



**MINUTES
REGULAR MEETING
January 10, 2005
8:00 P.M.**

CALL THE MEETING TO ORDER

Council President Menville called the meeting to order at 8:07 PM in the Council Chambers of Town Hall located at 406 Rivervale Road, River Vale, New Jersey 07675.

SALUTE TO FLAG

Council President Menville asked all in attendance to rise and join him in the Salute to the Flag.

ROLL CALL

Council President Menville asked the Township Clerk for a Roll Call of the Township Council present, as follows:

Councilman Blundo, Councilman deStefan, Councilman Jasionowski, Councilman Matos and Council President Menville, were present.

Council President Menville stated that the following Township Officials are also present:

Mayor George Paschalis
John Carbone, Township Attorney
Bibi Stewart Garvin, Business Administrator
Wanda A. Worner, Township Clerk

SUNSHINE LAW STATEMENT

Council President 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."

TOWNSHIP COMMUNICATION

Mayor Paschalis stated that he will be making two appointments this evening. He stated that he is appointing Mr. Chris Wahmann to the Planning Board. He stated that Mr. Wahmann has served on the Planning Board for seven years and he also serves in other capacities on behalf of the town.

Mayor Paschalis stated that the other appointment has to do with the OEM Coordinator for the Township. He stated that the MEL has suggested that the OEM Coordinator not be a police or fire chief of the town because in the case of an emergency, they should be more concerned about the

department that they are involved in. Therefore, he stated that although he thanks Aaron Back for his past work as an OEM Coordinator, he will be appointing Mr. William Peters to the position. He stated that Mr. Peters is a long time resident of River Vale and he feels very fortunate to have him serve on behalf of the Township.

Mayor Paschalis administered the Oath of Office to Mr. Peters. Mr. Peters stated that he will be relying on Chief Back for his help in his new position.

Council President Menville asked for Comments from the Council. Councilman Jasionowski had no comments at this time.

Councilman Matos stated that he had a meeting with the director of educational technology at the Holdrum School. He stated that they talked about free computer training for the residents of River Vale. He stated that these classes will be geared to residents who have never used the internet before and do not know how to do e-mail. He stated that they will be coming up with a registration form that will be posted on the internet and there will be an announcement also posted on the Town Hall Bulletin Board. He stated that he had the pleasure of touring the facilities at the school and he felt that they were excellent. He feels that it will be very good for the community; seniors and young folks alike. He feels that a program should be established within the next month or so. Council President Menville thanked Councilman Matos for spear heading this project.

Councilman Matos had nothing further to report.

Councilman deStefan stated that he had a number of things that he would like to touch on. He stated that the Centennial Committee will be meeting on Thursday and invites everyone to come.

He stated that Mr. Hanna has informed in that there is a 60th anniversary for a fire department member, Mr. Kraus, is coming up and he asked Mayor Paschalis if a resolution of appreciation could be drawn up. Mayor Paschalis stated that it is already in the works.

Councilman deStefan further stated that he received the new sign ordinance, as everyone else has, but he has not had the time to analyze it. He would like to have a copy of the old ordinance, so that he can do a comparison.

Councilman deStefan further asked the Township Attorney, if there will be an ordinance for the buffer zones in the near future. Mr. Carbone stated that he would be happy to prepare one for the Council.

Councilman deStefan had nothing further to report.

Councilman Blundo stated that he had promised to do research on dogs in open spaces and he still believes that dogs should be allowed to be in the Poplar Road Sanctuary. He would like the opinions of the public on whether the dogs should be allowed in the Sanctuary.

Councilman Blundo further stated that there are two zoning board appointments this evening and he stated that both people have served for many years. He stated that in one case, he will not be going along with one of the appointments as the person is the mother of one of the Councilmen. He feels that all doubt should be removed from the public on an appointment of this kind.

HEARING OF THE PUBLIC

Council President Menville made the following statement into the record as follows:

“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 members 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.”

Council President Menville then asked for a motion to open the meeting to the public. Motion by Councilman deStefan; seconded by Councilman Jasionowski. All present; in favor.

Lorraine Waldes – 797 Westwood Avenue – Asked what the availability of funds are for the reimbursement for signs for the Residents for a Better River Vale. Council President Menville stated that he didn’t know at this time, but that he would get back to her.

Ms. Waldes further thanked Councilman Matos for his efforts on volunteerism. She stated that the Residents for a Better River vale are available and would like to be able to help in any way the Township might need.

