



**MINUTES**  
**Special Meeting of the Township Council**  
**Monday, March 6, 2006**  
**8:00 PM**

**CALL THE MEETING TO ORDER**

Council President Menville called the meeting to order at 8:05 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 a Salute to the Flag.

**SUNSHINE LAW STATEMENT**

Council President Menville read the following 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 Jasionowski, Councilman Matos and Council President Menville were present. Councilman Blundo was absent.

Also present: Mayor Paschalis, John M. Carbone, Township Attorney, Wanda A. Worner, Township Clerk, Karen Padva, Deputy Township Clerk, Michael Kauker, Planner, Michael Hakim, Planner.

**TOWNSHIP COMMUNICATION**

Mayor Paschalis stated that he had no comments at this time and would turn the meeting over to the Township Attorney, when appropriate.

Councilmembers de Stefan, Matos, Jasionowski and Council President Menville had no comments at this time.

## HEARING OF THE PUBLIC

Motion by Councilman Jasionowski; seconded by Councilman de Stefan to open the hearing of the public. Council President Menville 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 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.”*

**Lisa Canavan-** Stated that she had written a letter to the Mayor and Council President Menville with regard to a property located at 777 Rivervale Road. She wanted to know if there was a reason that she has not received a response as yet.

Mr. Carbone stated that the letter has been received and a response will be sent to Ms. Canavan’s attorney.

There being no further questions or comments from the public; motion by Councilman Jasionowski; seconded by Councilman Matos to close the hearing of the public.

## RESOLUTIONS –

Mr. Carbone stated that the following Resolutions have to be re-adopted in order to comply with the Pay to Play regulations. After a brief discussion by Mr. Carbone on the changes made to said Resolutions; motion by Councilman Jasionowski; seconded by Councilman Matos to approve Resolutions 2006-64 through 2006-72, as follows:

### **RESOLUTION #2006-64**

#### **APPROVE APPOINTMENT OF RISK MANAGER CONSULTANT AND AUTHORIZE MAYOR AND TOWNSHIP CLERK TO SIGN RISK MANAGEMENT CONSULTANT AGREEMENT**

WHEREAS, the Township of River Vale, County of Bergen, State of New Jersey is a current member of the Bergen County Municipal Joint Insurance Fund, the Municipal Excess Liability Joint Insurance Fund and the Bergen Municipal Employee Benefits Fund; and

WHEREAS, the Township of River Vale desires the services of a Risk Management Consultant to perform various professional services in connection with its membership in the insurance funds; and

WHEREAS, the judgmental nature of the Risk Management Consultant’s duties renders comparative bidding impractical; and

WHEREAS, the purchasing agent has determined and certified in writing that the value of the acquisition will exceed \$17,500 and that Eifert, French & Company herein after the Professional has submitted a proposal setting forth the services and the costs therefore has been filed for said services ten (10) days before the award of this contract; and,

WHEREAS, the anticipated term of this contract is one (1) year and may be extended as approved by the Mayor and Governing Body; and,

WHEREAS, the Professional has completed and submitted a Business Entity Disclosure Certification which certifies that the entity and associates 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 the Professional and its associates from making any reportable contributions through the term of the contract as provided by law; and,

WHEREAS, the appropriate Township officers has certified the availability of funds or budgetary line items when passed for such services to be rendered by the Professional.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Clerk be and are hereby authorized and directed to execute a Risk Management Consultant's Agreement with Eifert, French & Company as a Non-Fair and Open Contract and to cause a notice of this decision to be published according to N.J.S.A. 40A:11-5(1) (a) (1); 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 a public notice of this award shall be published by the Clerk in the official paper.

BE IT FINALLY RESOLVED that a certified copy of this resolution be forwarded to the Eifert, French & Company.

