

MINUTES
Council Meeting
Monday, September 22, 2008

CALL THE MEETING TO ORDER

Council President Jasionowski called the meeting to order at 7:30 PM in the Council Chambers of the Municipal Building located at 406 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 Bromberg, Councilwoman Sieg and Council President Jasionowski were present. Councilman Matos will be arriving late.

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

Motion by Councilman Bromberg; seconded by Councilman de Stefan to adjourn the meeting to closed session.

Motion by Councilman de Stefan; seconded by Councilman Bromberg to reconvene out of closed session.

ROLL CALL

Councilman de Stefan, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski were present. Councilman Matos will be arriving late.

TOWNSHIP COMMUNICATION

1. Mayor’s Comments

Mayor Blundo introduced Police Officer Jared Arcidiacomo and gave a brief summary of his accomplishments in both school and career. The Mayor also stated what fine leadership skills Jared has demonstrated and what an asset he will be to the River Vale Police force. Mayor Blundo then administered the Oath of Office to Officer Arcidiacomo.

The Mayor remarked on the success of the *Wet Down* this past Saturday. The project could not have been completed without Bob Gallione and he extended additional thanks to the building committee, the truck committee and DPW. Mayor Blundo also announced that the Octoberfest will be held on Sunday, October 5th from 1:00 – 5:00pm at Mark Lane.

Mayor Blundo gave a brief report on his meeting with the newly re-established River Vale Chamber of Commerce. Twelve business owners attended and offered a variety of suggestions. Some of the suggestions were better holiday decorations, a holiday tree at the pocket park and a link on the Township’s website to local businesses.

The Mayor concluded his comments by proposing an increase in the 2009 Road Program budget.

*****Councilman Matos joined the meeting at 8:18pm*****

2. Council Comments

Councilman de Stefan commented on the success of the “*Wet Down*” and what a privilege it was for him to be there. He commended the Fire Department on being skilled professionals and great volunteers.

Councilman Matos was unable to attend the “*Wet Down*” however he heard a lot of positive feedback about the event.

Councilman Bromberg gave an update on the status of the reopening of Pascack Valley Hospital. Councilman Bromberg urged residents of the importance of signing the petition to support the *Certificate of Need*.

Councilwoman Sieg attended the “*Wet Down*” and commented on how honored and proud she felt to attend this event.

Council President Jasionowski commented that the “*Wet Down*” dedication was very well down and he is very pleased with the outcome of the building project. He thanked the Mayor, Bob Gallione and T & M for there work on this project. Council President Jasionowski also commented on the success of the RVJFA Golf Outing. Councilman Jasionowski added that the golf outing is a great fundraising effort to help provide the kids with new, safety compliant football equipment.

Council President Jasionowski concluded his report by commending Bill Peters; who is always extremely helpful with regard to compliance with new the bid specifications required of the Township’s fire equipment apparatus.

BUSINESS ADMINISTRATOR’S REPORT

The Business Administrator gave a brief update on the circulation of the hospital petition and the donation of flags by Ed Carter for the Veteran’s Day Ceremony.

TOPICS FOR DISCUSSION- International Property Maintenance Code”

Mayor Blundo gave a brief explanation of the proposed International Property Maintenance Code and the need to give the Township’s Construction Code Official more “teeth” to help with enforcement regarding complaints.

Councilman de Stefan supports the concept of the ordinance; but hopes we can crystallize and get what we need for enforcement.

Construction Code Official, Mike Sartori, explained the differences between the current Property Maintenance Code and the International Code. Basically, our current code addresses only the exterior of the property. The International Code addresses both the interior and exterior of the property. Mr. Sartori explained that this could be helpful when dealing with rental properties.

The Council had various questions regarding the International Property Maintenance Code; Mr. Sartori noted that the Town currently uses several International Codes. Councilman de Stefan questioned the bureaucracy of the document; particularly Chapter One (1). Mr. Sartori suggested striking Chapter One (1) entirely; and that he has never used this chapter in 13 years.

Mayor Blundo stressed that the Township needs protection and the ability to deal with property maintenance complaints that aren’t covered by our current code. The Council has had time to review this document and we need to more forward. The Mayor advised the Council that they could use only parts of the ordinance in order to facilitate.

