

MINUTES
Regular Council Meeting
Council Chambers
Monday, August 22, 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, Councilman Criscuolo, Councilwoman Sieg and Council President Bromberg were present.

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

Mayor's Comments

Mayor Jasionowski gave an update on a request from a resident for a traffic light at the intersection of Prospect and Rivervale Road. The Police Department has monitored the situation and based on their analysis they find that there is no need for a traffic light at this intersection. He added that the Police Department will continue to monitor the situation once school starts to see if there are any changes. The Mayor further reported that the Police Department feels there won't be a need for a light at this location until such time that there is any additional development at this intersection. Mayor Jasionowski has informed the resident of this decision.

The Mayor next reported that at a previous Council meeting he had requested a sub-committee of Councilmembers Ben-Yishay and Criscuolo look into how we handle our sports programs; having a rec committee versus independent associations. The Mayor explained that based on the feedback from the sub-committee and input from the Township Attorney; it has been determined that the program we have in place right now is best for the Township. The Mayor is in agreement with this decision and they will continue to monitor the associations. He also thanked Councilmen Ben-Yishay and Criscuolo for all their time and work; it was much appreciated.

Mayor Jasionowski next commented on the Historical Commission. The Mayor explained that several times the topic of preserving historical information has been brought to the Governing Body's attention. They were able to find the Township has a Historical Commission by ordinance and it is his intention to reinstate this ordinance and bring it up to date. He plans on working with Gennaro and coming up with some recommendation which he will then bring to the Council.

The Mayor reported that based on recent ratings the River Vale Police Department is rated the 3rd overall safest Town in the State of New Jersey; 21st in violent crime and 2nd in property crime. He added that Old Tappan was rated 2nd; making two (2) neighboring Towns in the top (5) of the State. Mayor Jasionowski proudly commended the Police Department.

Mayor Jasionowski concluded his comments by wishing Councilman Donovan a Happy Birthday.

Council Comments

There were no Council comments this evening.

Administrator's Report

Mr. Rotella reported on the successful submission of an application for Senior Citizen Activities and that this year's award for \$3,530 was for more than the prior year. He explained that the seniors use these funds for their activities and planned trips. The Administrator next reported that Township is in the process of preparing their Open Space Municipal Trust Fund grant application for the renovation of the ponds at the Golf Course.

Mr. Rotella also announced that this Thursday, the 25th at 7:00pm The Buzz Band will be performing at the amphitheater as part of the Summer Concert series.

The Mayor questioned the status of the new Senior Bus. Mr. Rotella responded that they are working on the lettering and the Bus should be ready shortly.

Engineer's Report

Mr. Statile reported that the Road Program is winding down and they're finishing up work on the catch basins. He next reported that last week both he and Township Planner Caroline Reiter presented the Master Plan changes to the Planning Board. Mr. Statile explained that there are two major zone changes proposed that would affect the Master Plan; adding that Edgewood Country Club is one of those changes. He further reported that they will be returning to the Planning Board on September 19th with draft Master Plan language. Mr. Statile commented that he has no updates to report on the grant applications.

The Mayor commented on the poor condition of the red pavement that is installed on the bends of County roads and questioned whether the County has any plans to repair. Mr. Statile responded that they are going to leave it as is until the road are repaved.

1st Hearing of the Public

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

~~Chris Wahmann—611 Poplar Road~~ Mr. Wahmann gave a brief history of his participation with the River Vale Neighborhood Association and their work in the preservation of watershed property in the Township. This included the Township's purchase of I7A and I7B located on Poplar Road; these properties were purchased using both County and State Funds. Mr. Wahmann further detailed the Township's purchase of I6A also on Poplar Road near John Street. He recalled (2) letters he sent the Council both in 2012 speaking about the Bergen County Trust Fund and the Municipal Open Space Tax Fund.

Mr. Wahmann also commented how on October 2012 Super Storm Sandy devastated the parcels on Poplar Road. He commented that there has been nothing done with regard to the properties with the exception of one week spent by the DPW cleaning up. He added that he doesn't like the manner in which the Open Space Funds are being spent and managed. Mr. Wahmann stated that he was a member of the Planning Board for 10 years, a former Chairman and current Chairman of the Historical Preservation Commission and the Open Space Representative for the Township. He further explained how he has strived to help the Township of River Vale obtain funds for the Veteran's memorial, Amphitheater, four corners pocket park and the Holdrum Playground.

Mr. Wahmann commented on several ordinances including Ordinance 315-2016 which references that the Township is responsible for cleaning up their properties. He next commented on documents he obtained through OPRA and recited and how money has been spent from the Open Space Fund from 2011 to 2016.

~~Fred Epstein—625 Poplar Road~~ questioned if there are any plans to clean up the Poplar Road Sanctuary.

Council President Bromberg recalled that there was a recent Eagle Scout project whose plan was to clean up the sanctuary.

Mayor Jasionowski responded that there is money in Open Space and that this is not a funding issue. The Mayor explained that the Township has repeatedly sent people in; including the Scouts, to keep the paths clear and safe. He added that the Township has not cleaned up the woods. The Mayor further explained that there have been other priorities; including safety issues and storm drains.

