

MINUTES
Regular Council Meeting
Council Chambers
Monday, July 10, 2017
8:00pm

CALL THE MEETING TO ORDER

Council President Bromberg called the meeting to order at 8:00 pm in the Council Chambers located at 406 Rivervale Road, River Vale, New Jersey 07675.

SALUTE TO FLAG

Council President Bromberg asked all in attendance to rise and 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 Ben-Yishay, Councilman Criscuolo and Council President Bromberg were present. Council members Sieg and Donovan were absent.

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

Council Comments

There were no Council comments this evening.

Business Administrator's Report

Mr. Rotella reported that he is working with Chris Statile on replacing a piece of out dated playground equipment at Giordano Park. He also announced that this Thursday evening the Waldwick Band will be performing at the Amphitheater.

Mr. Rotella reported that the paving in the Township is complete. He also mentioned that in the past the Township has participated in the Cooperative Road Program; at this time they have still not gone out to bid. Mr. Rotella reported that he and the Mayor decided not to participate in the Cooperative this year due to the consistent delays the Township has experienced in prior years. He added that the best time to pave is in the summer when it's hot outside and school is not in session.

Councilman Criscuolo questioned the bricks falling off the amphitheater. Mr. Rotella responded that there is a sinking condition in one area. The Township has obtained quotes to repair the Amphitheater however the numbers were high. Mr. Rotella feels this is going to be a much larger project and suggested it be discussed for next year's budget.

Township Engineer's Report

Mr. Statile reported that they will be receiving bid for the Poplar Road Improvements project on July 20 with the intention of awarding at the July 24th meeting. He did received comments back from the NJDOT about the project; their report stated that the guard rails on Poplar Road are noncompliant and recommended they be replaced. Mr. Statile suggested applying for a grant as a second phase of this project.

Mr. Statile next gave an update the grant application for the Pond Aerators for the River Vale County Club which is currently being held up at the County. He further reported that JPE developers as cleared a 2 ½

acre area on Cleveland Avenue for the construction of three residential homes. He next reported the he and Gennaro met with Williams Transco Gas who are planning to upgrade pressure in their gas distribution pipeline that runs through the Township sometime in 2019. He further explained that this is a Federal program and residents will be noticed within 200 feet of the pipeline; there is no excavation just pressure testing.

1st Hearing of the Public

Motion by Councilman Criscuolo; second by Councilman Ben-Yishay to open the meeting to the public.

Regina Susek—549 Roosevelt Ave—Ms. Susek reported her concerns regarding backyard fire pits. She reported that on June 27th the police desk informed her that fire pits are allowed by the Fire Marshall. On the following Monday, she spoke to Mike Sartori who told her he has no jurisdiction over fires of any kind. Ms. Susek then dropped off the New Jersey Uniform Fire Code rules regarding open burning and recreational fires with the Police Chief. Ms. Susek commented that currently River Vale has no ordinances governing outdoor fire pits beyond what the State mandates.

Ms. Susek reported that her neighbors at 551Roosevelt Avenue built a fire pit 10 feet from the property line where there are trees, a fence and shrubbery in near proximity. She also reported that her neighbor built an illegal shed to house the wood. Mr. Sartori has been out to inspect the situation and Ms. Susek was told that the shed will be coming down. Ms. Susek next reported that on or about June 27 her neighbor started a fire in their fire pit creating a smoky condition on her property. She then called the police who told her there was nothing the police department could do.

Ms. Susek feels it's time for the Township to enact an ordinance regarding fire pits; regulating placement, the fuels that can legally be used and dimensions.

Council President Bromberg responded that this is the first time he's hearing of any issues with regard to fire pits. He added that as long as they are in compliance with State law he is not certain what further they would need to do. Council President Bromberg thanked Ms. Susek for her comments and bringing this to their attention.

Diana Nimmo Marada—32 Perry Place—commented that she lives behind the construction on Cleveland Avenue. Ms. Marada grew up in River Vale and has recently moved back. She commented that the developer JPE is working off a survey from 2002 for a property plan that was approved in 2008. Ms. Marada is concerned as to how the developer can break ground for construction with a survey that the developer admits is not properly dated. JPE also informed her that they are awaiting getting a new survey.

Mr. Statile has not heard about this issue from the developer. He explained that the developer has to follow what the Planning Board approved in 2008 and it is presumed that the original survey used in 2008 is acceptable to be used.

Ms. Marada also questioned the tree management plan and if the developer is held to the 2005 tree removal ordinance. Mr. Statile responded that there is no time of decision rule and his approvals are under the old ordinance. Ms. Marada commented that under the plan the developer has to plant 134 replacement trees on 2 ½ acres. Mr. Statile agreed that is the plan and added that anything he does not do he will then have to provide compensation for or possibly upsize the trees.

Ms. Marada reported that the contractor removed trees on her property. Ms. Raso responded that this is an issue with the contractor and a private matter in terms of the contractor going on their property.