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### **RESOLUTION #2006-65**

#### **RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT MUNICIPAL AUDITOR**

WHEREAS, the Township of River Vale desires to engage a competent Certified Public Accountant and Registered Municipal Accountant for the purposes of performing certain auditing and accounting services for calendar year 2006 as required by Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et seq.; and

WHEREAS, Dieter P. Lerch CPA, RMA, partner in the firm of Lerch, Vinci & Higgins, LLP is authorized by law to conduct a practice as Certified Public Accountant and Registered Municipal Accountant, recognized profession, the practice of which is regulated by law; and

WHEREAS, the services to be performed are professional services, within the meaning of those terms as used in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and, accordingly, a contract may be awarded therefore, without public advertising for bids and bidding in accordance with N.J.S.A. 40A: 11-5.

WHEREAS, the purchasing agent has determined and certified in writing that the value

of the acquisition will exceed \$17,500 and that Dieter P. Lerch CPA, RMA, partner in the firm of Lerch, Vinci & Higgins, LLP herein after the Professional has submitted a proposal setting forth the services and the costs therefore has been filed for said services ten (10) days before the award of this contract, which is dated January 5, 2006; and,

WHEREAS, the anticipated term of this contract is one (1) year and may be extended as approved by the Mayor and Governing Body; and,

WHEREAS, the Professional has completed and submitted a Business Entity Disclosure Certification which certifies that the entity and associates 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 the Professional and its associates from making any reportable contributions through the term of the contract as provided by law; and,

WHEREAS, the appropriate Township officers has certified the availability of funds or budgetary line items when passed for such services to be rendered by the Professional.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the Mayor and Township Clerk be and are hereby authorized and directed to execute the Agreement with Dieter P. Lerch CPA, RMA, partner in the firm of Lerch, Vinci & Higgins, LLP as a Non-Fair and Open Contract and to cause a notice of this decision to be published according to N.J.S.A. 40A:11-5(1) (a) (1), since The contract for professional services is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the professional services of Lerch, Vinci & Higgins, LLP has demonstrated to be a service meeting the high standards of the accounting profession. ; and

2. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

3. That a public notice of this award shall be published by the Clerk in the official paper, that this Contract is awarded as a Non-Fair and Open Contract and a certified copy of this Resolution along with the Contract shall be filed in the office of the Township Clerk; and,.

4. That a certified copy of this resolution be forwarded to the Dieter P. Lerch CPA, RMA, partner in the firm of Lerch, Vinci & Higgins, LLP.

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**RESOLUTION #2006-66**

**RESOLUTION AWARDING PROFESSIONAL SERVICES AGREEMENT –  
ENGINEERING SERVICES**

WHEREAS, the Township of River Vale desires to engage a competent Licensed Professional Engineer for calendar year 2006; and

WHEREAS, Christopher Statile and Chistopher P. Statile, P.A. is authorized by law to engage in professional engineering services, a recognized profession, the practice of which is regulated by law; and

WHEREAS, the services to be performed are professional services, within the meaning of those terms as used in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and, accordingly, a contract may be awarded therefore, without public advertising for bids and bidding in accordance with N.J.S.A. 40A: 11-5.

WHEREAS, the purchasing agent has determined and certified in writing that the value of the acquisition will exceed \$17,500 and that Christopher Statile and Chistopher P. Statile, P.A. herein after the Professional has submitted a proposal setting forth the services and the costs therefore has been filed for said services ten (10) days before the award of this contract; and,

WHEREAS, the anticipated term of this contract is one (1) year and may be extended as approved by the Mayor and Governing Body; and,

WHEREAS, the Professional has completed and submitted a Business Entity Disclosure Certification which certifies that the entity and associates 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 the Professional and its associates from making any reportable contributions through the term of the contract as provided by law; and,

WHEREAS, the appropriate Township officers has certified the availability of funds or budgetary line items when passed for such services to be rendered by the Professional.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the Mayor and Township Clerk be and are hereby authorized and directed to execute the Agreement with Christopher Statile and Chistopher P. Statile, P.A. The Christopher Statile is hereby retained to provide engineering services, land use and administrative work 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. as a Non-Fair and Open Contract. The contract for professional services is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the professional services. ; and
2. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,
3. That a public notice of this award shall be published by the Clerk in the official paper, that this Contract is awarded as a Non-Fair and Open Contract and a certified copy of this Resolution along with the Contract shall be filed in the office of the Township Clerk; and,.
4. That a certified copy of this resolution be forwarded to the Christopher Statile and Chistopher P. Statile, P.A.

