05
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$3,342.62
SPECIAL TRUST ACCOUNT claims in the amount of:	\$1,330.00
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$248.50
TOTAL CLAIMS TO BE PAID	\$823,708.83

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:	\$4,162,083.61
CAPITAL ACCOUNT claims in the amount of:	\$0.00
RESERVE TRUST ACCOUNT claims in the amount of:	\$0.00
RECREATION TRUST ACCOUNT claims in the amount of:	\$4,245.00
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$198,255.59
ANIMAL 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:	\$425,161.88
TRUST ACCOUNT claims in the amount of:	\$0.00
GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of:	\$0.00
TOTAL CLAIMS PAID	\$4,789,746.08

TOTAL BILL LIST RESOLUTION **\$5,613,454.91**

**MANUAL DISBURSEMENTS
BILL LIST FOR SEPTEMBER 26, 2011**

08/30/2011 – Transfer Payroll	\$ 208,492.84
09/15/2011 – Transfer Payroll	\$ 216,669.04

ROLL CALL VOTE

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

ORDINANCES 1st READING

There were no Ordinances for 1st Reading

ORDINANCES 2nd READING

Motion by Councilman Matos; seconded by Councilwoman Sieg to open the Public Hearing for Ordinance #256-2011.

There being no comments from the public. Motion by Councilman Matos seconded by Councilwoman Sieg to close the public hearing for Ordinance #256-2011.

Motion to Adopt: Councilman Matos

Seconded: Councilman Criscuolo

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 Vice President Bromberg voted yes. Council President Jasionowski was absent

HEARING OF THE PUBLIC

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

Howard Lin—804 Clauss Lane – commented on contacting FEMA to re-write the flood maps. Mr. Lin expressed concerns over the possible labeling of an area as being in a flood plain as not good for the Town. Mr. Lin added that flood insurance is affordable and that he was told his home wasn't in a flood plain when he purchased it.

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.

RESOLUTION

Motion by Councilman Matos seconded by Councilwoman Sieg to approve Resolution #2011-233 as follows:

RESOLUTION AUTHORIZING THE COUNCIL TO ENTER INTO CLOSED SESSION

BE IT RESOLVED, by the Township Council of the Township of River Vale that the Council is hereby authorized to enter into Closed Session to discuss on-going Bonnabel litigation. No action will be taken.

ROLL CALL VOTE

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

Motion by Councilman Matos seconded by Councilwoman Sieg to open e the meeting from Closed Session.

ADJOURNMENT

Motion by Councilman Matos; seconded by Councilman Criscuolo to adjourn the meeting at 10:00pm.

Council Vice President
Mark Bromberg

ATTEST:
Karen Padvá
Township Clerk