She further stated that their 11th annual dance is January 21st and that they have tickets still available and invites the council to attend as she would like to see the relationship of her group repaired with the Council. She stated that she would enjoy seeing them in attendance.

Henry Guidi - 701 – Wilson Court – he wanted to know why the Chief’s car was confiscated. He would like to know why the Mayor chose not to swear the Fire Chief in after 78 years of them electing their officers. Council President Menville stated that this is now an item of potential litigation and although the Mayor may like to respond, the Council cannot allow him to. He asked Mr. Guidi if he had any further comments and Mr. Guidi stated that he will be back at another time.

Regina Sussek – 549 Roosevelt Avenue – Stated that she had been invited by the Mayor to discuss the decreasing quality of life with noise in the Township of River Vale. She stated that there has been increase of noise and read a statement to the Council of her concerns. Council President Menville stated that he has a committee that is working on a noise ordinance and he expects it to be introduced in the near future.

Dr. Matfus – 692 Alden Court – Thanked the Mayor and Council for supporting the efforts to open the school facilities to the public. He stated that there is an indoor adult whiffle ball league being formed and invited the council to join.

Dr. Matfus further agreed with the issue of nepotism and mentioned nepotism on the school board.

He further reported that the foundation in Montvale called “Footprints” has offered their support to the victim and his family of the fire.

Dr. Matfus further expressed his concern about the water coming from the school property onto Rivervale Road.

Councilman Blundo stated that the action that the county performed on the road improved the problem. All on the council agreed.

Mr. Rinaldi – 10 Todd Lane – Old Tappan – Stated that he is the elected Fire Chief of the River Vale Fire Department. He read a statement from the department about what had occurred before the reorganization meeting. He further stated that he has obtained legal counsel with regard to the situation. Council President Menville stated that this is a potential litigation item and Mr. Rinaldi stated the he is merely making a statement and that he will not be asking any questions. He stated that the fire department is in full control by the Chief until otherwise determined.

Mr. Burton Hall – Stated that he would like to address the Open Space Ordinance and Mr. Carbone stated that he would like Mr. Hall to wait until the hearing of that Ordinance for his comments.

Bob Fortsch– 511 Bernita Drive – Stated that he has not attended as many meetings as he would have liked to in 2004. He stated that the position of Police Director was not a benefit to the town, but a detriment and he felt that the Council might have supported him in his statements. He would like to know where that thought process has gone. Council President Menville stated that the Business Administrator is the present Police Director and the council does not wish to change that at this time. Councilman Blundo asked the Township Attorney with regard to that and he stated that there will be an ordinance in the very near future to bring everything in line.

Councilman Blundo asked what qualifications the council would be able to set with regard to the position. The township attorney stated that every department must have a director and that the Mayor has the choice of filling that position.

He further thanked the Mayor and Council and wished them a Happy New Year.

Bernie Wilker – 554 Bernita Drive – asked again, what the status would be of televising Council meetings. Council President Menville stated that Councilman Matos might be able to help in that area.

There being no further comments from the public; Council President Menville called for a fifteen minutes recess.

Following a fifteen minutes recess; Council President Menville called for a motion to go back into session. Motion by Councilman Blundo; seconded by Councilman Matos.

Council President then asked for a Roll Call of the Council.

Councilman Blundo, Councilman deStefan, Councilman Jasionowski, Councilman Matos and Council President Menville were present.

Ordinances - 1st reading

**ORDINANCE #100-2005 – AN ORDINANCE AMENDING ORDINANCE #0-19-04 ENTITLED
“AN ORDINANCE ESTABLISHING THE RULES AND REGULATIONS FOR THE POPLAR
ROAD SANCTUARY” – PRESENCE OF DOGS**

Motion by Councilman deStefan; seconded by Councilman Jasionowski to introduce Ordinance #100-2005, as follows:

Township of River Vale
County of Bergen
State of New Jersey

ORDINANCE #100-2005

Date of 1st reading: January 10, 2005

Public Hearing and Adoption: February 14, 2005

**AN ORDINANCE AMENDING ORDINANCE #0-19-04 ENTITLED “AN ORDINANCE
ESTABLISHING THE RULES AND REGULATIONS FOR THE POPLAR ROAD SANCTUARY” –
PRESENCE OF DOGS**

BE IT RESOLVED, by the Township Council of the Township of River Vale, as follows:

Section 1. That Section 7. Presence of dogs, be deleted in its entirety and replaced by the following:

Section 7. No person shall bring, be present, walk, or allow any dog, cat, or other animal within the Poplar Road Sanctuary area.