Council President Jasionowski suggested that the Council should e-mail their questions to Mike Sartori in order to be prepared for the next meeting. In addition, he would like to know how many other towns have adopted the International Property Maintenance Code. Councilman Bromberg expressed his concerns about how the ordinance will be enforced by future administrations. Councilman Matos added that he would like the code to not be so “heavy handed” and would prefer that the appeal process continue to come before the Mayor and Council.

Holly Schepisi commented that she was unsure if the ordinance could be adopted without Chapter One (1). Councilman Bromberg had additional questions for Mr. Sartori regarding the parking of motor vehicles, pool fences, rubbish and garbage and light fixtures.

In conclusion, Mayor Blundo added that he would like a commitment from the Council regarding this matter. Council President Jasionowski suggested that the Council have a work session in order to facilitate having a document adopted by year's end. Councilman Jasionowski thanked the administration and Mike Sartori and is committed to get this ordinance done.

Mayor Blundo read the following Proclamation into the record:

PROCLAMATION
Community Planning Month
October 2008

WHEREAS, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people work and live; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementations; and

WHEREAS, the month of October is designated as National Community Planning Month throughout the United States of America and its territories, and

WHEREAS, The American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions, sound planning and plan implementation that improve the quality of our environment; and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commissions and other citizen planners who have contributed their time and expertise to the improvement of the Township of River Vale; and

WHEREAS, we recognize the many valuable contributions made by professional community and regional planners of the Township of River Vale and extend our thanks for the continued commitment to public service by these professionals;

NOW, THEREFORE, BE IT RESOLVED THAT, I, Joseph Blundo, Mayor of the Township of River Vale along with all the Council members hereby designate the month of October as **Community Planning Month** in the Township of River Vale in conjunction with the celebration of National Community Planning Month.

Council President Jasionowski thanked both Mayor Blundo and Bob Gallione for the providing the field with a defibrillator in the event of an emergency.

ENGINEER'S REPORT

Mr. Harrington opened his comments with updates on the parking lot renovation of the both the Community center and the North Firehouse. He thanked the DPW for their work on the project and added that it saved the town thousands of dollars. Mr. Harrington added brief reports on the finals stages the DPW Building and problems that need to be addressed regarding the flooring. He also offered his assistance with the proposed renovations to the fields.

The Engineer reported that FEMA declined the funding to repair the slope failure at the municipal complex. He noted that the situation still needs to be addressed. Holly Schepisi added that she is not certain the town can appeal FEMA's decision.

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.”

Joe Massin – 68 Holiday Court - commented on the Council's discussion of the proposed property maintenance code. Mr. Massin suggested establishing a committee to help with the revisions to the ordinance. He used Councilwoman Sieg's Zoning Committee as an example.

John Donovan - 63 Rivervale Road – commented on the property maintenance code and that he is not agreeable to the enforcement with regard to the interior of the structure.

Bob Fortsch – 511 Bernita Drive – commented on the property maintenance code and disagreed with Mr. Donovan's remarks. Mr. Fortsch added that this ordinance could protect against do-it-yourself work and help regulate rental properties. He encouraged everyone to attend the RVPD Golf Outing on Monday the 29th.

Councilman Bromberg added his comments that he agreed with Mr. Donovan's remarks and disagreed with Mr. Fortsch.

Howard Lawrence – 607 Montview Place – had two questions; the first being when the town will be filling in dirt on his property and the moving of a sign. Mr. Gallione answered that Mr. Campanelli will be taking care of both issues. Mr. Lawrence had additional questions about the property maintenance code and enforcement.

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.

RESOLUTIONS

Motion by Councilwoman Sieg; seconded by Councilman de Stefan to approve Resolution #2008-217, as follows:

Resolution #2008-217

RESOLUTION APPROVING MINUTES–August 25, 2008

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the August 25, 2008 Regular Meeting of the Township Council are hereby approved.

ROLL CALL VOTE

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

Motion by Councilman Matos; seconded by Councilman de Stefan to approve Resolution #2008-218, as follows:

Resolution #2008-218

RESOLUTION APPROVING MINUTES–September 8, 2008

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the September 8, 2008 Regular Meeting of the Township Council are hereby approved.

