

MINUTES
Regular Council Meeting
Monday, May 23, 2022
Council Chambers 7:30pm

CALL THE MEETING TO ORDER

Council President Bromberg called the meeting to order at 7:31pm.

SALUTE TO FLAG

Council President Bromberg asked all in attendance to join him in a Salute to the Flag.

SUNSHINE LAW STATEMENT

Council President Bromberg 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 Criscuolo, Councilwoman Sieg and Council President Bromberg were present. Councilmembers Ben-Yishay and Donovan were absent.

Also present: Township Attorney Silvana Raso, Business Administrator/CFO Gennaro Rotella, Township Engineer Christopher Statile and Township Clerk Karen Campanelli.

Council Comments

There were no Council comments this evening.

Administrator's Report

Mr. Rotella announced that the Farmer's Market is starting this week and we have many good vendors this year. He also announced that the Memorial Day Ceremony is Saturday, May 28th at 10:30 in Veteran's Memorial Park.

1st Hearing of the Public

Motion by Councilwoman Sieg; second by Councilman Criscuolo to open the meeting to the public.

Patrick Moore—609 Florence Road—commented on all the beautiful trees in River Vale which are good for the environment and add value in the way of privacy, flood and noise mitigation. Mr. Moore commented that one by one the trees are disappearing and mature, perfect trees are being turned into wood chips. He gave an example that a neighbor recently took down a tree to put up a fence and now he has less privacy. Mr. Moore feels they should be saving trees for our children and their children and he's not sure what can be done.

Mr. Moore further commented that Montvale posted a statement on their website about the value of trees and he suggested strengthening our ordinance by requiring permits and making more trees landmarks.

Council President Bromberg commented that they do have a tree ordinance; which allows three trees or a certain percentage to be taken down in a calendar year.

Mr. Moore asked if a permit is required for a tree removal. Mr. Rotella responded that he can look into the specifics and that Mr. Moore should contact him directly and he will look into it.

Councilwoman Sieg recently had to take down some diseased trees on her property and she was very sad about it. She also agreed with Mr. Moore's remarks about privacy the trees add beauty to our Town.

Mr. Moore asked if there could be a change in the ordinance allowing for landmark trees. Ms. Raso responded that the ordinance can be changed to restrict the removal of certain trees; but this is an issue that would need to first be discussed by the Township.

Councilwoman Sieg asked Mr. Statile the rules for taking down trees. Mr. Statile responded that you can take down two trees a year without any question; and anything more requires a permit.

Mr. Moore next commented that he had a shade tree removed by the Town but was told it couldn't be replaced due to funding issues; he asked if this was still the case. He also noted that in his neighborhood shade trees have been removed but not replaced. Mr. Rotella responded that they have money in the budget to replace trees every year. He added that any specific request should be brought to his attention. Mr. Rotella noted that they replace trees in Town frequently but they might not be to the caliber that the individual wants. Ms. Sieg added that some homeowners don't want the trees replaced; Mr. Rotella noted that they always work with the residents.

Mr. Moore next commented on the loudness of leaf blowers. He explained that there have been advancements with landscaping equipment; including electric and (4) cycle leaf blowers which are quieter. Mr. Moore referenced an article and photos of leaf blowers that were distributed to the Council. He feels some of the leaf blowers being used are for commercial use and not residential.

Council President Bromberg commented that this is a balancing act; the residents enjoy their lawns and have professional landscapers manage their lawns and typically the noise is for brief period. He also noted that a lot more people are working from home and these issues are becoming more noticeable. Council President Bromberg continued that they will review the material that Mr. Moore distributed.

David Rice—539 Bernita Drive—Mr. Rice questioned the details for both the \$2.3 million and \$825,000 bond the Council voted on for the Golf Course. Mr. Rotella responded that the details are in the budget which is posted online. Mr. Rotella explained that there is \$500,000 for a storage building and another \$250,000 for netting at the driving range. Mr. Rice asked who is paying for the items at the Golf Course; Mr. Rotella responded the Golf Course will be paying and that the Golf Course is self-liquidating.

Mr. Rice next commented on the increasing taxes due to required payments for insurance and raises. He questioned how gated communities are treated River Vale with respect to the roads. Mr. Statile responded that there is a law in New Jersey called the Condominium Services Act which prescribes to all municipalities what they are able to do with regard to private communities. Mr. Statile added that they have limited responsibilities in these communities. Mr. Rice questioned the anticipated revenue from the Edgewood development. Mr. Rotella responded that they don't know what the estimate is. Council President Bromberg added that many of these issues were discussed at the Planning Board meetings. Mr. Rotella added that none of the units have closed.