Section 2. Effectiveness.

This ordinance shall take effect upon publication in accordance with the law.

ROLL CALL VOTE: Councilman Blundo, Councilman deStefan, Councilman Jasionowski, Councilman Matos and Council President Menville voted yes.

ADMINISTRATION & FINANCE – Consent Agenda

Council President Menville stated that the following items could be voted on as a Consent Agenda and added that the Council had two appointments that they would like to add this evening, that being two appointments to the Board of Adjustment. The Township Clerk stated that those would be resolution #'s 32-2005 and 33-2005. The Business Administrator added that the Administration would be adding Resolution #34-2005, the confirming the Mayor's appointment of Joseph Zaniello as the Director of Engineering and Resolution #35-2005, confirming the appointment of Joseph Zaniello as a professional service as Township Engineer. Councilman Blundo further added that he felt it would be good gesture if the Council supported the appointment of Mr. Peters as the OEM Coordinator. The Township Clerk stated that would be Resolution #36-2005.

Councilman Blundo further stated that he feels that the appointment of Mr. Zaniello as Township Engineer is a positive one for the Township.

Motion by Councilman Blundo; seconded by Councilman Jasionowski to approve Resolution #'s 27 – 36, with the exception of Resolution #'s 32-2005 and 33-2005, as follows:

Township of River Vale

Resolution #27-2005

RESOLUTION APPROVING THE MINUTES OF THE SINE DIE MEETING AND REORGANIZATION MEETINGS OF JANUARY 1, 2005

BE IT RESOLVED, of the Township Council of the Township of River Vale that the following minutes are hereby approved:

Sine Die Meeting – January 1, 2005
Reorganization Meeting – January 1, 2005

Township of River Vale

Resolution #28-2005

AWARD THE BID FOR A FOUR-FACED STREET CLOCK AND MASTER CONTROLLER

WHEREAS, the Township of River Vale is undergoing reconstruction of the Four Corners at Westwood Avenue and Rivervale Road; and

WHEREAS, part of this construction entails the installation of a four-faced clock that will commemorate the 100th anniversary of the Township of River Vale; and

WHEREAS, the Business Administrator advertised for the receipt of bids to be opened on January 6, 2005, at which time there was one bidder; and

WHEREAS, the sole bidder was The Verdin Company of 444 Reading Road, Cincinnati, Ohio, 45202 in an amount not to exceed \$23, 980.00; and

WHEREAS, the Business Administrator and the Township Attorney have reviewed the bid and found all to be in order and recommend the awarding of the contract to The Verdin Company.; and

WHEREAS, the Chief Financial Officer has certified that the funds are available in an amount not to exceed \$23,980.00 in the Dedication by Rider Account;

NOW, THEREFORE, BE IT RESOLVED that the contract for the above mentioned be awarded to The Verdin Company, 444 Reading Road, Cincinnati, Ohio 45202.

Township of River Vale

Resolution #29-2005

RESOLUTION OF THE COUNCIL APPOINTING THE CLASS III REPRESENTATIVE TO THE PLANNING BOARD

BE IT HEREBY RESOLVED, by the Township Council of the Township of River Vale, that Council President, Robert A. Menville, is hereby appointed as the Council's Class III representative to the Planning Board.

Township of River Vale

Resolution #30-2005

RESOLUTION AUTHORIZING THE TOWNSHIP CLERK TO ADVERTISE FOR THE RECEIPT OF BIDS FOR THE PURCHASE AND INSTALLATION OF AN EMERGENCY GENERATOR AT THE TOWNSHIP POLICE DEPARTMENT

WHEREAS, the Township Council is desirous of purchasing and installing an Emergency Generator at the Township Police Department; and

WHEREAS, the Township Council feels that this project is in the best interest of the residents of River Vale;

NOW, THEREFORE, BE IT RESOLVED, that the Township Clerk is hereby authorized to advertise for the receipt of bids for the above mentioned.

Township of River Vale

Resolution #31-2005

RESOLUTION AUTHORIZING THE TOWNSHIP CLERK TO ADVERTISE FOR THE RECEIPT OF BIDS FOR THE REPLACEMENT OF THE LIBRARY ROOF

WHEREAS, the Library in the Township of River Vale located at 406 Rivervale, is in need of a new roof; and

WHEREAS, the Township Council is desirous of replacing that roof, as they feel it is in the best interest of the residents of River Vale;

NOW, THEREFORE, BE IT RESOLVED, that the Township Clerk is hereby authorized to advertise for the receipt of bids for the above mentioned.

