



MINUTES
Regular Meeting of
January 24, 2005
8:00 P.M.

CALL THE MEETING TO ORDER –

Council President Menville called the meeting to order at 8:08 PM in the Council Chambers of the Town Hall located at 406 Rivervale Road, River Vale, New Jersey 07675.

SALUTE TO THE FLAG –

Council President Menville asked those present to rise and join him in the Salute to the Flag.

SUNSHINE LAW STATEMENT –

Council President Menville read the following statement into the record:

“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 –

1. Township Council:

Councilman Joseph Blundo
Council Vice President Dwight deStefan
Councilman Glen Jasionowski
Councilman Noel Matos
Council President Robert Menville

2. Municipal Officials Present:

Mayor George Paschalis
Bibi Stewart Garvin, Business Administrator
Roy Rossow, Chief Financial Officer
John Carbone, Township Attorney
Joseph Zaniello, Township Engineer
Wanda A. Worner, Township Clerk

TOWNSHIP COMMUNICATION –

1. Mayor's Comments

Mayor Paschalis thanked the Department of Public Works for an outstanding job clearing the roads during this last snow storm. He also thanked the Police Department, Fire Department and Ambulance Corps for their vigilance during the storm. Mayor Paschalis stated that there was a public forum on the Cedar Lane project. He stated that Phase I was done a year ago and now it is time for Phase II and Phase III of the project. He stated that they have petitioned the county to lower the speed limit in order to make the speed limit consistent along the entire length of the road. He stated that the meeting was very productive.

2. Township Council Comments

Councilman Jasionowski thanked the Residents for a Better River Vale for the tremendous job that they did for the annual dance. Everyone agreed that they all had a good time.

Councilman Matos stated that he also had a great time at the dance and he thanked the committee for their efforts. He had several issues to bring up. He stated that he and Councilman Blundo met to discuss the Ethics issue that was brought about at the last meeting. He stated that they discussed the establishment of an ethics board and also the possibility of making the ethics ordinance stronger. He stated that he feels that would be unnecessary. He stated that he felt that it would open the Council up to litigation.

Councilman Matos further stated that he feels that the appointment of Lorraine deStefan would not be a conflict of interest as this is a volunteer position.

Councilman Matos further stated that there is an issue with regard to the Mark Lane basketball court. He stated that there is a storm drain in the middle of the court. He feels that it is a safety issue. He asked that a committee be formed to resurface the Mark Lane basketball court. He feels that a fund raiser would be appropriate in this case.

Councilman Matos further reported that he received a call from the school, a flyer will be distributed throughout time for the development of a program for the use of computers at the school facilities. It will be free to the community. He stated that he will act as an instructor as well as many of the faculty members. He stated that people will be taught to use the internet and computers. He stated that this will be offered at all of the schools. The date for this will be February 1. Councilman Blundo stated that he would like it advertised so that everyone will know when this is going to happen.

Councilman Matos further stated that if there is any correspondence being passed up to the Council President that it presented to all of the Council.

Council President Menville stated that he felt that the committee was a wonderful idea for the Mark Lane basketball court and he felt that Councilman Matos should spearhead the committee. He would suggest formalizing the committee when he has the names of people who would like to participate.

Council Vice President deStefan – 101-2005 – on agenda and supports it. He stated that he had the opportunity to compare this with the old ordinance and would like to know when they will have the opportunity to discuss it. Council President Menville asked Council Vice President deStefan to bring his concerns to the Council via a memo..

Council Vice President deStefan stated that the next Centennial meeting will be on February 2, 2005 and invited everyone to attend.

Council Vice President deStefan further asked about an ordinance for the buffer zones. Mr. Carbone stated that this issue should be addressed with the Planner. Council President asked that Council Vice President deStefan put his thoughts in writing and then they will present it to the Planning Board.

Councilman Blundo stated that he had no further comments on the appointment to the Board of Adjustment.

Councilman Blundo stated that with regard to Ethics, he would like the council to look at ways that this could be protected in the future. He would like to see that this doesn't happen again in the future with future Councils.

Councilman Blundo stated that what happened in the past with Closed Sessions not happen again. Mr. Carbone stated that someone could be sanctioned by the council, but not precluded from participating in closed sessions in the future.

Councilman Blundo stated that he would just not like to see this happen in the future.

Councilman Blundo stated that he was on Powder Hill Road and experienced the speed bumps and wanted to know if they were legal. Mayor Paschalis stated that this was discussed with regard to Cedar Lane. Chief Back stated that "speed humps" are legal, but that "speed bumps" are not. He stated that they are new to Bergen County and have never been through a winter yet. He stated that they would like to see what happens in the future.

Councilman Blundo stated lastly that he became involved in an incident around 10:00 PM on Saturday night. A child needed to be rushed to the hospital and by the time the ambulance corps had responded, the police department arrived in the SUV. In this particular case it was not life threatening, but the police in the SUV were already on their way to the hospital. The Chief thanked the Mayor Council for the purchase of the SUV and stated that he would pass that along to the officers involved.

3. Township Engineer's Report

Mr. Carbone stated that the matter of JPE construction has been resolved and dismissed. He further stated that the planning board matter has also been dismissed.