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### **RESOLUTION #2006-67**

#### **RESOLUTION AUTHORIZING AGREEMENT FOR CERTAIN LEGAL SERVICES**

WHEREAS, the Township of River Vale desires to engage a competent Bond and Special Litigation Counsel for calendar year 2006; and

WHEREAS, there exists a need for specialized legal services in connection with the

authorization and the issuance of bonds and bond anticipation notes and condemnation litigation in the Township of River Vale, in the County of Bergen, New Jersey (the "Township"), including the review of such procedures and the rendering of legal opinions acceptable to the financial community; and

WHEREAS, such special legal services can be provided by a recognized bond counsel firm, and the law firm of DeCotiis, FitzPatrick, Cole & Wisler, LLP, Trenton and Teaneck, New Jersey is so recognized by the financial community; and; and

WHEREAS, the services to be performed are professional services, within the meaning of those terms as used in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and, accordingly, a contract may be awarded therefore, without public advertising for bids and bidding in accordance with N.J.S.A. 40A: 11-5.

WHEREAS, the purchasing agent has determined and certified in writing that the value of the acquisition will exceed \$17,500 and that DeCotiis, FitzPatrick, Cole & Wisler, LLP herein after the Professional has submitted a proposal setting forth the services and the costs therefore has been filed for said services ten (10) days before the award of this contract; and,

WHEREAS, the anticipated term of this contract is one (1) year and may be extended as approved by the Mayor and Governing Body; and,

WHEREAS, the Professional has completed and submitted a Business Entity Disclosure Certification which certifies that the entity and associates 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 the Professional and its associates from making any reportable contributions through the term of the contract as provided by law; and,

WHEREAS, the appropriate Township officers has certified the availability of funds or budgetary line items when passed for such services to be rendered by the Professional.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the Mayor and Township Clerk be and are hereby authorized and directed to execute the Agreement with DeCotiis, FitzPatrick, Cole & Wisler, LLP, Trenton and Teaneck, New Jersey is hereby retained to provide bond counsel and legal services, to represent and 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, as a Non-Fair and Open Contract. The contract for professional services is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the professional services. ; and

2. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

3. That a public notice of this award shall be published by the Clerk in the official paper, that this Contract is awarded as a Non-Fair and Open Contract and a certified copy of this Resolution along with the Contract shall be filed in the office of the Township Clerk; and,.

4. That a certified copy of this resolution be forwarded to DeCotiis, FitzPatrick, Cole & Wisler, LLP, Trenton and Teaneck, New Jersey

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**RESOLUTION #2006-68**

**RESOLUTION AUTHORIZING AGREEMENT FOR CERTAIN LEGAL SERVICES FOR THE TOWNSHIP ATTORNEY**

WHEREAS, the Township of River Vale desires to engage a competent attorney to provide legal services for calendar year 2006 and to be appointed the Township Attorney; and,

WHEREAS, such special legal services can be provided by John M. Carbone, Esq. a licensed attorney at law in the State of New Jersey; and,

WHEREAS, the services to be performed are professional services, within the meaning of those terms as used in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and, accordingly, a contract may be awarded therefore, without public advertising for bids and bidding in accordance with N.J.S.A. 40A: 11-5.

