



REGULAR MEETING MINUTES
Monday, June 13, 2005
8:00 P.M.

CALL THE MEETING TO ORDER

Council President Menville called the meeting to order at 8:00 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 those in attendance to rise and join him in a Salute to the Flag.

SUNSHINE LAW STATEMENT

Council President Menville 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

Council Vice President deStefan, Councilman Jasionowski and Council President Menville were present at Roll Call. Councilman Blundo was absent and Councilman Matos arrived at 8:05 PM.

Also present: Mayor George A. Paschalis, Bibi Stewart Garvin, Business Administrator, John M. Carbone, Township Attorney and Wanda A. Worner, Township Clerk.

TOWNSHIP COMMUNICATION

Council President Menville turned the meeting over to the Mayor for his comments.

Mayor Paschalis stated that he recently had the opportunity to join the PTA at their annual dinner at the Colonial Inn. He thanked the co-presidents for the opportunity to join them at this dinner. The co-presidents are: Kathy Blazina, Ellen Panno and Kerry Miller.

Mayor Paschalis read the following proclamation into the record:

“Whereas, the Parent Teacher Association, or PTA, is an association promoting children’s education, health and welfare in our community, and around the country; and

Whereas, the National PTA was founded in 1897 and celebrated its 108th anniversary on February 17, 2005; and

Whereas, the River Vale PTA was established in 1958 and has a membership of approximately 1,000; and

Whereas, mothers and/or fathers, as members of the PTA, have volunteered their time to assist teachers, spearhead fundraising projects and run numerous programs for the benefit of not only their children but also all children who attend the River Vale school system; and

Whereas, PTA members in our community have been tireless in their efforts to initiate and oversee numerous programs such as D.A.R.E./Red Ribbon Week, The Book Fair,

Journey on Saturday, Helping Hands, Digital Fingerprinting and many other worthwhile endeavors for the betterment of our children and the River Vale school system.

Now, therefore, be it resolved that I, George A. Paschalis, Mayor of the Township of River Vale, along with the Township Council, do hereby recognize Co-Presidents Kathy Blazina, Ellen Panno, Kerry Miller and all the members of the PTA for their leadership, hard work and devotion to the River Vale Parent Teachers Association and thank them for their efforts on behalf of all children who attend the River Vale school system."

Mayor Paschalis posed for pictures with the Co-Presidents, who were congratulated by the members of the Council for all of their hard work.

Mayor Paschalis further reported that the New Jersey/New York Fireman's Parade occurred in Emerson on June 4th. He stated that the River Vale Volunteer Fire Department came home with four (4) trophies.

Mayor Paschalis further reported that the fishing tournament at Lake Tappan will occur on June 25, 2005 from 9:00 a.m. to 12:00 p.m. for the children and parents of River Vale.

Mayor Paschalis further reported that Tuesday is Flag Day and offered the following Proclamation into the record:

"Whereas, to commemorate the adoption of our Flag, the Congress, by joint resolution approved August 3, 1949, designated June 14 of each year as "Flag Day" and called upon all citizens of the United States to display the Flag during that week; and

Whereas, the Flag of the United States of America, long ago chosen by the Continental Congress in 1777, still demonstrates the commitment to freedom, equality, and opportunity made by our founders more than two centuries ago; and

Whereas, New Jersey, Bergen County and River Vale were part of the cross roads of the revolution and the sacrifices made at the Baylor Massacre site here in our community are examples of that commitment; and

Whereas, we show respect and special care to our Flag and under the law, "The Flag, when it is in such condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning".

Now, therefore, be it resolved, that I, George A. Paschalis, Mayor of the Township of River Vale, New Jersey, do hereby proclaim: The week of June 13, 2005, as Flag Week in River Vale and direct the appropriate officials to display the flag on all buildings during that week, and urge all residents to observe this week by flying the American flag from their homes and other suitable places.