ROLL CALL VOTE

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

Motion by Councilman de Stefan; seconded by Councilman Bromberg to approve Resolutions #2008-219 through #2008-226 with the exception of Resolution #2008-224 on Consent agenda, as follows:

Resolution #2008-219

RESOLUTION AWARDING THE 2008 LEAF RECYCLING SERVICES CONTRACT

WHEREAS, the Township received bids for the for the Leaf Recycling Services; and

WHEREAS, one bid was received the from Reliable Wood Products, Inc., 1 Caven Point Avenue, Jersey City, New Jersey 07305 and said bid has been reviewed and approved and is hereby accepted as the lowest bidder at the price of

Base Bid – Beginning August 1, 2008

Leaf Recycling Service \$ 8.23 Per Cubic Yard

**Price beginning August 1, 2010
(ONLY if Contract extended)**

Leaf Recycling Service \$ 9.12 Per Cubic Yard

**Price beginning August 1, 2011
(ONLY if Contract extended)**

Leaf Recycling Service \$ 9.92 Per Cubic Yard

WHEREAS, the Chief Financial Officer has certified that funds are available in an amount not to exceed \$ 66,963.00 (October –December) in the Current Account;

NOW THEREFORE BE IT RESOLVED THAT the bid of Reliable Wood Products, Inc. is accepted as the lowest responsible bidder. The Contract Period shall be for a period of twelve (12) beginning October 1, 2008 and ending on September 30, 2009, with an option to renew for two (2) additional twelve (12) month periods. The Mayor and Township Clerk are here by authorized and requested to execute a Contract on behalf of the Township of River Vale for the services described in the Specifications for Leaf Recycling Services.

Resolution #2008-220

RESOLUTION APPROVING MUNICIPAL REPRESENTATIVE FOR OPEN SPACE COMMITTEE

WHEREAS, the Township of River Vale has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:8A-1 et seq. to participate in the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund; and

WHEREAS, said Agreement requires that one municipal representative be appointed by the governing body of the community to be part of the Open Space Trust Municipal Park

Improvement and Land Acquisition Program Regional Committee for the Term of one year coinciding with the fiscal year July 1, 2008 through June 30, 2009;

NOW, THEREFORE, BE IT RESOLVED, that the governing body hereby appoints Chris Wahmann as its representative and Robert J. Gallione Jr. as alternate to participate on the Open Space Trust Municipal Program Regional Committee.

Resolution #2008-221

RESOLUTION APPROVING RAFFLE LICENSE FOR HARRINGTON PARK JUNIOR WOMENS CLUB

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

NAME: Junior Womens Club of Harrington Park
c/o Aleen Santana
8 Pine Place
Harrington Park, NJ 07656

LOCATION OF RAFFLE: Valley Brook Golf Club
15 Rivervale Road
River Vale, NJ 07675

DATE OF RAFFLE: October 3, 2008 7:30 – 11:00 pm

I.D. #: 198-8-31563

RAFFLE LICENSE: RL 300

Resolution #2008-222

RESOLUTION

REFUND OF TAX OVERPAYMENT

WHEREAS, a tax overpayment have been received for the fourth quarter of 2007, and the property owner has requested a refund of said tax overpayment;

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 a municipal check as follows:

<u>Name</u>	<u>Address</u>	<u>Amount</u>
Jilla M. Quinn	840 Alison Drive (Block 1912 Lot 12)	\$ 143.57
Barry & Robin Frank	549 Barr Court (Block 517 Lot 7)	\$3,439.62
Carol D. Gehshan	282 Alpine Circle (Block 404 Lot 9)	\$ 172.87
Mr. & Mrs. John La Marca	559 Whitenack Road (Block 405 Lot 3)	\$125.00
Thomas & Louisa Hellegers	543 Bernita Drive (Block 902 Lot 9)	\$115.65
William & SG Griffin	151 Doretta Street (Block 2205 Lot 17)	\$ 125.00