WHEREAS, the purchasing agent has determined and certified in writing that the value of the acquisition will exceed \$17,500 and that John M. Carbone, Esq, herein after the Professional, has submitted a proposal setting forth the services and the costs therefore has been filed for said services ten (10) days before the award of this contract; and,

WHEREAS, the anticipated term of this contract is one (1) year and may be extended as approved by the Mayor and Governing Body; and,

WHEREAS, the Professional has completed and submitted a Business Entity Disclosure Certification which certifies that the entity and associates 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 the Professional and its associates from making any reportable contributions through the term of the contract as provided by law; and,

WHEREAS, the appropriate Township officers has certified the availability of funds or budgetary line items when passed for such services to be rendered by the Professional.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the Mayor and Township Clerk be and are hereby authorized and directed to execute the Agreement with John M. Carbone, Esq, and is hereby retained to provide legal representation and provide legal services, to represent and 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 together with disbursements and out of pocket expenses, as a Non-Fair and Open Contract. The contract for professional services is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the professional services. ; and

2 That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

3. That a public notice of this award shall be published by the Clerk in the official paper, that this Contract is awarded as a Non-Fair and Open Contract and a certified copy of this Resolution along with the Contract shall be filed in the office of the Township Clerk; and,.

4. That a certified copy of this resolution be forwarded to John M. Carbone, Esq.

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**RESOLUTION #2006-69**

**RESOLUTION AUTHORIZING AGREEMENT FOR CERTAIN LEGAL SERVICES FOR SPECIAL LITIGATION COUNSEL**

WHEREAS, the Township of River Vale desires to engage a competent attorney to provide legal services for specific and special litigation for calendar year 2006; and,

WHEREAS, such special legal services can be provided by Schwartz, Simon and Edelstein a law firm of the state of New; and,

WHEREAS, the services to be performed are professional services, within the meaning of those terms as used in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and, accordingly, a contract may be awarded therefore, without public advertising for bids and bidding in accordance with N.J.S.A. 40A: 11-5.

WHEREAS, the purchasing agent has determined and certified in writing that the value of the acquisition will exceed \$17,500 and that Schwartz, Simon and Edelstein, herein after the Professional, has submitted a proposal setting forth the services and the costs therefore has been filed for said services ten (10) days before the award of this contract; and,

WHEREAS, the anticipated term of this contract is one (1) year and may be extended as approved by the Mayor and Governing Body; and,

WHEREAS, the Professional has completed and submitted a Business Entity Disclosure Certification which certifies that the entity and associates 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 the Professional and its associates from making any reportable contributions through the term of the contract as provided by law; and,

WHEREAS, the appropriate Township officers has certified the availability of funds or budgetary line items when passed for such services to be rendered by the Professional.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the Mayor and Township Clerk be and are hereby authorized and directed to execute the Agreement with Schwartz, Simon and Edelstein and they are hereby retained to provide specific legal representation and provide legal services, to represent and 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 together with disbursements and out of pocket expenses, as a Non-Fair and Open Contract. The contract for professional services is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the professional services. ; and

2. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

3. That a public notice of this award shall be published by the Clerk in the official paper, that this Contract is awarded as a Non-Fair and Open Contract and a certified copy of this Resolution along with the Contract shall be filed in the office of the Township Clerk; and,.

4. That a certified copy of this resolution be forwarded to Schwartz, Simon and Edelstein

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**RESOLUTION #2006-70**

**RESOLUTION AWARDING PROFESSIONAL SERVICES AGREEMENT**

**PLANNING SERVICES**

WHEREAS, the Township of River Vale desires to engage a competent Licensed Professional Planner for calendar year 2006; and

WHEREAS, Michael Hakim, P.P. is authorized by law to engage in professional planning services, a recognized profession, the practice of which is regulated by law; and

WHEREAS, the services to be performed are professional services, within the meaning of those terms as used in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and, accordingly, a contract may be awarded therefore, without public advertising for bids and bidding in accordance with N.J.S.A. 40A: 11-5.