That in co-operation with the local veterans organizations, scout, school and other civic organizations, and under the direction and guidance of the River Vale Fire Department that an appropriate ceremony be conducted to retire and destroy those flags which are no longer serviceable in a manner set forth above. That copies of this proclamation be displayed and distributed in the community and schools and spread upon the record of the Township."

Mayor Paschalis further reported that the Township is ready to go out to bid for the Reconstruction of the Four Corners as part of the revitalization of the downtown. He stated that the Four Faced clock will be installed before January 1, 2006.

Lastly, Mayor Paschalis reported that the Centennial Committee is selling bricks that will be installed at the Four Corners as a fund raiser. He stated that the bricks are \$50.00 each and can be engraved with up to three (3) lines.

Councilman Jasionowski had no report this evening.

Councilman Matos reported that Councilman deStefan has proposed some new changes to the noise ordinance as a means of a compromise of the time restrictions in the old ordinance. At this time, Councilman Matos made a motion to vacate Ordinance #115-2005.

Councilman deStefan stated that the Centennial Committee will meet on Wednesday at 7:30 PM and invited all members of the public to attend. He stated that a Monopoly Game is also being created and that everyone can participate and buy properties to participate in the game.

Councilman deStefan further asked Mayor Paschalis about the progress with regard to the Fire Police. Mayor Paschalis stated that he will be meeting with Mr. Hanna on that very subject.

Councilman deStefan further reported on his proposed changes to the noise ordinance. He feels that 6:00 p.m. is not reasonable for the residents and he has prepared an amendment that he feels would be more reasonable. He would like to see State and Legal Holidays as well as Sundays changed to 9:00 a.m. to Sunset; Saturdays changed to 8:00 a.m. to Sunset and Weekdays changed to 7:00 a.m. to Sunset.

Mr. Carbone stated that Sunset is not a time and changes everyday. He stated that Councilman deStefan will have to pick a time in order to be more precise.

Council President Menville stated that he would like to see movement on the morning hours and Councilman deStefan stated that he would go along with a later starting time in the morning, but would like to see the later evening hours for the convenience of the residents.

HEARING OF THE PUBLIC

Motion by Councilman Matos; seconded by Councilman deStefan to open the meeting to 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.”

Jim Hanna – 381 Sunset Road – Stated that he would also like to see a time limit set for the tennis courts. He stated that some people start playing tennis at 6:00 a.m. Council President Menville asked why that would not fall under the same rules and regulations as the ball fields. Councilman Matos stated that the time for play at Mark Lane is 8:00 a.m. to 10:00 p.m. Mayor Paschalis stated that he would bring this to the attention of the Athletics Director.

Mr. Hanna further stated that at one time there used to be fishing at the River Street Handicapped Fishing Pier at a cost of \$11.00. He thought that the Council should look at that program again. Council President Menville stated that he agreed that it should be looked at again.

Mr. Hanna further stated that Rivervale Road is slowly sinking. He stated that the area that was fixed is sinking again. He stated that area is about 150 feet from the Edgewood Country Club. Mayor Paschalis stated that he will be having a meeting with the County Engineer about Rivervale Road and would like Mr. Hanna to join them in that meeting.

Mr. Hanna stated that the purchase of the Fit Test Machine was in the capital ordinance for last year. He stated that the machine was purchased and is now being shared with other municipalities, however, River Vale is the only town that has not paid their contribution for same. He stated that all of the other towns have paid. Ms. Stewart Garvin stated that she has spoken with Mr. Marsh with regard to the subject and an Interlocal Services Agreement is being drafted for the use of the equipment. Mr. Carbone stated that the ISLA agreement is very necessary for the use of the machine.

Mr. Hanna further asked about dues that have not been paid in the amount of \$6,000.

Harriet Ostrow – 747 Rolling Hill Drive – asked about the condition of her street. Council President Menville stated that now that the budget has been passed this project

can now be done. Mr. Ostrow asked about the signs that have been installed at the entrances to the town. Mayor Paschalis stated that eventually, they will all be replaced.