4. Township Attorney's Report

Mr. Zaniello stated that he had no report this evening.

HEARING OF THE PUBLIC –

Council President Menville made the following statement and then asked for a motion to open the meeting to the public:

“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 Matos; seconded by Councilman Blundo to open the meeting to the public.

Ed Carter - 664 Woodside Avenue - stated that he would like to thank the Mayor for the new sound system. He stated that he has heard everything that has gone on this evening. He would like all members to speak into the microphones.

There being no further questions or comments from the public; Council President Menville asked for a motion to close the meeting to the public.

Motion by Councilman Blundo; seconded by Council Vice President deStefan to close the meeting to the public.

ORDINANCES – 1st reading

Council President Menville stated that last year the council had voted on an ordinance to raise fees and stated that this ordinance is to correct the fees that were raised for the licensing of cats and dogs. He stated that he, as well as the council, did not realize that there was such an increase in these fees and therefore, felt the need to correct the situation.

Motion by Councilman Blundo; seconded by Council Vice President deStefan to introduce Ordinance #101-2005, as follows:

Township of River Vale
County of Bergen
State of New Jersey

ORDINANCE #101-2005

Date of 1st reading: January 24, 2005
Public Hearing and Adoption: February 28, 2005

AN ORDINANCE AMENDING ORDINANCE #0-9-04 ENTITLED “ORDINANCE SUPPLEMENTING AND AMENDING FEE SCHEDULE FOR THE TOWNSHIP OF RIVER VALE”

BE IT ORDAINED, by the Township Council of the Township of River Vale that Ordinance #0-19-04, be amended as follows:

Section 1. The amendments made to Chapter 22 “Cats”; Sections 22-6, 22-7 and 22-16 by Ordinance #0-9-04, are hereby repealed and that the fees revert back to the following:

22-6	License fee for (un-neutered)	\$ 10.00
	License fee for (neutered)	\$ 7.00
	Late charge after January 31	\$ 5.00
22-7	Duplicate Issue	\$ 1.00
22-16	Redemption fee	
	First 12 hours	\$ 5.00
	Each additional day	\$ 1.00

Section 2. The amendments made to Chapter 25 "Dogs", Section 25-3, amended by Ordinance #0-9-04, is hereby repealed and that the fees revert back to the following:

25-3	License fee for (un-neutered)	\$ 10.00
	License fee for (neutered)	\$ 7.00

Section 3. That pursuant to N.J.A.C. 5:70-2.9(d) of the Uniform Fire Code; that Section 32.43 be supplemented by the following statutory fees:

- a. Request for a CSDCMAC received more than 10 (ten) business day prior to the change of occupant: \$ 35.00
- b. Request for a CSDCMAC received 4 (four) to 10 (ten) business days prior to the change of occupant: \$ 70.00
- c. Request for a CSDCMAC received fewer than 4 (four) business days prior to the change of occupant: \$125.00
- d. If a further inspection is necessary, the application fee for said further inspection shall be: \$ 15.00

Section 4. That pursuant to the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1, et seq. that Section 57B-1 of the Code be amended to reflect those fees as established by Ordinance #0-17-04 Entitled "Police Department Fees" adopted by the Township Council on November 22, 2004.

Section 5. That Chapter 58, Recreation Facilities, Section 58-4.1 Camp Have Some Fun, be amended and supplemented as follows:

- a. Tuesday and Thursday (swimming only) \$ 60.00
- b. Monday, Wednesday & Friday (no swimming) \$ 80.00
- c. Monday through Friday (with swimming) \$100.00

Section 6. That Chapter 175, Land Use be supplemented to include fees for the purchase of Land Use Books as follows:

- a. To purchase Land Use Book in person \$ 55.00
- b. To purchase Land Use Book by mail \$ 60.00

Section 7. That all other provisions of Ordinance #0-9-04 remain in full force and effect.

Section 8. Effectiveness.

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

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

ADMINISTRATION & FINANCE – Consent Agenda

Council President Menville asked the Township Clerk to make any resolutions for the payment of bills a separate item from the Consent Agenda, as there are usually questions from a member of the Council on the Bill list.

Councilman deStefan asked about Resolution #38-2005 and Roy Rossow explained that upon the recommendation of the Auditor this item is to be cancelled for 2004, however, it will be reintroduced in 2005. He stated that those items can be used for those projects only and none other.

Councilman Blundo stated that he would like to make it clear that Resolution #40 is just to accept the Mayors budget, but that it will be discussed by the Council in full at budget meetings.

Motion by Councilman Matos; seconded by Councilman Jasionowski to approve Resolution #'s 37, 38 and 40, on Consent Agenda, as follows:

Township of River Vale

RESOLUTION APPROVING COUNCIL MEETING MINUTES OF JANUARY 10, 2005

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

Regular Meeting – January 10, 2005

Township of River Vale

RESOLUTION CANCELING UNEXPENDED BALANCES OF CURRENT FUND BUDGET APPROPRIATIONS AND RELATED STATE AID RECEIVABLE

WHEREAS, the following Current Fund budget appropriation balances remain unexpended and the projects related to these appropriations will be included in future capital improvement authorizations.