There being no further questions or comments from the public. Motion by Councilman Criscuolo; second by Councilwoman Sieg to close the hearing of the public.

Engineer's Report

Mr. Statile reported that they are getting ready to go out to bid for the 2022 Road Program which includes the Tiffany and Wilson Court drainage improvements and the Beechcrest Drive improvements. He next reported that the Planning Board will be reviewing the affordable housing development application at the Meskers site at their June meeting.

He next reported that the Pickleball Court project is currently out to bid with a receipt date of June 23rd and hopefully award at the later June meeting. Mr. Statile reported that 26 buildings are constructed at the Fairways and only one building has a Certificate of Occupancy. He also reviewed the SS4A grant application process which are due the end of the year. He explained that this is a federal grant and they have \$1 billion a year for (5) years being set aside for the program.

Council President Bromberg questioned the resolution regarding the change order reduction in the 2021 Road Program. Mr. Statile explained that when preparing for the project they are conservative and usually give themselves a 10 to 15% buffer to account for any unknown condition in the field particularly during paving. Council President Bromberg added that this is a good problem to have.

RESOLUTIONS

Motion by Councilman Criscuolo; second by Councilwoman Sieg to approve Resolutions #2022-125 through #2022-133 as a Consent Agenda as follows:

Resolution #2022-125

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO ISSUE ESTIMATED TAX BILLS

IN ACCORDANCE WITH P.L. 1994, c. 72

WHEREAS, pursuant to N.J.S.A. 54:4-66.2, which permits the Tax Collector to issue an estimated tax bill for the third installment of taxes in a calendar year when the tax rate has not yet been certified; and

WHEREAS, the County Tax Board of Taxation has not certified the tax rate at this time and the Tax Collector will be unable to mail the tax bills on a timely basis; and

WHEREAS, the Tax Collector, in consultation with the Chief Financial Officer, has computed an estimate tax levy in accordance with N.J.S.A. 54:4-6.3; and

WHEREAS, it is desirous of the Township of River Vale to issue estimated tax bills for the third installment of taxes payable to the Township in 2022 to ensure timely and consistent billings to the taxpayers; and

WHEREAS, the Township estimates a total Tax Levy of \$56,176,948, inclusive of the County, Local School, Regional School, and Municipal Levies.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of River Vale as follows:

1. The Tax Collector be and is hereby authorized and directed to prepare and issue estimated tax bills for the third installment bill for 2022 taxes. The tax collector shall proceed and take such actions as are permitted and required by New Jersey statutes, specifically N.J.S.A. 54:4-66.2 and 54:4-66.3.

2. The entire estimated tax levy for 2022 is hereby set at \$56,176,948 and the estimated tax rate is set at \$2.650.

3. In accordance with the law, the third installment of 2022 taxes shall not be subject to interest until the later of August 10 or the 25th calendar day after the date the estimated tax bills are mailed.

BE IT FURTHER RESOLVED that certified copies of the resolution be filed with the New Jersey Division of Local Government Services and with the Bergen County Board of Taxation.

Resolution #2022-126

RESOLUTION

(Release of Bond)

WHEREAS, the Bear Brook Builders, LLC had posted escrow as required by the Planning Board for a Minor Subdivision located on Orangeburgh Road (Block 301, Lots 21); and

WHEREAS, the Township Engineer has made all the necessary inspections and deemed the project completed satisfactorily.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the Performance Guarantee be released from the following account:

- **\$ 14,342.86 (B-13-56-856-265)**

BE IT FURTHER RESOLVED, by the Township Council of the Township of River Vale that the Treasurer is hereby directed to issue a municipal check payable as follows:

Payable to:

“Bear Brook Builders, LLC

Mailing Address:

Bear Brook Builders, LLC
P.O. Box 10
Montvale, NJ 07645
Amount: \$ 14,342.86

Resolution #2022-127

RESOLUTION CONFIRMING VEHICLE PURCHASE FROM ALL AMERICAN FORD

WHEREAS, the Township of River Vale has the need on a timely basis to purchase the following vehicle for the Department of Public Works;

- **(1) 2022 Ford F550 Truck**

WHEREAS, the purchase price is

Vehicle Price: \$ 110,667.00

WHEREAS, this vehicle is not in stock under State Contract vendors; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available in the Capital Account; and

WHEREAS, the Township of River Vale intends to enter into a Purchase contract with All American Ford, 375 Route 17 South, Paramus, New Jersey through this resolution and properly executed contracts.

NOW THEREFORE BE IT RESOLVED, that the Township of River Vale authorizes the Purchasing Agent to purchase the above listed vehicles from All American Ford.