Ed Carter – 664 Woodside Avenue – Thanked the Mayor for the Proclamation on Flag Day.

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

ORDINANCES – 1st reading

ORDINANCES – 2nd reading

The Township Clerk stated that the following ordinance will have its second reading tonight, but cannot be adopted until it is considered by the Planning Board on June 20, 2005. She stated that the third and final reading will be on June 27th. The Ordinance is as follows:

ORDINANCE #118-2005

AN ORDINANCE AMENDING CHAPTER 142 OF THE CODE OF THE TOWNSHIP OF RIVER VALE ENTITLED “LAND USE”

BE IT ORDAINED, by the Township Council of the Township of River Vale that Chapter 142 of the Code of the Township of River Vale be amended, as follows:

Section 1. Fees and Escrows in addition to an application Fee.

Each applicant for a developmental application, concept review, subdivision, site plan or variance application shall deposit with the Township, to be held in escrow, as hereinafter provided, a sum determined by the Administrative Officer, after consultation with the Board’s professional consultants, to be sufficient to defray the Township’s reasonable and necessary costs for professional and administrative services in reviewing the application. The amount of such escrow shall be determined within thirty (30) days after the submission of an otherwise complete application or an application shall not be declared complete until such escrow fund has been deposited. The escrow fund shall be in cash unless the amount thereof is greater than ten thousand (\$10,000) dollars in which event it may be by letter of credit in a form satisfactory to the Board Attorney. The escrow fund shall be deposited into a separate trust account by the Township and, if the amount thereof is greater than five thousand (\$5,000) dollars, it shall be deposited in an interest bearing account with interest accruing for the benefit of the applicant. Disbursements may be made from the escrow fund only after approval by the Township Council of duly submitted vouchers for the reasonable and necessary charges for professional services rendered in connection with the application. In addition to the application fees set forth herein the board may charge the applicant an amount equal to the fee(s) which the board pays to a professional engineer, planner, or attorney to review the development application. If the board determines that it is necessary to retain the services of a professional engineer, planner, or attorney to review the development application, the applicant shall be required to pay the initial deposit and such other additional deposits as may be required to offset these special review costs incurred by the board. The applicant shall be responsible for the pro rate share of costs and fees for the reporting and transcription of any meeting wherein the application is discussed, reported, considered, or a hearing or decision is rendered. In the event any development application requires a special meeting date, the board shall charge the applicant a special meeting fee of \$1,000.00 plus an amount equal to the fee(s) which the board pays to its engineer, planner, attorney, secretary and other professional advisors who attend the special meeting. The cost of these services shall be charged against the initial deposit and such other additional deposits posted by the applicant. The term "professional personnel" shall be defined to include the Township Attorney. The intent of this amendment is to require that an applicant reimburse the Township for the cost the Township incurs in the Township Attorney reviewing documents submitted by the applicant, including, but not limited to, developers agreements, deeds and/or easements.

Section 2. Developers Agreements.

The Township may require upon approval of a development that the applicant enter into a developers agreement with the Township to ensure that the

project is completed in accordance with the resolution of approval adopted by the Board. The form of developers agreement, as well as any deeds or easements to be conveyed to the Township, shall be in a form acceptable to the Board and Township Attorney. Prior to these documents being prepared, the person responsible for preparing the documents for the applicant must contact the Board and Township Attorney's office in order to make sure that the approved form of developers agreement, deed or easement is used. Furthermore, simultaneously with the Board and Township Attorney reviewing the deeds or easements, the applicant must, at a minimum, provide a title report providing clear title to the Township, or an updated search, or an opinion letter from the applicant's attorney that there are no liens and that the deed or easement conveys clear title.

Section 3. All Ordinances or parts thereof inconsistent herewith are repealed to the extent of such inconsistency.