Jung Hyun & Ae Hae Lim	174 Richard Drive (Block 2204 Lot 21)	\$ 426.11
Theodore & Annabelle Georgallas	630 Haring Farm Road (Block 1002.02 Lot 8)	\$ 438.15
Edmund & Rosemarie Bella	202 Patriot Lane (Block 909 Lot 12.01)	\$ 1,025.76
Masaki & Sayuri Tonegawa	509 Dorchester Drive (Block 509 Lot 12)	\$ 1,050.18
Ari & Barbara Ben-Yishay	567 Brook Avenue (Block 1501.04 Lot 5)	\$ 6,401.89
Carole A. Blair	259 Collignon Way, Apt. 1B (Block 1801 Lot 38 QC002A)	\$ 1,069.10
Giuseppe & Michelle Martino	726 Tiffany Avenue (Block 2102 Lot 15)	\$ 1,656.27
Law Office of John Manfredonia	509 Rehill Court (Block 1106 Lot 9)	\$ 3,442.32
Yakov & Lori Brayman	416 Faletti Circle (Block 515 Lot 6)	\$ 1,121.72
Jose Dacosta	881 Westwood Avenue (Block 1902 Lot 16)	\$ 137.01
Marc & Ludjane Fioriollo	266 Alpine Circle (Block 404 Lot 13)	\$ 887.13
James & Nancy Towey	539 Piermont Avenue (Block 1301 Lot 3)	\$ 304.45
Michael & Casciano Sconza	512 Hermann Avenue (Block 1701 Lot 24)	\$ 201.39
Donald & Mary Younghans	519 Alosio Drive (Block 2201.01 Lot 6)	\$ 306.15
Salvatore & Anne Lo Cicero	644 Montview Place (Block 1716 Lot 1.02)	\$ 125.00
Albert & Barbara Keller	771 Westwood Avenue (Block 2001 Lot 1)	\$ 50.00
Donald Schmidt	765 Orangeburgh Road (Block 202 Lot 21.01)	\$ 51.59
Donald Schmidt	767 Orangeburgh Road (Block 202 Lot 21.02)	\$ 50.00
Karina Gradus Attorney Trust Account	553 Knoll Drive (Block 908 Lot 26)	\$ 888.58

Resolution #2008-223

APPROVE THE SOCIAL AFFAIRS PERMIT FOR THE RIVER VALE JUNIOR FOOTBALL ASSOCIATION “LADIES NIGHT”

WHEREAS, the River Vale Junior Football Association is holding a “*Ladies Night*” on October 23, 2008; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Council hereby approves the social affairs permit for the River Vale Junior Football “*Ladies Night*”; and

BE IT FURTHER RESOLVED, that the River Vale Junior Football Association shall issue a check in the amount of \$100.00 to the Division of Alcoholic Beverage Control for said permit.

Resolution #2008-225

RESOLUTION AWARDING THE SNOW PLOWING SERVICES CONTRACT

WHEREAS, the Township received one bid for the for the Snow Plowing Services Contract; and

WHEREAS, the bid received the from Zuccaro & Sons, Inc., 64 Commerce Street, Garfield, New Jersey 07026 and said bid has been reviewed and approved and is hereby accepted as the lowest bidder at the price of

Base Bid – First Snow Season (November 1, 2008 – April 30, 2009)

\$100.00 Per Hour Per Truck

Base Bid – Second Snow Season (November 1, 2009 – April 20, 2010)
(If Council Extends Contract)

\$105.00 Per Hour Per Truck

Base Bid –Third Snow Season (November 1, 2010 – April 20, 2011)
(If Council Extends Contract)

\$108.00 Per Hour Per Truck

WHEREAS, the Chief Financial Officer has certified that funds are available in an amount not to exceed \$ 10,072.50 in the Current Account;

NOW THEREFORE BE IT RESOLVED THAT the bid of Zuccaro & Sons, Inc. is accepted as the lowest responsible bidder. The Contract Period shall be for a period of twelve (12) beginning November 1, 2008 and ending on April 30, 2009, with an option to renew for two (2) additional twelve (12) month periods. The Mayor and Township Clerk are here by authorized and requested to execute a Contract on behalf of the Township of River Vale for the services described in the Specifications for Snow Plowing Services.

