

MINUTES
Regular Council Meeting
Council Chambers
Monday, January 11, 2016
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 Donovan, Councilwoman Sieg and Council President Bromberg were present. Councilman Criscuolo was absent.

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

Council President Bromberg reported that both Mayor Jasionowski and Councilman Criscuolo were both disappointed that they would not be able to attend this evening's meeting due to work issues.

Council Comments

Councilman Ben-Yishay commented that he wouldn't miss the awards this evening for the world. He coached with the football program for six years; alongside many of the coaches and players present tonight. Councilman Ben-Yishay is thrilled to have a team with an undefeated season win the Super Bowl and bring it home to River Vale. He is very proud of the team and extended his congratulations to all.

Councilman Donovan congratulated the team and commented that that it is always great to have a full house for a meeting and honor the youth of our Town.

Councilwoman Sieg commented that how wonderful it is to be in a room full of handsome men. She extended her congratulations to the team and coaches.

Council President Bromberg announced that the Work Session scheduled after this evenings meeting is cancelled.

SPECIAL RECOGNITION River Vale Raider Senior Football Team

Council Present Bromberg invited Coaches Steve Marada and Jim Tolomeo up to say a few words about the Team.

Coach Tolomeo thanked the Mayor and Council for the support they give the program. He commented that the Mark Lane facility is highly praised by other teams and that everyone wants to play there. Since the turf field was installed River Vale has hosted the Super Bowl for the past (5) years. Coach Tolomeo added that the kids were great and a total pleasure to coach. He concluded that this team made his last year as President of River Vale football by far his most memorable.

Coaches Marada and Tolomeo distributed Certificates to the team as follows:

Northern New Jersey Junior Football League Inaugural Season Super Bowl Champions

James Allmers, Griffin Arsis, Jack Berg, LJ Berlamino, Zachary Bischoff, Joseph Bruzzi, Peyton Chang Joe Christiano, Jake Ciocca, Shane Cubala, James DellaPesca, Joe Duffy, Sean Duffy, Zach Foti, Jack Ganz, John Greco, Michael Gulino, Daniel Haag, Peter Issackedes, Davey Jones, Steven Marada, Andrew Martinez, Nick Mazza, Colin McCabe, AJ McKeever, AJ Menendez, Ryan Moss, Kris Ostrowski, Mackinley Scott, Evan Shiber, Will Shiber, John Supple, Michael Supple, Michael Surovetz, Joe Tolomeo, Desmond Von Tobel, Aiden Ward, Jake Williams, Matt Zirlin

Council President Bromberg called for a brief recess at 8:15pm.

ROLL CALL

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

Administrator's Report

Mr. Rotella had no report this evening.

Engineer's Report

Mr. Statile thanked the Council for his re-appointment. He gave a brief update on the DOMUS project explaining that the Township offered assistance with the electrical service connection due to issues with Public Service.

Mr. Statile next gave an update on the Rivervale Road embankment project. The contractor will be starting the King Pile sheathing portion of the project. He has also been working with an architect

on the ADA renovation to the Ambulance Corps bathroom. Councilman Donovan questioned who the architect is for the Ambulance project. Mr. Statile responded that Ed McGuinness is the project's architect.

Councilwoman Sieg had questions regarding the remaining work on the punch list for the Cherry Wood development. Mr. Statile responded that they are holding funds until the work is complete and most of the units are occupied. He added they will have a two year bond for the project as well.

1st Hearing of the Public

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

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

Mr. Statile further commented that PSE&G is restarting their initiative of performing building energy audits for and non-profits and government agencies. He explained that Public Service will subsidize the purchase of any replacement fixtures through the program. Mr. Rotella added that about a month ago he had the audit done and he is currently waiting on numbers. The plan is to retrofit the outdated light fixtures in all the Township buildings.

RESOLUTIONS

Motion by Councilman Ben-Yishay; seconded by Councilman Donovan to approve Resolutions #2016-44 through 49 as a Consent Agenda as follows:

Resolution #2016-44

RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE BERGEN COUNTY PUBLIC HEALTH SHARED SERVICES AGREEMENT (2016-2018)

WHEREAS, the Township of River Vale wishes to contract for the furnishing of health services of a technical and professional nature provided by the Bergen County Department of Health Services; and

WHEREAS, the Uniformed Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 *et. seq.*) promotes the broad use of shared services to reduce local expenses funded by property tax payers; and

WHEREAS, the Bergen County Department of Health Services shall provide the Township of River Vale with duly licensed personnel to carry out the public health activities; and

WHEREAS, the terms and conditions of this contract are on file in the Clerk's office; and

WHEREAS, the Bergen County Department of Health Services shall provide service from January 1, 2016 through December 31, 2018.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the Public Health Shared Services Agreement with the County of Bergen.

Resolution #201-45

RESOLUTION
(TRANSFERS)

WHEREAS, there exists a need to make transfers in the 2015 Budget Appropriations, and there exists balances from which to make said transfers,

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the Chief Financial Officer hereby be authorized to make the following transfers to the 2015 Budget Appropriations.