Section 4. This ordinances shall take effect immediately upon final passage and publication as required by law and upon filing with the Planning Board of the County of Bergen, provided, however, that with respect to any application for development or other application which has been filed with the Board of Adjustment prior to the effective date of this ordinance and for which public notice of a hearing has already occurred, the Board of Adjustment shall retain jurisdiction of such application and shall continue to exist with respect to such application until final decision is rendered thereon, but not later than June 13, 2005. All applications for developments and other applications of the Municipal Land Use Law filed on or after the effective date hereof, or any application before the Board of Adjustment for which public notice has not been given or a hearing held thereon prior to the effective date hereof shall be referred to the Planning Board.

Motion by Councilman deStefan; seconded by Councilman Jasionowski to open the public hearing on Ordinance #118-2005.

There being no questions or comments from the public; Motion by Councilman Jasionowski; seconded by Councilman deStefan to close the public hearing on Ordinance #118-2005.

ROLL CALL VOTE: Councilman deStefan, Councilman Jasionowski and Council President Menville voted yes. Councilman Blundo was absent and Councilman Matos was not present at the meeting at this time.

ORDINANCE #119-2005

AN ORDINANCE TO ACQUIRE, BY PURCHASE OR CONDEMNATION, CERTAIN LANDS WITHIN THE TOWNSHIP OF RIVER VALE KNOWN AS BLOCK 701, LOTS 2, 3, 4, 6, 9 AND 12 ON THE OFFICIAL MAP OF THE TOWNSHIP OF RIVER VALE CONSISTING OF VACANT LAND AND A GOLF COURSE ON RIVER VALE ROAD

WHEREAS, pursuant to NJSA 40:48-2, the Township of River Vale is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

WHEREAS, pursuant to NJSA 40A:12-5, the Township of River Vale has the power to acquire any real property for a public purpose through negotiated agreement and condemnation; and

WHEREAS, the Township of River Vale has determined that it would serve a public purpose for it to acquire said property to advance the purposes of open space, parklands and the continuation of a golf course;

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of River Vale that:

1. The acquisition by negotiation and/or eminent domain of the following parcels of land are hereby authorized:

Block Lot

701 2
701 3
701 4
701 6
701 9
701 12

2. That the Township of River Vale shall pay for the acquisition of those properties set forth in Paragraph 1 hereof, the fair market value as determined by an appraisal report prepared on behalf of the Township of River Vale by a recognized and qualified appraiser approved by the Township Committee; and
3. The Special Council, John J. Langan, Jr., Esq., an the Township Administrator, Bibi Stewart Garvin are hereby authorized to take all actions necessary to acquire the subject property (ies) either through negotiations or exercise of the power of Eminent domain.
4. Counsel and the Township Administrator are also hereby authorized to retain expert as to engineering, wetland, and any other experts that may be required, subject to approval of the Township Council.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect following adoption and approval in a time and manner prescribed by law.

Motion by Councilman Jasionowski; seconded by Councilman deStefan to open the public hearing on Ordinance #119-2005.

There being no questions or comments on Ordinance #119-2005; motion by Councilman Jasionowski; seconded by Councilman deStefan to close the public hearing and adopt Ordinance #119-2005.

ROLL CALL VOTE: Councilman deStefan, Councilman Jasionowski and Council President Menville voted yes. Councilman Blundo was absent and Councilman Matos was not present at this time.

