

MINUTES
Council Meeting
Monday, November 24, 2008

CALL THE MEETING TO ORDER

Council President Jasionowski called the meeting to order at 8:05 PM in the Holdrum Middle School New Gym, located at 393 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, Councilwoman Sieg, and Council President Jasionowski were present.

Also present: Mayor Joseph Blundo, Holly Schepisi, Township Attorney, Robert Gallione, Business Administrator, Dennis Harrington, Township Engineer, Gennaro Rotella, CFO, Michael Hakim, Township Planner, Michael Kauker, Township COAH Planner and Karen Padva, Township Clerk.

CERTIFIACTES OF RECOGNITION – 2008 Fall P.B.I. Playoff Champions

Head Coach: Tim Clark
Assistant Coaches: Greg Wilson & Frank Muggeo

Tommy Chasolen, Jon Ryan Clark, Daniel Corvo, Austin Giordano, Keith Katz, Bobby Klemt, Tommy Lacey, Michael Muggeo, D.J. Menville, Matt Ogus, Ryan Wilson

Mayor Blundo along with Head Coach Tim Clark presented the Fall P.B.I. Champions their Certificates of Recognition. Coach Clark thanked the Mayor and Council for their time and appreciation.

Council President Jasionowski briefly explained the meeting procedure to the residents in attendance.

MAYOR’S COAH PRESENTATION

Mayor Blundo thanked the River Vale Board of Education for the use of the school this evening. In addition the Mayor thanked the Police, DPW and Bob Gallione and staff for successfully pulling together and relocating this evenings meeting.

The Mayor opened his presentation by stating that the 1st formal action that will be taken is scheduled for December 15th Council meeting. The Township’s COAH compliance deadline is set for December 31st. The Mayor stressed that there are many steps involved in this process. Assuming the process continues to move forward; the developer possibly the Bergen County Housing Authority would develop a site plan. The Mayor added that the Planning Board would need to approve the plan before any construction could begin. The Township continues to

participate in the League of Municipalities lawsuit to over turn COAH Round 3 rules and challenge the states mandates. Therefore, there is always the possibility that there could be changes that would reduce the burden on the Township.

Mayor Blundo gave a brief explanation on the history of COAH and the constitutional requirement for municipalities to provide affordable housing. Assuming a town complies with the COAH requirements it would be protected from a builders remedy suit. River Vale has lost prior builders suits; in particular on Poplar Road.

The Mayor continued his explanation stating that if the town owns the property; all the units will be COAH credits. If the town partners with a developer only 20% are required to be COAH. He added that no taxpayer money will be used to purchase the property; the money will come from a COAH fund. The COAH fund was created through fees collected from new construction in the Township. If the town doesn't use the money for COAH purposes we will lose it. The Mayor explained that all of surrounding towns are affected by the new COAH regulations. If we do not submit a plan there will be many more than 55 units constructed.

The Mayor concluded his remarks by expressing his appreciation for all the emails he has received. He also explained that the Town's COAH must be submitted by December 31st or we risk losing the grant funds to purchase I6B. If the town does not purchase I6B it will be developed creating a burden on the schools.

COAH PRESENTATION – Michael Hakim –Township Planner and Michael Kauker – Township COAH Planner

Mr. Hakim and Mr. Kauker gave a thorough explanation of the history of the COAH process. Mr. Hakim also stated that he represents four (4) other communities regarding their COAH plans. He also explained that once the town is certified it would be protected for 10 years or until 2018. Mr. Hakim discussed the fact that towns can no longer RCA out their obligation. He also spoke about the income requirements for applicants to live in affordable housing and that they are not necessarily on public assistance.

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.”

Gloria Rifkin – 543 Brook Avenue – expressed her concerns and serious disagreement with the Cedar Lane COAH plan.

Steven Antico - 563 Brook Avenue – commented on the duty and care of the Mayor and Council. Questioned whether they have weighed all the options with regard to the other properties. He also urged the Council to not act arbitrarily or capriciously.