Joseph Susek—549Roosevelt Avenue— commented on the State issued rules for open burning and fire pits. Mr. Susek cited a certain section which states that recreational fires shall not be conducted within 25 feet of a structure or combustible material; conditions which could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition. Mr. Susek questioned how you would know unless you go on the property if a fire pit is within the guidelines of 25 feet from a property line. Ms. Raso responded that this something the Construction Code Official would have to look into. She further explained that you could call and explain that you have a concern about someone else's property and the Construction Code Official would determine what the next appropriate measure would be.

Mr. Susek also expressed his concerns about the increasing deer population. Council President Bromberg responded the Mayor is at the forefront of forming a coalition with the other Mayors in the area to discuss strategies. Council President Bromberg added that there has been much discussion at other Council meetings if Mr. Susek wished to rad the minutes. The main agency involved is the New Jersey Division of

Fish Game & Wildlife which determines deer populations and culling. They have also looked into sterilization and relocation programs and there is no evidence that these solutions would produce any valuable results especially with the required expenditures. Council President Bromberg added that they are looking at a Valley wide strategy to come up with a solution.

Jim Hanna—381 Sunset—requested an update of the drainage issues for the tennis courts parking lot.

Mr. Statile missed Friday’s storm as he would like to make his observations during a storm. Mr. Hanna also noticed that Rivervale Road has been marked out north of the bridge for paving; he questioned if the Town had a date yet. Mr. Rotella doesn’t have a date yet but possibly within the next (2) months.

There being no further questions or comments from the public motion by Councilman Criscuolo; second by Councilman Ben-Yishay to close the meeting to the public.

Councilman Donovan arrived at the meeting at 8:25pm.

RESOLUTIONS

Motion by Councilman Criscuolo; seconded by Councilman Ben-Yishay to approve Resolution #2017-169 as follows:

Resolution #2017-169

RESOLUTION APPROVING MINUTES MAY 22, 2017 REGULAR MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the May 22, 2017 Regular meeting of the Township Council are hereby approved.

ROLL CALL VOTE

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

Motion by Councilman Criscuolo; seconded by Councilman Ben-Yishay to approve Resolution #2017-170 and 171 as follows:

Resolution #2017-170

RESOLUTION APPROVING MINUTES JUNE 12, 2017 REGULAR MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the June 12, 2017 Regular meeting of the Township Council are hereby approved.

Resolution #2017-171

RESOLUTION APPROVING MINUTES JUNE 12, 2017 WORK SESSION MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the June 12, 2017 Work Session meeting of the Township Council are hereby approved.

ROLL CALL VOTE

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

Motion by Councilman Donovan; seconded by Councilman Ben-Yishay to approve Resolutions #2017-172 through 2017-182 as a Consent Agenda as follows:

Resolution #2017-172

RESOLUTION
(Escrow Refund)

BE IT RESOLVED, by the Township Council of the Township of River Vale that the Escrow Deposit posted by Bell Atlantic (Block 1602, Lot 13) be released from the following account:

- **\$ 2,491.22 (Z-13-56-855-306)**

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:

“Bell Atlantic”

Mailing Address:

Mr. Michael K. Spiroff
500 Technology Drive, Room 114
Weldon Spring, MO 63304
\$ 2,491.22

Resolution #2017-173

RESOLUTION AUTHORIZING THE MAYOR TO SIGN INTERLOCAL SERVICES AGREEMENTS WITH RVBOE FOR 2017 SUMMER CAMPS

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 *et. seq.*, authorizes public entities to enter into a contract for the joint provision of services within their jurisdiction; and

WHEREAS, the River Vale Board of Education and the Township of River Vale wish to operate two (2) summer camps for the 2017 summer season as described;

- **Kindergarten Kamp**
- **Camp Have Some Fun**

And

WHEREAS, the Township to provide the benefits of a summer camp program to the residents; and

WHEREAS, the Township Attorney has reviewed and approved both Interlocal Services Agreements.

NOW THEREFORE BE IT RESEOLVED, by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the Interlocal Services Agreements for both Kindergarten Kamp and Camp Have Some Fun for the 2017 summer season.

Resolution #2017-174

REFUND

(Camp Have Some Fun Registration Fees)

WHEREAS, the following individuals have requested a refund of their Camp Have Some Fun registration fee; and

WHEREAS, the Treasurer has certified the availability of funds in the Recreation Account.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that said refund is approved and the Treasurer is hereby authorized to issue municipal checks payable as follows:

Tracy Moore
589 Stellman Drive
River Vale, NJ 07675

Rebecca Gravina
25 Bergen Avenue
Hillsdale, NJ 07642

\$ 375.00

\$300.00

Resolution #2017-175

RESOLUTION
(Escrow Refund)

WHEREAS, the resident of 605 Blakeney Place (Block 1803, Lot 43) had posted escrow as required by the Planning Board for the demolition of an inground swimming pool; and

WHEREAS, the Township Engineer has performed all the necessary inspections and deemed the project complete; therefore the remaining Escrow Deposit may be released.