RESOLUTIONS – CONSENT AGENDA

Motion by Councilman Jasionowski; seconded by Councilman deStefan to approve Resolution #2005-114 through #2005-128, by Consent Agenda, as follows:

RESOLUTION #2005-114

APPROVE LIQUOR LICENSES FOR THE TERM JULY 1, 2005 THROUGH JUNE 30, 2006

WHEREAS, the following liquor license holders have paid the required fee to the Township of River Vale for renewal of their licenses for the July 1, 2005 through June 30, 2006 term;

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk be and is hereby authorized to issue liquor licenses as follows:

PLENARY RETAIL DISTRIBUTION LICENSE

| | | |
|------------------|--|------------|
| #0253-44-008-004 | TENA Enterprises Inc. River Vale Liquors 663 Westwood Avenue River Vale, NJ 07675 | \$1,500.00 |
|------------------|--|------------|

PLENARY RETAIL CONSUMPTION LICENSE

| | | |
|------------------|---|------------|
| #0253-33-004-001 | Edgewood Country Club, Inc. Piermont Avenue & Rivervale Road River Vale, NJ 07675 | \$2,000.00 |
|------------------|---|------------|

| | | |
|------------------|---|------------|
| #0253-33-006-004 | River Vale Development Partners, LLC River Vale Country Club 660 Rivervale Road River Vale, NJ 07675 | \$2,000.00 |
| #0253-33-005-005 | P & D Inc. Florentine Gardens 97 Rivervale Road River Vale, NJ 07675 | \$2,000.00 |
| #0253-33-002-005 | Pascack Restaurant Corp. Pascack Brook Golf & Country Club 15 Rivervale Road River Vale, NJ 07675 | \$2,000.00 |
| #0253-33-007-004 | Romanza Restaurant Bar, Inc. 625 Rivervale Road River Vale, NJ 07675 | \$2,000.00 |

RESOLUTION #2005-115

RESOLUTION ACCEPTING LETTERING OF GLOBES AT THE RIVER VALE POLICE DEPARTMENT

WHEREAS, there has been an offer from Mr. Thomas P. Lazzaro, FASHE, the Director of Facilities Management of Greenwich Hospital, 5 Perryridge Road, Greenwich, Connecticut, 06830, also a resident of the Township River Vale, to have the two white light fixture globes that flank the entrance door to the Police Department lettered with "POLICE", at no cost to the Township;

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale that the generous offer of lettering for the globes at the River Vale Police Department is hereby gratefully accepted by the Township of River Vale.

RESOLUTION #2005-116

RESOLUTION APPROVING MINUTES – MAY 23, 2005

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the May 23, 2005 Township Council Meeting are hereby approved.

RESOLUTION #2005-117

RESOLUTION AUTHORIZING THE TOWNSHIP CLERK TO ADVERTISE FOR THE RECEIPT OF BIDS FOR THE LEAF RECYCLING SERVICE

WHEREAS, the Township Council is desirous of obtaining bid for the Leaf Recycling Service within the Township River Vale; 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.

RESOLUTION #2005-118

RESOLUTION AUTHORIZING THE MAYOR TO SIGN AGREEMENT WITH RIVER VALE CORNERS, LLC

WHEREAS, the Township Council is desirous of entering into a deed of easement for common parking and access and road and sidewalk improvements between Joseph Lee Corporation and Rivervale Corners, LLC; and

WHEREAS, the Township Attorney has drafted said agreement, which has been signed by the above mentioned parties;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to sign said agreement, and the Township Clerk is hereby directed to forward copies of said executed agreement to John M. Carbone, Esq., Township Attorney, William J. Ward, Esq. of Carlin & Ward, PC., Joseph Lee Corporation and Rivervale Corners, LLC.

RESOLUITON #2005-118

RESOLUTION AUTHORIZING THE TOWNSHIP CLERK TO ADVERTISE FOR THE RECEIPT OF BIDS FOR THE ROOF TOP ELECTRIC COOLING UNIT WITH GAS HEAT

WHEREAS, the Township Council is desirous of obtaining bid for a roof top electric cooling unit with gas heat for the Council Chambers within the Township River Vale; 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.

RESOLUITON #2005-120

RESOLUTION AUTHORIZING THE TOWNSHIP CLERK TO ADVERTISE FOR THE RECEIPT OF BIDS FOR THE RECONSTRUCTION PROJECT – MONTVIEW/INTERGLEN TO BE FUNDED BY THE DOT

WHEREAS, the Township Council is desirous of obtaining bids for the Montview/Interglen Reconstruction project to be funded by the Department of Transportation within the Township River Vale; 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.