Resolution #2008-226

RESOLUTION AWARDING THE DPW COMPLEX PARKING LOT IMPROVEMENT PROJECT

WHEREAS, the Township received bids for the for the DPW Complex Parking Lot Improvement Project; and

WHEREAS, one bid was received the from A.J.M. Contractors, Inc., 71 Liberty Street, Passaic, New Jersey 07055 and said bid has been reviewed and approved and is hereby accepted as the lowest bidder at the price of

Base Bid

\$126, 870.25

WHEREAS, the Chief Financial Officer has certified that funds are available in an amount not to exceed \$ 126,870.25 in the Capital Account;

NOW THEREFORE BE IT RESOLVED THAT the bid of A.J.M. Contractors, Inc. is accepted as the lowest responsible bidder. The Mayor and Township Clerk are here by authorized and requested to execute a Contract on behalf of the Township of River Vale for the services described in the Specifications for DPW Complex Parking Lot Improvement Project.

ROLL CALL VOTE

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

Motion by Councilman Bromberg; seconded by Councilwoman Sieg to approve Resolution #2008-224 as follows:

Resolution #2008-224

RESOLUTION TO REJECT AND RE-ADVERTISE BIDS FOR THE SIREN WARNING SYSTEM

WHEREAS, the Township received bids for the Siren Warning System on September 16, 2008; and

WHEREAS, it has been determined that the bids received were over the budgeted amount for this project;

NOW THEREFORE BE IT RESOLVED, that the bids for the Siren Warning System are hereby rejected.

BE IT FURTHER RESOLVED, that the Township Clerk is hereby authorized to re-advertise for the receipt of bids for the above mentioned project.

ROLL CALL VOTE

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

Resolution #2008-227

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 CURRENT ACCOUNT claims in the amount of:	\$ 300.00
CURRENT ACCOUNT claims in the amount of:	\$ 197,469.17
TRUST ACCOUNT claims in the amount of:	\$ 2,500.00
CAPITAL ACCOUNT claims in the amount of:	\$ 122,697.26
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$ 858.00
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$ 0.00
DOG TRUST ACCOUNT claims in the amount of:	\$ 0.00
PRIVATE DUTY ESCROW ACCOUNT claims in the amount of:	\$ 1,071.59
RECREATION TRUST ACCOUNT claims in the amount of:	\$ 6,182.87
OPEN SPACE TRUST ACCOUNT claims in the amount of:	\$ 13,420.00
SPECIAL TRUST ACCOUNT claims in the amount of:	\$ 9,111.32
HOUSING TRUST ACCOUNT claims in the amount of:	\$ 550.00

TOTAL CLAIMS TO BE PAID **\$ 354,160.21**

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:	\$ 5,796,965.60
CAPITAL ACCOUNT claims in the amount of:	\$ 0.00
STATUTORY ACCOUNT claims in the amount of:	\$ 399,424.30
UNEMPLOYMENT TRUST ACCOUNT claims in the amount of:	\$ 442.32
OPEN SPACE TRUST ACCOUNT claims in the amount of:	\$ 31,091.59
TOTAL CLAIMS PAID	<u>\$ 6,227,923.81</u>

TOTAL BILL LIST RESOLUTION **\$ 6,582,084.02**

**MANUAL DISBURSEMENTS
BILL LIST FOR SEPTEMBER 22, 2008**

8/30/2008 – Transfer Payroll	\$ 199,101.83
9/15/2008 – Transfer Payroll	\$ 200,322.47

TOTAL STATUTORY ACCOUNT DISTRIBUTIONS **\$ 399,424.30**

ROLL CALL VOTE

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

ORDINANCES 1ST Reading

ORDINANCE #201-2008

AMEND AND RESTATE CHAPTER 61 ARTICLE II ENTITLED “DOG CONTROL” IN ITS ENTIRETY

Article II

Animal Control and Prevention of Rabies

§ 61-7 Applicability.

All dogs and all other animals owned, boarded, kept or found within the Township of River Vale, in the County of Bergen and State of New Jersey, and all dogs and other animals transported or lead through or exercised upon any highway or thoroughfare of said Township, and all persons, whether the owner or temporarily in charge of such animals, shall be subject to the provisions of this article.

§ 61-8 Definitions.

For the purpose of correct interpretation in the enforcement of this article and the rules and regulations of the Health Department of the Township of River Vale, the terms used herein are hereby defined to mean and to include:

ANIMALS and OTHER ANIMALS — Applies to and includes cats, foxes, squirrels, goats and other such quadrupeds.

BOARD — The Health Department of the Township of River Vale and the executive health officer thereof, when in the performance of his official duty.