WHEREAS, the purchasing agent has determined and certified in writing that the value of the acquisition will exceed \$17,500 and that Michael Hakim, P.P., herein after the Professional has submitted a proposal setting forth the services and the costs therefore has been filed for said services ten (10) days before the award of this contract; and,

WHEREAS, the anticipated term of this contract is one (1) year and may be extended as approved by the Mayor and Governing Body; and,

WHEREAS, the Professional has completed and submitted a Business Entity Disclosure Certification which certifies that the entity and associates 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 the Professional and its associates from making any reportable contributions through the term of the contract as provided by law; and,

WHEREAS, the appropriate Township officers has certified the availability of funds or budgetary line items when passed for such services to be rendered by the Professional.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the Mayor and Township Clerk be and are hereby authorized and directed to execute the Agreement with Michael Hakim, P.P. and he is hereby retained to provide planning and land use necessary to protect the interests of the Township of River Vale and shall be compensated at a rate of \$115.00 (One Hundred Fifteen Dollars) per hour, as a Non-Fair and Open Contract. The contract for professional services is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the professional services; and

2. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

3. That a public notice of this award shall be published by the Clerk in the official paper, that this Contract is awarded as a Non-Fair and Open Contract and a certified copy of this Resolution along with the Contract shall be filed in the office of the Township Clerk; and,.

4. That a certified copy of this resolution be forwarded to the Michael Hakim, P.P

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**RESOLUTION #2006-71**

**RESOLUTION AWARDING PROFESSIONAL SERVICES AGREEMENT  
PLANNING SERVICES**

WHEREAS, the Township of River Vale desires to engage a competent Licensed Architect for work on the projects and other planning matters on the calendar year 2006; and

WHEREAS, Arcari and Iovino is authorized by law to engage in professional architectural services services, a recognized profession, the practice of which is regulated by law; and

WHEREAS, the services to be performed are professional services, within the meaning of those terms as used in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and, accordingly, a contract may be awarded therefore, without public advertising for bids and bidding in accordance with N.J.S.A. 40A: 11-5.

WHEREAS, the purchasing agent has determined and certified in writing that the value of the acquisition will exceed \$17,500 and that, Arcari and Iovino herein after the Professional has submitted a proposal setting forth the services and the costs therefore has been filed for said services ten (10) days before the award of this contract and for specific projects as they arise; and,

WHEREAS, the anticipated term of this contract is one (1) year and may be extended as approved by the Mayor and Governing Body; and,

WHEREAS, the Professional has completed and submitted a Business Entity Disclosure Certification which certifies that the entity and associates 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 the Professional and its associates from making any reportable contributions through the term of the contract as provided by law; and,

WHEREAS, the appropriate Township officers has certified the availability of funds or budgetary line items when passed for such services to be rendered by the Professional.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the Mayor and Township Clerk be and are hereby authorized and directed to execute the Agreement with Arcari and Iovino and he is hereby retained to provide architectural services to protect the interests of the Township of River Vale and shall be compensated in their proposals and as a Non-Fair and Open Contract. The contract for professional services is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the professional services; and

2. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

3. That a public notice of this award shall be published by the Clerk in the official paper, that this Contract is awarded as a Non-Fair and Open Contract and a certified copy of this Resolution along with the Contract shall be filed in the office of the Township Clerk; and,

4. That a certified copy of this resolution be forwarded to Arcari and Iovino.

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## **RESOLUTION #2006-72**

### **RESOLUTION AWARDING PROFESSIONAL SERVICES AGREEMENT PLANNING SERVICES**

WHEREAS, the Township of River Vale desires to engage a competent Licensed Professional Planner and expert on Council On Affordable Housing, C.O.A.H. for calendar year 2006; and

WHEREAS, Kauker, Gregory, and Kauker is authorized by law to engage in professional planning services, a recognized profession, the practice of which is regulated by law; and

WHEREAS, the services to be performed are professional services, within the meaning of those terms as used in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and, accordingly, a contract may be awarded therefore, without public advertising for bids and bidding in accordance with N.J.S.A. 40A: 11-5.