RESOLUTION #2005-121

RESOLUTION AUTHORIZING THE TOWNSHIP CLERK TO ADVERTISE FOR THE RECEIPT OF BIDS FOR THE FOUR CORNERS INTERSECTION IMPROVEMENT

WHEREAS, the Township Council is desirous of obtaining bids for the Improvements to the Four Corners Intersection within the Township River Vale; 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.

RESOLUTION #2005-122

RESOLUTION AUTHORIZING AGREEMENT FOR CERTAIN PLANNING SERVICES FOR THE PREPARATION AND SUBMISSION OF THE TOWNSHIP’S THIRD ROUND HOUSING PLAN APPLICATION TO COAH

WHEREAS, there exists a need for specialized planning services in connection with the Township’s Third Round Housing Plan Application to COAH for the Township of River Vale, in the County of Bergen, New Jersey (the “Township”); and

WHEREAS, such special planning services can be provided by a recognized Planner, Kauker, Gregory and Kauker and is so recognized by the Planning community; 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 Planning Firm of Kauker, Gregory & Kauker, is hereby retained to provide the specialized planning services necessary in connection with the preparation and submission process of the Township’s Third Round Housing Plan Application to COAH in accordance with a Fee Agreement submitted to the governing body of the Township (the “Contract”), in an amount not to exceed \$25,000.
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 Ridgewood News.

RESOLUTON #2005-123

RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUND A TAX OVERPAYMENTS FOR SECOND QUARTER 2005

WHEREAS, a tax overpayment has been received for the second quarter of 2005, and the property owners have requested a refund of said tax overpayments.

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

| Name | Address | Amount |
|-----------------------------|----------------------|---------------|
| Jingping Chen & Runbiao Liu | 640 Montview Place | \$2,694.73 |
| John Joseph Alvino | 39 Pine Lake Terrace | \$2,533.91 |
| Arthur Balsano | 629 Baldwin Drive | \$8,180.33 |

RESOLUTION #2005-124

RESOLUTION ACCEPTING DONATION OF TREE IN VETERANS' MEMORIAL PARK

WHEREAS, as part of the Township's 2005 Memorial Day Observation, a tree was dedicated in memory of PFC Min Soo Choi and the Fallen Heroes of Operation Iraqi Freedom; and

WHEREAS, Veterans' Memorial Park is now enhanced with a beautiful Japanese Dwarf Lace Leaf Maple and accompanying plaque; and

WHEREAS, the Township extends appreciation and thanks to the following groups who generously donated the tree and plaque, as follows:

- Asian American Political Coalition
- Korean American Association
- Organization of Chinese Americans

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the donation is hereby gratefully accepted by not only the Township Council and the Mayor, but the entire community.

BE IT FURTHER RESOLVED, that the Township Council requests that the Township Clerk forward a copy of this resolution to the above mentioned and that a copy of this resolution be spread in full in the official minutes of the Township Council of June 13, 2005.

RESOLUTION #2005-125

RESOLUTION EXTENDING CONTRACT FOR THE REMOVAL OF YARD WASTE FOR 24 MONTHS

WHEREAS, on July 24, 2003 the Township by Resolution Awarded to Buldo Brothers Sanitation, PO Box 326, River Vale, NJ 07675 a Contract for Yard Waste Collection Service for a period of 24 months with a provision for one 24 month extension; and

WHEREAS, for the past 24- months Buldo Brothers Sanitation, has satisfactorily performed in an effective and efficient manner the terms of the Contract; and

WHEREAS, Buldo Brothers Sanitation, has agreed not to increase the current Contract price of \$4.23 per unit and \$550 per container for the next 24-month period beginning on August 1, 2005 through July 31, 2007; and