Joanne Venino - 539 Brook Avenue – thanked the Mayor for his presentation. Questioned why the Kirk property is suitable for 55 units and whether all should be built in the same location. Mrs. Venino would like to see the units dispersed through out the town.

Richard Musacchio - 521 Piermont Avenue – understands the pressure the Council is under and that the town has no control. He expressed his concern over traffic and the effects on the environment.

Richard Venino – 539 Brook Avenue – felt the new and information regarding COAH should have been broadcast better. Not opposed to affordable housing and questioned if we can negotiate after.

Eileen Scalia – 120 Holiday Lane – expressed her concern about flooding from the brook near the Holiday Farm complex.

Raymond Schraer - 506 Brook Avenue – concerned about safety and traffic; adequate access for

EMS vehicles.

Diane Theiman - 155 Demarest Avenue – Hillsdale – expressed her concern regarding traffic and safety.

Ralph Spinnato – 580 Brook Avenue – expressed concerned regarding traffic.

Donald Rifkin - 543 Brook Avenue – questioned how firm the December 31st deadline sees no need to rush despite pressure of lawsuit. Mr. Rifkin also stressed that due the economy very few builders have funds to build.

Christopher Lantelime - 551 Brook Avenue – Does not appreciate the “fear tactic” being used. He is also concerned about parking and too many units in one location.

Shelia Ottino – 562 Colonial Road - questioned the higher density and burden on southern River Vale. Suggested dividing the project up more equally and disperse through the town.

Denise Reiser - 590 Cleveland Avenue - appreciated all the information. Mrs. Reiser expressed concern over increased traffic on Cedar Lane.

Joe Massin – 68 Holiday Lane – expressed his concerns about drainage and flooding at the Holiday Farm complex. Mr. Massin said he had concerns regarding traffic and suggested distributing the units throughout the community.

William O’Dorhety – 512 Brook Avenue - requested that the deadline of December 31st be changed to March 31st of next year.

Robert Burke - 530 Brook Avenue – questioned what property would have been considered had the Kirk property not come up for sale.

Martin Ward – 47 E. Liberty Avenue -Hillsdale – expressed his concerns regarding parking and traffic safety.

John Osso – 707 Alexander Court- concerned about the density of the COAH projects; and the how the residents have been notified regarding the COAH issues

John Russo – 642 James Lane – Understands the pressure being applied by COAH; but expressed concern about too high density for the acreage.

Rich Dehn – 615 John Street – stated that the northern part of River Vale is affected by development; there are the same concerns of school over crowding and traffic safety. He questioned how many units are scheduled to be built on Polar Road. Mr. Dehn stressed that this is a town wide problem.

Pamela Blake - 432 Cedar Lane – questioned the status of the residents currently residing on the Kirk Property.

John Patalano - 548 Cleveland Avenue – had concerns over traffic and safety issue with Cedar Lane.

Carolyn Weitland - John Street – concerned that the Town could lose funding to purchase property on John Street.

Mayor John Sapanara - 380 Hillsdale Avenue – Hillsdale – Understands what the Mayor and Council are going through. Both towns have a history of working together and Hillsdale is concerned about goes on near its borders.

Brendan McMahon 612 John Street - concerned about COAH restrictions that might occur in the future; after the 2018 certification is up.

Frank Panzella - 247 Hillsdale Avenue – Hillsdale – suggested that the town be vague with their COAH plan; it is very hard to back off once you’ve presented such a detailed plan.

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

Council President Jasionowski thanked everyone for all their comments. He also announced that he is recusing himself from voting on the purchase of the Cedar Lane property because his client is the mortgage company

Council President Jasionowski stated that they would be taking a brief break at 10:40pm and the meeting reconvened at 11:00pm.

ROLL CALL

Councilman de Stefan, Councilman Matos, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski were present.