CONFINED — Includes any means whereby a dog or other animal is kept upon the premises of its owner or caretaker, and thereby is prevented from straying upon a road or any place or other property, public or private.

DOGS — Any breed of such animal, any age and any sex, regardless of its having been desexed.

INDIGENT PERSON — One who is unable to maintain himself or the members of his family lawfully dependent upon him for support; or one who is ordinarily able to maintain himself and/or his family, but because of his illness or the illness of some member of his family or for any other reason is or becomes unable to do so.

KENNEL — Any place, enclosure, building or collection of buildings or doghouses in which more than one dog is kept, boarded, reared or housed, for whatever purpose, and shall apply also to the dogs kept therein.

LEASH — A strong leather strap or a metal chain, which shall not exceed six feet in length, such leash to be used when exercising, leading or transporting a dog.

MUZZLE — A mechanical device of the humane "basket" type, which shall prevent a dog from biting. No muzzles shall be used except those approved by the Board.

OBSERVATION PERIOD — A period of isolation by secure confinement of not less than 10 days after such dog or other animal has attacked and bitten a person, dog or other animal.

OWNER — Includes the actual owner, the person in charge or the person in control of any dog or other animal.

QUARANTINE PERIOD — Periods of confinement, which for dogs shall be not less than 14 days nor more than six months and for other animals shall be not less than 14 days nor more than 60 days, which period shall begin with the day such animal has been bitten.

SECURELY CONFINED — Isolating a dog or other animal within an enclosure or building in such a manner that such animal cannot come, directly or indirectly, in contact with nor bite a person, dog or other animal, nor can it be bitten by any other animal.

STRAY DOG or STRAY OTHER ANIMAL — Any dog or other animal that is not confined but is found roaming upon any property other than that of its owner, or which has broken away from the control of a leash.

§ 61-9 Persons that have been bitten to report.

- A. Adults. It shall be the duty of every adult person who has been bitten by a dog or other animal, the owner of which is known, to report to the Board or the Police Department within 12 hours the name, age, sex, color and precise address of the person so bitten and also the name and address of the owner of the dog or other animal which has bitten such person, in addition to such other information as may be required by the Board and/or the Police Department.
- B. Minors. If any child has been so attacked and bitten, then the parent or person in charge of such child and the minor shall report as required in the preceding section.
- C. Physicians. Every physician shall, within 12 hours after his first professional attendance upon any person bitten, report to the Board or the Police Department, the name, age, sex, color and precise address of the person or child that has been so bitten, with full particulars of the case, and, if known, the name and address of the owner of the dog or other animal.
- D. Should any person have been bitten or attacked by a stray dog or other animal, then the persons enumerated in Subsections A, B and C of this section shall include in their report, if possible, a description of the stray animal and the place where the attack occurred and such other particulars of the attack as from whence the animal came and the direction in which it went.

§ 61-10 Animals that have been bitten to be reported.

- A. The owner of every dog or other animal that has been bitten by any dog or other animal, the owner of which is known, shall at once report to the Board or the Police Department the name and address of the owner of both dogs or other animals.
- B. The owner of a dog or other animal that has been bitten by a stray dog or other animal shall, in addition to the report as required as in the preceding subsection, give a description of the stray dog or other animal and the location or direction from which it came and to which it went.
- C. When a veterinarian is in attendance of any animal which has been attacked or bitten by a dog or other animal, a report shall be made by him as required in § 61-9 C and D.

§ 61-11 Notice to quarantine animal.