WHEREAS, the purchasing agent has determined and certified in writing that the value of the acquisition will exceed \$17,500 and that Kauker, Gregory, and Kauker, herein after the Professional has submitted a proposal setting forth the services and the costs therefore has been filed for said services ten (10) days before the award of this contract; and,

WHEREAS, the anticipated term of this contract is one (1) year and may be extended as approved by the Mayor and Governing Body; and,

WHEREAS, the Professional has completed and submitted a Business Entity Disclosure Certification which certifies that the entity and associates 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 the Professional and its associates from making any reportable contributions through the term of the contract as provided by law; and,

WHEREAS, the appropriate Township officers has certified the availability of funds or budgetary line items when passed for such services to be rendered by the Professional.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the Mayor and Township Clerk be and are hereby authorized and directed to execute the Agreement with Kauker, Gregory, and Kauker and he is hereby retained to

provide planning and land use 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, as a Non-Fair and Open Contract. The contract for professional services is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the professional services; and

2. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

3. That a public notice of this award shall be published by the Clerk in the official paper, that this Contract is awarded as a Non-Fair and Open Contract and a certified copy of this Resolution along with the Contract shall be filed in the office of the Township Clerk; and,.

4. That a certified copy of this resolution be forwarded to Kauker, Gregory, and Kauker

ROLL CALL VOTE: Councilman Jasionowski, Councilman Matos, Councilman de Stefan, Councilman Jasionowski and Council President Menville voted yes. Councilman Blundo was absent.

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Motion by Councilman Jasionowski; seconded by Councilman Matos to approve the payment of all professional bills pulled from the bill list on February 27<sup>th</sup>, Resolution #2006-61.

ROLL CALL VOTE: Councilman Jasionowski, Councilman Matos, Councilman de Stefan and Council President Menville voted yes. Councilman Blundo was absent.

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Motion by Councilman de Stefan; seconded by Councilman Matos to enter into Closed Session at 8:20 PM.

Motion by Councilman Jasionowski; seconded by Councilman Matos to return to open session at 8:38 PM.

ROLL CALL: Councilman de Stefan, Councilman Jasionowski, Councilman Matos and Council President Menville were present. Council President Menville stated that also present are Mr. Carbone, Township Attorney, Wanda A. Worner, Township Clerk, Karen Padva, Deputy Township Clerk, Michael Kauker, Planner & Expert on COAH and Michael Hakim, Planner.

Motion by Councilman de Stefan; seconded by Councilman Jasionowski to Introduce Ordinance #147-2006, as follows:

**ORDINANCE #147-2006**

**AN ORDINANCE TO REPEAL ORDINANCE #0-18-93 AND ORDINANCE #132-2005 OF THE TOWNSHIP OF RIVER VALE**

Whereas, the Township of River Vale adopted a Developer's fee Ordinance in 1993 and 2005; and,

Whereas, the Council on Affordable Housing (COAH) as part of its review and compliance examination for the Third Round Certification has requested by letter of February 9, 2005 that the Township repeal said Ordinances and in their place adopt a new ordinance which is being reviewed by COAH.

NOW THEREFORE BE IT RESOLVED, that

1. Ordinance Number 0-18-93 and Ordinance Number 132-2005 of the Township are hereby repealed.
2. That this ordinance shall take effect upon final reading and publication in accordance with the law.

ROLL CALL VOTE: Councilman de Stefan, Councilman Jasionowski, Councilman Matos and Council President Menville voted yes. Councilman Blundo was absent.

#### **ADJOURNMENT**

There being no further business before the Township Council at this time; motion by Councilman Jasionowski; seconded by Councilman Matos to adjourn the meeting at 8:49 PM.

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ROBERT A. MENVILLE  
COUNCIL PRESIDENT

Attest:

Wanda A. Worner  
Township Clerk

Karen Padva  
Deputy Township Clerk

Approved: \_\_\_\_\_