WHEREAS, the Chief Financial Officer has certified that funds will be available in the 2005 Fiscal Year Budget in the Appropriation 5-01-26-770-153 – Garden Debris and will be available in the 2006 and 2007 Fiscal Year Budget, in a similar Appropriation; and

NOW THEREFORE, BE IT RESOLVED THAT pursuant to the provisions of N.J.S.A 40A:11-15 the Mayor and the Township Clerk are hereby authorized and directed to extend the current Agreement, on behalf of the Township for a period of 24- months with Buldo Brothers Sanitation as described in the Scope of Work

RESOLUTION #2005-126

APPROVE RAFFLE LICENSE FOR ST. JOHN'S ACADEMY

BE IT HEREBY RESOLVED, that the following license to conduct a Raffle be issued to:

NAME: St. John's Academy

ADDRESS: 460 Hillsdale Avenue
Hillsdale, New Jersey 07642

LOCATION OF RAFFLE: Bergen Hills Country Club
River Vale, New Jersey 07675

DATE OF RAFFLE: June 16, 2005 – 1:00 PM to 8:00 PM

I.D.#:

RAFFLE LICENSE #: RL 267

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 #2005-127

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH UNITED WATER FOR FISHING TOURNAMENT

WHEREAS, the Township of River Vale is desirous of conducting a fishing tournament to be conducted at Lake Tappan on June 25, 2005 from 9:00 a.m. to 12:00 p.m. for the youth of the Township and their parents;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of River Vale that the Mayor is hereby authorized to enter into an Agreement with United Water for the use of Tappan Lake for the fishing tournament.

RESOLUTION #2005-128

RESOLUTION AUTHORIZING A LICENSE AGREEMENT WITH UNITED WATER FOR FIRE DEPARTMENT RESCUE TRAINING

WHEREAS, a License and Agreement of Indemnity with United Water New Jersey is required for the Township of River Vale's Fire Department to utilize the Oradell Reservoir for rescue training;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of River Vale, County of Bergen and State of New Jersey that the Mayor and the Township Clerk are hereby authorized and directed to execute a License and Agreement of Indemnity with United Water New Jersey, substantially in the form attached hereto, which will permit the Township of River Vale Fire Department to enter upon Oradell Reservoir for the purpose of performing rescue training; and

BE IT FINALLY RESOLVED that a copy of this Resolution and a copy of the License and Agreement of Indemnity with United Water be forwarded to the River Vale Fire Department and United Water New Jersey.

ROLL CALL VOTE: Councilman deStefan, Councilman Jasionowski and Council President Menville voted yes. Councilman Blundo was absent and Councilman Matos was not present at this time.

HEARING OF THE PUBLIC

Motion by Councilman deStefan; seconded by Councilman Jasionowski to open the meeting to 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.”

Ed Carter – Questioned who would enforce the Ordinances with regard to trees. Mr. Carbone stated that would be enforced by the Planning Board and the Zoning Officer.

Councilman Matos returned to the meeting at 8:46 PM.

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

At this point; Councilman deStefan asked for a consensus of the Council on the new noise Ordinance. Motion by Councilman deStefan; seconded by Councilman Matos to revise Ordinance #115-2005.

Councilman deStefan asked the Township Attorney to have a new draft of the Ordinance ready for introduction at the next meeting. Mr. Carbone stated that he would.

ADJOURN TO CLOSED SESSION –

Motion by councilman Jasionowski; seconded by Councilman Matos to adjourn to closed session at 8:54 PM.

OPEN FROM CLOSED SESSION –

Motion by Councilman Matos; seconded by Councilman Jasionowski to return to open session at 9:19 PM.

ADJOURNMENT –

Motion by Councilman Jasionowski; seconded by Councilman deStefan to adjourn the meeting at 9:20 PM.

Robert A. Menville, Council President

Attest:

Wanda A. Worner
Township Clerk

Approved: _____