- A. Any person owning or having possession or control of a dog or other animal that has bitten a person, dog or other animal must within two days after the attack (or immediately at the request of the Police Department or Board) provide for the examination and observation of such animal by a licensed Veterinarian of the State of New Jersey. Said veterinarian shall immediately report his finding the Board or Police Department by telephone and shall confirm such report in writing within twenty-four (24) hours.
- B. Unless an animal is rabid or suspected to be rabid, the veterinarian shall release the animal to the person from whom it was received. Upon taking possession of the animal, the owner or person having possession must securely confine the animal for the Observation Period.
- C. Upon receipt of a notice as stated in §§ 61-9 and 61-10 above, the Board or the Police Department shall at once serve upon the owner of the dog or other animal injured a notice in writing to quarantine such dog or other animal. The Board or Police Department shall also serve upon the owner of the dog or other animal that has bitten a person, dog or other animal a notice, in writing, to securely confine such dog or other animal for the Observation Period.
- D. Upon receipt of a notice of injury from the **bite** of a stray dog or other animal, the Board or Police Department shall serve a notice in writing upon the owner of the dog or other animal bitten by a stray dog, if known, to securely confine such animal for a Quarantine Period as determined by the Board or Police Department; provided, however, that in the event a six month quarantine is determined appropriate but such six months' quarantine cannot be properly maintained, the Board or Police Department may order such animal destroyed or removed to a place designated by the Board or Police Department for the required period, at the expense of the owner thereof.
- E. No person shall kill or remove from confinement or secure confinement, or lead on a leash, any animal which has been ordered confined as required by Subsections C and/or D above.

§ 61-12 Procedure in event of rabies.

- A. When an animal shows signs of rabies, either of the furious or paralytic (dumb) type, the Board or Police Department shall, at once, order such animal removed, and upon the death of such animal shall have its head removed for examination at the Bergen County Laboratory.
- B. The result of the laboratory examination shall, at once, be forwarded to the owner of the rabid animal, to the owner of the animal attacked and bitten by such rabid animal, to the person or to the parent, in case of a minor bitten by such rabid animal, and to the physician or

veterinarian in attendance.

- C. The Board may, at once, furnish Pasteur treatment, to any indigent person within the Township who has been bitten by an animal known or suspected to be affected by rabies; provided, however, that where dangerous wounds have been inflicted, Pasteur treatment may be ordered before the final result of the laboratory examination is known.
- D. When a dog or other animal has died of rabies, then all equipment, such as bedding, coop, kennel, pen or run of said animal shall be destroyed or disinfected at the order of and under supervision of the executive health officer of the Board.

§ 61-13 Vicious dogs.

- A. Confinement of vicious dogs.

(1) Any dog or other animal that has attacked and bitten a person or persons on more than one occasion is hereby declared to be a vicious animal and dangerous to the life

§ 61-14 Right of access.

- A. The executive health officer of the Board and the Police Department each shall have the right of full and unobstructed access, ingress, egress and regress to and from all public or private property or premises, to the end that they may freely examine and observe any animal coming within the terms of any law of this state or of this article as often, during reasonable hours and during the period of quarantine and observation, as may be necessary for the purpose of determining the condition of such animal.
- B. No person shall, directly or indirectly, obstruct or interfere with said health executive in the enforcement of this article or refuse to furnish him with any and all information required. All orders and directions in such connection which may be given by said executive health officer shall be considered as having been given by the Board itself.

§ 61-15 Dogs running at large.

No dog shall be permitted to run at large off the premises of the owner or persons in charge of the dog. No dog shall be walked on the public streets or public places in the Township except other than when the dog is securely tethered by a leash not to exceed six feet in length and is under supervision or control of a person able to control said dog at all times.

§ 61-16 Violations and penalties.

Any person who shall violate any provision of this article or the provisions of any notice served upon him by the Board, its executive health officer or the Police Department shall be liable to a fine of not more than \$150 for a first violation, \$350 for a second violation or \$500 for any subsequent violations or imprisonment for not more than 90 days, or both.

§ 61-17 Effect on ordinances of Mayor and Council.

Nothing in this article shall be construed to change or affect the provisions of any ordinance passed by the Mayor and Council of the Township of River Vale relating to the registration, licensing and confinement of dogs in general within said Township.

Motion by Councilman Matos; seconded by Councilman de Stefan to approve the introduction of Ordinance #201-2008.

ROLL CALL VOTE

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

HEARING OF THE PUBLIC

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

John Donovan – 63 Rivervale Road – agreed whole heartedly with the intent of the property maintenance ordinance and implored the Council to set a deadline to get this accomplished. Mr. Donovan questioned whether rental units in the town are registered.

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

In conclusion, Mayor Blundo announced that he is appointing Dineen DiBari to the Board Health.

ADJOURNMENT

Motion by Councilman de Stefan; seconded by Councilman Matos to adjourn meeting at 10:15 pm

Glen Jasionowski
Council President

ATTEST:
Karen Padva
Acting Township Clerk