Resolution #2022-128

RESOLUTION CONFIRMING CONTRACT WITH APPROVED STATE VENDOR FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-2A (CLIFFSIDE BODY CORPORATION)

WHEREAS, the Township of River Vale, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of River Vale has the need on a timely basis to purchase the following equipment for the Department of Public Works utilizing State contracts at the following prices;

Hydraulic System to Operate Hook Lift, Spreader & Snowplow:	\$ 11,255.00
Stainless Steel VBOX Salt Spreader:	\$ 20,519.00
<u>10' Heavy Duty Snowplow:</u>	<u>\$ 8,829.00</u>

TOTAL: \$40,603.00

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in both the Capital Account and Snow Removal Trust Account; and

WHEREAS, the Township of River Vale intends to enter into a Purchase contract with Cliffside Body Corporation, 130 Broad Avenue, Fairview, New Jersey (ESCNJ 20/21-55 NJ State Approved Co-Op #65MCECCPS) through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts.

NOW THEREFORE BE IT RESOLVED, that the Township of River Vale authorizes the Purchasing Agent to purchase the above listed equipment from Cliffside Body Corporation pursuant to all conditions of the individual State contracts.

Resolution #2022-129

RESOLUTION SUPPORTING THE *CLICK IT OR TICKET* MOBILIZATION

MAY 23 – JUNE 5, 2022

WHEREAS, there were 701 motor vehicle fatalities in New Jersey in 2021; and

WHEREAS, approximately 37% of the motor vehicle occupants killed in those traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 23 – June 5, 2022 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of further increasing the seat belt usage rate in the state from the current level of 94%; and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways.

NOW THEREFORE BE IT RESOLVED, that the Township of River Vale declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 23 – June 5, 2022 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

Resolution #2022-130

Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the for the Reconstruction of

Doretta Street, Alosio Drive, Oak Avenue South and Lamanna Drive

WHEREAS, the Township of River Vale desires to receive \$307,221.20 in funds from the New Jersey Department of Transportation Highway Trust Fund for the purpose of making safety improvements along Doretta Street, Alosio Drive, Oak Avenue South and Lamanna Drive; and

WHEREAS, the Township Engineer has developed a plan of action and cost estimate to improve Doretta Street, Alosio Drive, Oak Avenue South and Lamanna Drive and key intersections through the addition of pavement markings and other physical complementary safety improvements; and

WHEREAS, the project will also improve safety to the local schools and commuter lines, thus leveraging the requested funds.

NOW, THEREFORE BE IT RESOLVED that the Council of the Township of River Vale, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application MA-2023-River Vale Township-00027 to the New Jersey Department of Transportation on behalf of the Township of River Vale.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of River Vale and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Resolution #2022-131

Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the for the Brookside Avenue Bike Path Construction Project

WHEREAS, the Township of River Vale desires to receive \$472,534.80, in funds from the New Jersey Department of Transportation Highway Trust Fund for the purpose of making safety improvements and constructing a segregated bike path along Brookside Avenue; and

WHEREAS, the Township Engineer has developed a plan of action and cost estimate to improve Brookside Avenue and key intersections through the addition of a bike path, pavement markings and other physical complementary safety improvements; and

WHEREAS, the project will also improve safety to the local schools and commuter lines, thus leveraging the requested funds;

NOW, THEREFORE BE IT RESOLVED that the Council of the Township of River Vale, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application BIKE-2023-River Vale Township-00003 to the New Jersey Department of Transportation on behalf of the Township of River Vale.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of River Vale and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Resolution #2022-132

RESOLUTION APPROVING CHANGE ORDER NO. 1 2021 ROAD RESURFACING PROGRAM (DECREASE)

WHEREAS, on July 26, 2021 the Township of River Vale awarded the 2021 Road Resurfacing Program contract to DLS Contracting Inc.; and

WHEREAS, there was a change in the scope of work during this project which is detailed in a statement prepared by the Township Engineer and on file in the Clerk's Office; and

WHEREAS, this change order results in a decrease to the contract sum.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that Change Order No. 1 for the above mentioned project be approved as follows:

Original Contract Sum	\$ 461,079.00
Change Order #1 Decrease	- 115,006.57
New Contract Sum	\$ 346,072.43

Resolution #2022-133

PAYMENT OF BILLS

BE IT RESOLVED by the Township Council of the Township of River Vale that the Business Administrator is hereby authorized to pay the following claims:

CURRENT ACCOUNT claims in the amount of:	\$	292,281.95
RESERVE CURRENT ACCOUNT claims in the amount of:	\$	6,476.80
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$	109,962.36
RESERVE GOLF COURSE UTILITY OPERATING ACCT claims in the amount of:	\$	12,925.00
FEDERAL/STATE GRANT ACCOUNT claims in the amount of:		
ANIMAL TRUST ACCOUNT claims in the amount of:	\$	33.00
TRUST ACCOUNT claims in the amount of:		
RECREATION TRUST ACCOUNT claims in the amount of:	\$	801.00
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:	\$	80,131.78
UNEMPLOYMENT TRUST ACCOUNT claims in the amount of:		