Inside CAP:

To:

Streets & Roads - OE	\$ 3,500.00
Volunteer Fire Dept - OE	\$ 8,000.00
Garage - OE	\$ 4,500.00
Accumulated Absences	<u>\$ 25,000.00</u>
Total	\$ 41,000.00

Inside CAP:

From:

Law - OE	\$ 11,500.00
Township Clerk - OE	\$ 3,000.00
Engineering - OE	\$ 1,500.00
Planning Board - OE	\$ 4,000.00
Zoning Board - OE	\$ 2,000.00
Group Health Insurance	\$ 5,000.00
Patrol - SW	\$ 7,000.00
Patrol - OE	<u>\$ 7,000.00</u>
Total	\$ 41,000.00

Resolution #2016-46

RESOLUTION AUTHORIZING THE MAYOR THE SIGN CONTINUING DISCLOSURE AGENT SERVICES AGREEMENT AND CONFIRM THE DESIGNATION OF AN INDEPENDENT REGISTERED MUNICIPAL ADVISOR OF RECORD

WHEREAS, the Township of River Vale wishes to retain the services of Phoenix Advisors, LLC, with offices located at 4 West Park Street, Bordentown, New Jersey 08505 to serve as the Township's Continuing Disclosure Agent and Registered Municipal Advisor to

ensure compliance with the regulations of the Securities and Exchange Commission with regard to purchasing bonds and municipal debt; and

WHEREAS, the Township Attorney has reviewed and approved said agreement; and

WHEREAS, the terms and conditions of said agreement are on file in the office of the Township Clerk and available for public inspection upon being signed by the Mayor.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of River Vale

that the Mayor is hereby authorized to sign the Continuing Disclosure Agent Services Agreement with Phoenix Advisors, LLC.

BE IT FURTHER RESOLVED, that Phoenix Advisors, LLC is hereby designated as the Independent Registered Municipal Advisor of Record for the Township of River Vale.

Resolution #2016-47

Resolution Supporting Mutual Aid Plan and Rapid Deployment Force

WHEREAS, the Police Departments in Bergen County have a day-to-day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order, and

WHEREAS, law enforcement officials also have a responsibility to provide for preparedness against natural emergencies such as floods, hurricanes, earthquakes, major storms, etc., man-made causes, civil unrest, and civil disobedience such as riot, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, riots, terrorist incidents and bombings, state and national emergencies; and

WHEREAS, this plan is adopted in accordance with the provisions of N.J.S.A. 40A:14-156, N.J.S.A. 40A:14-156.1, N.J.S.A. 40A:14-156.4 and N.J.S.A. APP. A: 9-40.6, and

WHEREAS, this plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property, and

WHEREAS, it is the desire of the Mayor and Council of the Township of River Vale to participate in mutual aid plan and rapid deployment force in accordance with the plan as submitted by the Bergen County Chief's Association.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of River Vale that the Police Department of the Township of River Vale under the direction of the Chief of Police, cooperate with the Bergen County Police Chief's Association to create an Interlocal Services

Agreement with all municipalities in the County of Bergen in order to put into place the mutual aid plan and rapid deployment force, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor.

Resolution #2016-48

RESOLUTION AUTHORIZING THE MAYOR TO SIGN RISK MANAGEMENT CONSULTANTS AGREEMENT

WHEREAS, on January 1, 2016 the Township of River Vale appointed Eifert, French & Company, Inc. as their Risk Manager; and

WHEREAS, the Township is a member of the Bergen County Municipal Joint Insurance Fund and Municipal Excess Liability Joint Insurance Fund whose bylaws require all members to contract for risk management consulting services.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the Risk Management Consultants Agreement with Eifert, French & Company, Inc.

Resolution #2016-49

RESOLUTION
TAX APPEAL
REFUND OF TAX OVERPAYMENTS

WHEREAS, the following property owners were rendered a Tax Appeal decision for a reduced assessment for the year 2015; and

WHEREAS, the property owners are requesting a refund for overpayment of their 4th Quarter taxes.

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

Morriello, Eugene & Sherri Ozawa
B1719 L2.02
210 Interglen Ave
\$1,681.76

Norfleet, Karla
B505 L7
769 Rolling Hill Dr.

\$509.70

ROLL CALL VOTE

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

Ordinances for 1st Reading

Motion to Introduce: Councilman Donovan

Second: Councilman Ben-Yishay

ORDINANCE #309-2016

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN, NEW JERSEY REGULATING FILMING WITHIN THE TOWNSHIP

BE IT ORDAINED by the Township Council of the Township of River Vale that Filming within the Township shall be regulated as follows:

FILMING

A.

The taking of still, motion or digital pictures, either on film, videotape or any other form, type, method or medium of photographic or electronic recording by a person or person(s) other than the owner of the property being filmed, taped or otherwise recorded, for which said persons taking said pictures have or will compensate said property owner, or compensate the designee of said property owner; or

B.