Capital Improvements

New Jersey Transportation Trust Fund Authority Act

Cedar Lane \$135,000

Montview/Interglen Reconstruction 150,000

\$285,000

WHEREAS, it is necessary to formally cancel said balances as of December 31, 2004;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of River Vale, that the above listed unexpended balances of the Current Fund be cancelled.

Township of River Vale

RESOLUTION TO INTRODUCE AND APPROVE THE 2005 MUNICIPAL BUDGET

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Township of River Vale, Bergen County, New Jersey for the year 2005.

BE IT FURTHER RESOLVED, that said budget be published in the official newspapers of the Township in the issue of (a date to be determined in the future, when budget meetings are completed), and that a hearing on the Budget will be held at the Town Hall on (a date to be determined in the future, when budget meetings are completed) at or about 8:00 P.M.

NOW, THEREFORE BE IT FURTHER RESOLVED that pursuant to N.J.S.A 40A:4-5 the Township Council of the Township of River Vale does hereby formally introduce and approve the annual budget for the year 2005.

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

#39-2005 - Resolution Approving the Payment of Bills

Councilman Jasionowski inquired about the reimbursements that were to be made to the Residents for a Better River Vale for the Farmers Market and Mayor Paschalis stated that they are in the works. He stated that it will be on the next bill list.

Council Vice President deStefan asked about a bill for Hakim Associates. He wanted to know if this was for the meeting that Mr. Hakim attended. Mr. Rossow stated that it was not, it was for another item. Mr. Carbone stated that this was for a report on the tree ordinance and for a recreation memo for multi-family dwellings.

Councilman Blundo stated that there is a payment to the ambulance corps members for their clothing allowance and he feels that he should have to abstain on that item.

Motion by Councilman Matos; seconded by Councilman Jasionowski to approve Resolution # 39-2005, as follows:

Township of River Vale

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:

RESERVE ACCOUNT claims in the amount of:	\$ 153,420.42
CURRENT ACCOUNT claims in the amount of:	\$ 206,291.75
CAPITAL ACCOUNT claims in the amount of:	\$ 16,500.00
PUBLIC ASST. ACCOUNT claims in the amount of:	\$
TRUST ACCOUNT claims in the amount of:	\$ 5,373.21
DOG TRUST ACCOUNT claims in the amount of:	\$ 687.85
RECREATION TRUST ACCOUNT claims in the amount of:	\$
PRIVATE DUTY ACCOUNT claims in the amount of:	\$ 1,169.62
TOTAL CLAIMS TO BE PAID	<u>\$ 383,442.85</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:

CURRENT claims in the amount of:	\$1,934,657.11
PUBLIC ASSISTANCE TRUST claims in the amount of:	\$ 2,603.05
UNEMPLOYMENT TRUST claims in the amount of:	\$
STATUTORY ACCOUNT claims in the amount of:	\$ 325,688.89
TRUST ACCOUNT claims in the amount of:	\$
DOG TRUST ACCOUNT claims in the amount of:	\$
TOTAL CLAIMS PAID	<u>\$2,262,949.05</u>
TOTAL BILL LIST RESOLUTION	<u>\$2,646,391.90</u>

**MANUAL DISBURSEMENTS
BILL LIST FOR January 24, 2005**

December 30, 2004 Payroll – Wire Transfer - 11/26/04	\$ 176,313.06
January 15, 2005 Payroll – Wire Transfer – 1.12.05	\$ 149,375.83
TOTAL STATUTORY ACCOUNT DISTRIBUTIONS	<u>\$ 325,688.89</u>

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

Mr. Carbone stated that there was a motion to remove item #32-2005 from the table at the last meeting for an undetermined amount of time. If the Council wishes to proceed, they should make a motion to remove from the table and then open to discussion and action.

Motion by Councilman Matos; seconded by Councilman Jasionowski to remove Resolution # 32-2005 Appointing Lorraine deStefan as a member of the Board of Adjustment.

Motion by Councilman Matos; seconded by Councilman Jasionowski to approve Resolution # 32-2005, as follows:

Township of River Vale

RESOLUTION APPROVING THE APPOINTMENT OF LORRAINE DE STEFAN AS A MEMBER OF THE BOARD OF ADJUSTMENT

BE IT RESOLVED by the Township Council of the Township of River Vale that Lorraine

deStefan is hereby appointed as a member of the Board of Adjustment.

ROLL CALL VOTE: Councilman Jasionowski, Councilman Matos and Council President Menville voted yes. Councilman Blundo voted no. Council Vice President deStefan abstained.

HEARING OF THE PUBLIC –

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

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.

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

Motion by Councilman Blundo for contract negotiations; seconded by Councilman Matos at 8:50 PM.

Council President Menville stated that there will be a five minutes recess.

Upon the end of closed session; ROLL CALL found the following Councilmembers present:

Councilman Blundo, Council Vice President deStefan, Councilman Jasionowski, Councilman Matos and Council President Menville.

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

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

ROBERT A. MENVILLE, COUNCIL PRESIDENT

Attest:

Wanda A. Worner, Township Clerk

Approved: _____