Township of River Vale

Resolution #34-2005

RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF JOSEPH ZANIELLO AS DIRECTOR OF ENGINEERING

BE IT RESOLVED, by the Township Council of the Township of River Vale, that the appointment of Joseph Zaniello as Director of Engineering is hereby approved.

Township of River Vale

Resolution #35-2005

RESOLUTION AUTHORIZING AGREEMENT FOR CERTAIN ENGINEERING SERVICES

WHEREAS, there exists a need for engineering services of Township Engineer in the Township of River Vale, in the County of Bergen, New Jersey (the "Township"), regarding municipal matters; and

WHEREAS, such engineering services can be provided by Joseph Zaniello having an office at 9 Post Road, Oakland, NJ 07436; and

WHEREAS, funds are or will be available for this purpose; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of River Vale, County of Bergen, as follows:

1. The Joseph Zaniello is hereby retained to provide engineering services necessary to protect the interests of the Township of River Vale and shall be compensated at a rate of \$125.00 (One Hundred Twenty Five Dollars) per hour.

2. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 11-5(1)(a), because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Township.
4. A notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in the Bergen Record.

Township of River Vale

Resolution #36-2005

RESOLUTION SUPPORTING THE MAYOR'S APPOINTMENT OF OEM COORDINATOR

BE IT RESOLVED, that the Township Council hereby supports the mayor's appointment of William Peters as the OEM Coordinator for the Township of River Vale.

ROLL CALL VOTE: Councilman Blundo, Councilman deStefan, Councilman Jasionowski, Councilman Matos and Councilman Menville voted yes.

Council President Menville then asked for a motion on Resolution #32-2005 and #33-2005.

Councilman Matos made a statement with regard to the appointments of the members of the Board of Adjustment, in particular, Mrs. deStefan's appointment to the Board. He feels that Councilman Blundo's statements with regard to this appointment are unfounded. Councilman Blundo stated that he thanks Councilman Matos on his statement and stated that he still feels that there still have to be checks and balances. A heated discussion ensued with regard to this particular appointment.

Councilman deStefan asked the Township Attorney if there was anything unethical about this appointment. The Township Attorney stated that there is no conflict as the Ethics Law would govern.

Councilman Jasionowski stated that excellent points have been made, but, that he would like this tabled and take more time to investigate the situation.

Motion by Councilman Jasionowski; seconded by Councilman Blundo to table the appointment of Mrs. deStefan to the Board of Adjustment.

Motion by Councilman Blundo; seconded by Councilman Jasionowski to approve Resolution # 33-2005, as follows:

Township of River Vale

Resolution #33-2005

RESOLUTION APPROVING THE APPOINTMENT OF J.J. CLANCY AS A MEMBER OF THE BOARD OF ADJUSTMENT

BE IT RESOLVED by the Township Council of the Township of River Vale that J.J. Clancy is hereby appointment as a member of the Board of Adjustment.

ROLL CALL VOTE: Councilman Blundo, Councilman deStefan, Councilman Jasionowski, Councilman Matos and Council President Menville voted yes.

Mayor Paschalis stated that at this point in time, he would like to administer the Oath of Office to Mr. Zaniello.

HEARING OF THE PUBLIC

Council President Menville stated that he would like to open the meeting to the public and read the following statement, as follows:

“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 members 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.”

Motion by Councilman deStefan; seconded by Councilman Blundo to open the meeting to the public.

Dr. Matfus – 692 Alden Court – Stated that there is too much dissension in this town and he feels that there has to be honesty and integrity amongst the Council. He stated that there is now a situation with the police department and fire department, and he feels that the Mayor has to do what he has to do, and although, he doesn't know everything that is going on, he feels that the right thing has to be done.

Motion by Councilman deStefan; seconded by Councilman Matos to close the meeting to the public.

Council President Menville stated that he would like to make a statement and requested that two of his councilman should work on a committee to develop an ordinance with regard to ethics. Councilman Matos and Councilman Blundo agreed to be on this committee.

ADJOURN

Motion by Councilman Blundo; seconded by Councilman deStefan to adjourn the meeting at 9:45 PM.

Council President Robert A. Menville

Respectfully submitted:

Wanda A. Worner

Approved:_____