COUNCIL COMMENTS

Councilman de Stefan commented that he appreciated all the dialogue and comments.

Councilman Matos thanked the Mayor and Administrator for all the information they have provided. Councilman Matos also appreciated all the very intelligent and articulate comments this evening.

Councilwoman Sieg thanked everyone who attended the meetings this evening.

Councilman Bromberg commented that he was very impressed with the meeting and procedure. Councilman Bromberg added that it is not a done deal and they would consider the residents comments and find the best plan to present to COAH.

Council President Jasionowski thanked everyone involved in relocating this evenings meeting; the RVBOE, River Vale Police, DPW, Administrator and the Clerk.

BUSINESS ADMINISTRATOR’S REPORT

Mr. Gallione reported progress.

TOWNSHIP ENGINEER’S REPORT

Mr. Harrington gave a very brief report that included an update on the line striping of the DPW/Fire Departments parking lots.

RESOLUTIONS

Motion by Councilman de Stefan; seconded by Councilman Matos to approve Resolutions #2008-246 – 251 on Consent Agenda, as follows:

Resolution #2008-246

RESOLUTION APPROVING MINUTES–October 27, 2008

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the October 27, 2008 Regular Meeting of the Township Council are hereby approved.

Resolution #2008-247

RESOLUTION AUTHORIZING THE MAYOR TO SIGN INTERLOCAL AGREEMENT WITH THE BOROUGH OF HILLSDALE FOR USE OF THE HILLSDALE POLICE DEPARTMENT FIRING RANGE

BE IT RESOLVED, by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the above mentioned agreement.

Resolution #2008-248

RESOLUTION AUTHORIZING THE MAYOR TO SIGN 2009 ANIMAL CONTROL SERVICES AGREEMENT WITH COUNTY OF BERGEN

BE IT RESOLVED, by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the above mentioned agreement.

Resolution #2008-249

RESOLUTION AUTHORIZING THE MAYOR TO SIGN 2009 BLOODBORNE PATHOGEN PROGRAM PROFESSIONAL SERVICES AGREEMENT WITH COUNTY OF BERGEN

BE IT RESOLVED, by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the above mentioned agreement.

Resolution #2008-250

**RESOLUTION
(Refund of Overpayment of Escrow)**

WHEREAS, the following individual had posted Escrow as requested by the Planning Board; and

WHEREAS, the Planning Board engineer has determined that there was an overpayment of the cash portion of the escrow for the Kern Subdivision (Block 1501 Lots 32 & 32.01);

BE IT FURTHER RESOLVED, by the Township Council of the Township of River Vale that the Chief Financial Officer be directed to issue a check for the overpayment in the amount of \$16, 926.10 to the Jacobs and Bell Trust Account.

Resolution #2008-251

**RESOLUTION
(TRANSFERS)**

WHEREAS, there exists a need to make transfers in the 2008 Budget Appropriations, 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 2008 Budget Appropriations.

Inside CAP:
To:

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

Motion by Councilman Matos; seconded by Councilwoman Sieg to approve Resolution #2008-253, as follows:

Resolution #2008-253

RESOLUTION APPOINTING TOWNSHIP CLERK

BE IT RESOLVED, by the Township Council of the Township of River Vale that Karen Padva be appointed as Township Clerk.

ROLL CALL VOTE

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

There where no Ordinances for 1st or 2nd Reading on the Agenda

HEARING OF THE PUBLIC

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

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

Motion by Councilman Bromberg; seconded by Councilwoman Sieg to adjourn the meeting to Closed Session at 11:05 pm

Motion by Councilman de Stefan; seconded by Councilman Matos to reconvene from Closed Session.

ADJOURNMENT

Motion by Councilman Bromberg; seconded by Councilman Matos to adjourn meeting at 11:15 pm

Glen Jasionowski
Council President

ATTEST:
Karen Padva
Township Clerk