HOUSING TRUST ACCOUNT claims in the amount of:		
JUNIOR POLICE ACADEMY TRUST ACCOUNT claims in the amount of:		
GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of:	\$	500.00
OPEN SPACE TRUST ACCOUNT claims in the amount of:		
CAPITAL ACCOUNT claims in the amount of:	\$	153,648.36
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$	2,880.00
SPECIAL TRUST ACCOUNT claims in the amount of:	\$	11,432.50
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$	600.00
TOTAL CLAIMS TO BE PAID	\$	671,672.75

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 ACCOUNT claims in the amount of:	\$	4,711,143.75
RESERVE CURRENT ACCOUNT claims in the amount of:	\$	1,640.76
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$	405,316.81
RESERVE GOLF COURSE UTILITY OPERATING ACCT claims in the amount of:		
ACCUMULATED ABSENCES TRUST ACCOUNT claims in the amount of:		
ANIMAL TRUST ACCOUNT claims in the amount of:		
HOUSING TRUST claims in the amount of:		
RECREATION TRUST ACCOUNT claims in the amount of:	\$	1,915.00
PAYROLL AGENCY TRUST ACCOUNT claims in the amount of:	\$	1,601.66
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:		
TAX SALE REDEMPTION TRUST ACCOUNT claims in the amount of:		
TAX SALE PREMIUM TRUST ACCOUNT claims in the amount of:		
GRANT TRUST ACCOUNT claims in the amount of:		
UCC CODE ENF TRUST ACCOUNT claims in the amount of:		
UTILITY CAPITAL ACCOUNT claims in the amount of:		
CAPITAL ACCOUNT claims in the amount of:		
PLANNING BOARD ACCOUNT claims in the amount of:		
SPECIAL TRUST ACCOUNT claims in the amount of:		
ZONING BOARD TRUST ACCOUNT claims in the amount of:		
TOTAL CLAIMS PAID	\$	5,121,617.98
 TOTAL BILL LIST RESOLUTION	 \$	 5,793,290.73

MANUAL DISBURSEMENTS

BILL LIST FOR May 23, 2022

4/30/2022	Transfer Payroll	\$	352,646.45
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5/13/2022 Transfer Payroll

\$ 369,972.31

TOTAL STATUTORY ACCOUNT DISTRIBUTIONS

\$ 722,618.76

ROLL CALL VOTE

Councilman Criscuolo, Councilwoman Sieg and Council President Bromberg voted yes. Councilmembers Ben-Yishay and Donovan were absent.

There were no Ordinances for 1st or 2nd Reading.

2nd Hearing of the Public

Motion by Councilman Criscuolo; second by Councilwoman Sieg to open the meeting to the public.

Patrick Moore—609 Florence Road—commented on the possibility of an ordinance regarding loud leaf blowers and decibel limits. Mr. Moore added that the ordinance for landscapers defines the hours and days of the week. Councilman Criscuolo noted that they do have a standard noise ordinance that applies to all including landscapers. Mr. Statile noted that the DEP has a decibel level set that they follow for violation instances; however, he doesn't know the decibel level off hand.

Council President Bromberg noted that it would be very difficult to consider creating an ordinance requiring every landscaper who works in Town to only use certain types of equipment. Council President Bromberg added that they will look into the decibel level.

Francis Moore—609 Florence Road—questioned where the Pickleball Courts will be and what the base will be. Mr. Statile responded the courts will be at Mark Lane and the base will be asphalt. Ms. Moore also questioned if there was a deer plan. Councilwoman Sieg responded that there will be no hunt in River Vale and she feels the State needs to get involved with some kind of birth control for the deer.

Council President Bromberg added that birth control is not a practical solution and the only realistic option is some kind of a hunt. He continued that a hunt is not practical because of our density and no significant place to hold it.

David Rice—539 Bernita Drive—Mr. Rice commented that the chipper is noisy and generators are as well. Mr. Rice also commented that most people don't realize they need a permit to remove trees and are going over the allowable percentage. Mr. Statile noted that there are restitution requirements if this happens.

There being no further questions or comments from the public. Motion by Councilman Criscuolo; second by Councilwoman Sieg to close the hearing of the public.

ADJOURNMENT

Motion by Councilwoman Sieg; second by Councilman Criscuolo to adjourn the meeting at 8:18pm.

Council President Bromberg

ATTEST:

Karen Campanelli, Township Clerk