The taking of still, motion or digital pictures, either on film, videotape, or any other form, type, method or medium of photographic or electronic recording, intended, in whole or in part, for commercial use of viewing on television, in theaters, or for advertising purposes other than the advertising of the property for sale or lease; or

C.

The assembling and setting up on private and/or public property, including but not limited to the property which is being filmed, videotaped or otherwise recorded, of all equipment needed for the filming, videotaping or other forms of recording referenced in Subsection (1) or (2) of this definition above, as well as the removal of the same upon completion.

Permit required; form; fees; regulations.

A.

No person shall film or permit filming within the Township of River Vale without first obtaining a permit, which permit shall set forth the location of such filming and the date or dates when filming shall take place.

B.

Permits shall be obtained in the office of the Construction Official, and the application for the permit shall be in a form approved by the Construction Official, accompanied by a fee and filed at least five working days prior to the date of filming, along with a cash bond to cover any expenses the Township might incur as the result of the filming, the balance, if any, to be returned by the Township of River Vale. If the television filming is to take place on Township property or will affect the use of the Township property, then the application for the permit shall be filed at least 30 days prior to the date of filming.

C.

Fees for permit for filming and the amount of a cash bond to cover expenses shall be as indicated in this Chapter.

D.

A permit shall be sufficient to authorize outdoor or indoor filming for two days within a period of not more than 10 days beginning on the date of issuance of the permit. If the filming does not take place on the dates specified in the permit due to inclement weather or other good cause, the Construction Official may issue a new permit at no additional fee.

E.

No more than one permit for each resident may be issued in any one calendar year.

Requirements for permit.

A.

No permit shall be issued for filming within the Township of River Vale unless the applicant for such permit:

(1)

Provides insurance coverage for bodily injury for any one person in the amount of \$100,000 and for any aggregate occurrence in the amount of \$500,000.

(2)

Specifies in writing that the Township of River Vale will be indemnified and saved harmless from any and all liability or damages.

(3)

Where filming takes place on private property, obtains permission of the owner in writing.

(4)

Agrees to comply with all lawful directives issued by the Township of River Vale Police Department, Fire Department and all other departments where deemed necessary and has prepaid all costs associated with such directives, including but not limited to the cost of the presence of such police personnel which may be required. Any vehicles used in connection with or relating to the filming shall not be parked in any driveway nor shall the aggregate length of all such vehicles exceed the length of the lot frontage of the property on which the filming is occurring. All such vehicles must be parked in front of the property on which the filming is to take place.

B.

The holder of a permit shall be responsible for the removal, upon completion of filming, of all debris and equipment, or upon the expiration of the permit, whichever comes first.

C.

Filming shall be permitted only Monday through Friday, and shall commence not earlier than 8:00 a.m. and shall be completed not later than 7:00 p.m. Notwithstanding any provision of this Chapter to the contrary, no filming shall take place on any "holiday," which for the purposes of this Chapter shall mean any federal, state or local holiday or any date during the school year on which the public schools of the Township of River Vale are closed.

D.

No permit applied for shall issue unless first authorized by the Construction Official or his or her designee, the Chief of Police or his or her designee, and the Township Administrator or his or her designee. The Construction Official must refuse to issue a permit when the report by the Township of River Vale Police Department is to the effect that said filming would endanger the public health, safety or welfare. Any person aggrieved by the decision may appeal to the Mayor and Council by filing said appeal within 10 days after the adverse decision. Said appeal shall be heard and decided by the Mayor and Council within 30 days after being filed

E.

The Mayor and Council may authorize a waiver of any of the requirements or limitations of this chapter.

F.

The applicant shall notify the Construction Official at least 24 hours before filming in order to give the Official sufficient opportunity to notify the affected departments so that they may have an authorized representative inspect the site.

G.

The owner of the property on which the filming is to occur shall, not later than 24 hours before such filming is to commence, give written notice to all residents within 200 feet of the property on which the filming is to occur of the date(s) and time(s) on which the filming is to occur.

Applicability.

The provisions of this chapter shall not apply to the filming of news stories concerning the Township of River Vale and any of the Township activities.

Violations and penalties.

Any person found guilty by the Municipal Court of violating any provision of this chapter shall, for each day that filming takes place without the permit required under this chapter, be fined not less than \$1,000 nor more than \$2,000.

FEES

A.

Permit fee: \$5,000. Said permit fee shall be nonrefundable.

B.

Cash bond (amount to be refunded will be less any expenses incurred by the Township due to filming): \$2,500.

ROLL CALL VOTE

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

2nd Hearing of the Public

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

There being no questions or comments motion by Councilman Donovan; second by Councilwoman Sieg to close the meeting to the public.

ADJOURNMENT

Motion by Councilman Donovan; seconded by Councilman Ben-Yishay to adjourn the meeting at 8:25pm.

ATTEST:
Karen Campanelli
Township Clerk

Council President
Mark Bromberg