NOW THEREFORE BE IT 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:

"Frank Merli"

Mailing Address:
605 Blakeney Place
River Vale, NJ 07675

\$ 125.00

Resolution #2017-176

RESOLUTION APPOINTING MUNICIPAL REPRESENTATIVE FOR OPEN SPACE COMMITTEE (2017-2018)

WHEREAS, the Township of River Vale has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 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 Program Regional Committee for the term of one year coinciding with the fiscal year July 1, 2017 through June 30, 2018.

NOW, THEREFORE, BE IT RESOLVED, that the governing body hereby appoints Business Administrator/CFO Gennaro Rotella as its representative to participate on the Open Space Trust Municipal Program Regional Committee.

Resolution #2017-177

APPROVE APPOINTMENT OF BERGEN COUNTY COMMUNITY DEVELOPMENT REPRESENTATIVES FOR THE FISCAL YEAR JULY 1, 2017 TO JUNE 30, 2018

WHEREAS, the Township of River Vale has entered into a Three Year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A:8A-1 et seq. and Title I of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1 through June 30.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of River Vale hereby appoints Business Administrator/CFO Gennaro Rotella and his alternate, Township Clerk Karen Campanelli to participate on the Community Development Regional Committee.

Resolution #2017-178

RESOLUTION APPROVING THE RAFFLE LICENSE FOR THE VALLEY HOSPITAL FOUNDATION INC.

BE IT HEREBY RESOLVED that the following license to conduct an on premises 50/50 raffle is issued to:

NAME: Valley Hospital Foundation Inc.
223 North Van Dien Avenue
Ridgewood, NJ 07450

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

DATE OF RAFFLE: September 18, 2017

I.D. #: 418-5-41085

RAFFLE LICENSE: RL 495

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 #2017-179

RESOLUTION APPROVING THE RAFFLE LICENSE FOR THE VALLEY HOSPITAL FOUNDATION INC.

BE IT HEREBY RESOLVED that the following license to conduct a Trick Tray is issued to:

NAME: Valley Hospital Foundation Inc.
223 North Van Dien Avenue
Ridgewood, NJ 07450

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

DATE OF RAFFLE: September 18, 2017

I.D. #: 418-5-41085

RAFFLE LICENSE: RL 496

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 #2017-180

RESOLUTION
(Escrow Refund)

BE IT RESOLVED, by the Township Council of the Township of River Vale that the Escrow Deposit posted by New Jersey Bell be released from the following account:

- **\$ 1,153.40 (Z-13-56-855-217)**

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:

“New Jersey Bell”

Mailing Address:

Mr. Michael K. Spiroff
500 Technology Drive, Room 114
Weldon Spring, MO 63304

\$ 1,153.40

Resolution #2017-181

RESOLUTION
CHAPTER 159

Expend Forfeiture Funds

WHEREAS, N.J.S.A. 40A:4087 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item has been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of River Vale hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$ 8,000.00 in forfeited funds which is now available from the Office of the Bergen County Prosecutor to be expended toward the purchase of two (2) unmanned aerial vehicles for the River Vale Police Department.

BE IT FURTHER RESOLVED that the sum of \$ 8,000.00 is hereby appropriated under the caption of Public and Private Programs.

Resolution #2017-182

RESOLUTION

TAX LIEN REDEMPTION

WHEREAS, the property located at 517 Herrmann Avenue (Bl 1703, Lt 6) has been redeemed. The Tax Collector has received (1) one check in the amount of \$ 72,636.26 for payment of the lien (Certificate No. 14-00002); and

WHEREAS, the Township is holding a \$ 61,000.00 premium in a Trust Account for the above mentioned lien.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of River Vale that the Treasurer is hereby by authorized to issue two (2) municipal checks in the amounts of \$ 72,636.26 and \$ 61,000.00 respectively payable to as follows:

"US Bank Cust BV001 Trst & Crd"

Mail to:

50 South 16th Street

Suite 2050

Philadelphia, PA 19102-2513

ROLL CALL VOTE

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

There were no Ordinances for 1st or 2nd Reading

2nd Hearing of the Public

Motion by Councilman Criscuolo; second by Councilman Ben-Yishay to open the meeting to the public.

Regina Susek—549 Roosevelt – questioned who is the Construction Code Official. Mr. Rotella responded Mike Sartori. Ms. Susek next commented on a mailing she received regarding the expansion and renovation of the Library and would this be put to a referendum.

Council President Bromberg responded that this is a proposal and not approved at this time. He explained that the Library has a certain amount of money set aside from a tax collected as indicated on your tax bill. Some of the money is used to operate and some they can save and bank for Capital projects. Council President Bromberg furthered explained that he believes the have \$250,000 saved and any monies added would have to be bonded if considered by the Township or there could be a referendum; it could be determined either way.

There being no further questions or comments from the public motion by Councilman Criscuolo; second by Councilman Donovan to close the meeting to the public.

ADJOURNMENT

Motion by Councilman Donovan; second by Councilman Ben-Yishay to adjourn the meeting at 8:40pm.

ATTEST:
Karen Campanelli, Township Clerk

Council President
Mark Bromberg