Mr. Epstein agreed that the pathways have been cleaned out and look good however there is more work to be done. He's aware it's not going to be easy but he wants to help and make it a beautiful place.

The Mayor stressed that this is not a funding issue but a limited manpower issue. Mayor Jasionowski added that he will meet with the Business Administrator and Superintendent to discuss the issue. He will also walk the property and at the next meeting advise the Council and the public as to what can be done.

There being no further questions or comments motion by Councilman Criscuolo; seconded by Councilwoman Sieg to close the meeting to the public.

RESOLUTIONS

Motion by Councilman Ben-Yishay; seconded by Councilwoman Sieg to approve Resolutions #2016-177 through 190 as a Consent Agenda as follows:

Resolution #2016-177

RESOLUTION APPROVING MINUTES JULY 25, 2016 REGULAR MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the July 25, 2016 Regular Meeting of the Township Council are hereby approved.

Resolution #2016-178

RESOLUTION CONFIRMING THE APPOINTMENT OF JUNIOR FIRE FIGHTER

WHEREAS, the Board of Officers of the River Vale Volunteer Fire Department are recommending the appointment of the following individual as a Junior Fire Fighter with the River Vale Volunteer Fire Department:

Aidan P. Gargiulo

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of River Vale that the appointment of Aidan P. Gargiulo is hereby confirmed.

Resolution #2016-179

REFUND

(Golf Camp)

WHEREAS, the following individual has requested a refund of the Golf Camp registration fee; and

WHEREAS, the Treasurer has certified the availability of funds in the Golf Course Fees 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 a municipal check payable as follows:

"Kristen Babb"

Mail to:
12 Quail Ridge Road
Montvale, NJ 07645

\$249.00

Resolution #2016-180

**RESOLUTION
REFUND OF TAX OVERPAYMENT**

WHEREAS, the following resident had paid the 3rd quarter property taxes for the property located at 816 Clauss Lane (Bl 1907, Lot 5); and

WHEREAS, the resident no longer owns the property and has requested a refund of said overpayment.

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

“Marina Gimpelev”

Mail to:
686 Alexander Court
River Vale, NJ 07675

\$4,366.70

Resolution #2016-181

MUNICIPAL ENDORSEMENT OF SPECTRUM FOR LIVING 2017 COMMUNITY DEVELOPMENT GRANT APPLICATION

WHEREAS, a Bergen County Community Development Grant of \$40,000.00 has been proposed by Spectrum for Living Group Homes, Inc., for Spectrum's Support Services Program in the municipality of River Vale; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development Funds may not be spent in a municipality without authorization by the Mayor and Council; and

WHEREAS, the aforesaid project is in the best interest of the people of River Vale; and

WHEREAS, the resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of River Vale hereby confirm endorsement of the aforesaid project.

BE IT FURTHER RESOLVED that a copy of the resolution shall be sent to the Director of the Bergen County Community Development Program so that implantation of the aforesaid project be expedited.

Resolution #2016-182

RESOLUTION AUTHORIZING THE MAYOR TO SIGN FLU PROFESSIONAL SERVICES AGREEMENT WITH THE COUNTY OF BERGEN (2016-2017)

WHEREAS, the County of Bergen, Department of Health services offers municipalities a program to contract for flu vaccination clinics for their residents; and

WHEREAS, the Township of River Vale wishes to provide this beneficial service to their residents.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the above mentioned agreement with the County of Bergen.

Resolution #2016-183

RESOLUTION

(Release of Performance Guarantee)

WHEREAS, MWD River Vale One, Developers had posted a Performance Guarantee of \$367,500.00 as required by the Planning Board for the construction of a Retail Strip Mall located at (Block 2206, Lot 12); and

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

WHEREAS, the Township Engineer recommends the release of the Performance Guarantee upon the receipt of a Maintenance Bond in the amount of 15% of the original improvements or \$45,930.00.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the Performance Guarantee may be released upon the receipt of the Maintenance Bond.

Resolution #2016-184

RESOLUTION

CHAPTER 159

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 that 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 2016 in the sum of \$3,530.00 which is now available from the Bergen County Division of Community Development to be used toward the Senior Citizens Activities program.

BE IT FURTHER RESOLVED that the sum of \$3,530.00 is hereby appropriated under the caption of Public and Private Programs.

Resolution #2016-185

REFUND

(Farmers Market Vendor Registration Fees)

WHEREAS, the following vendors have requested a refund of the Farmers Market Vendor Registration fee for the 2016 Season; 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 refunds are hereby approved and the Treasurer is authorized to issue municipal checks payable as follows:

“Romarsi LLC”
Mail to:
17 Buttell Drive
Clifton, NJ 07013

“Satori Unlimited”
Mail to:
75 Sipp Avenue
Clifton, NJ 07013

\$105.00

\$250.00

Resolution #2016-186

RESOLUTION AUTHORIZING NOT TO EXCEED LIMITATIONS FOR CHRISTOPHER STATILE FOR THE 2016 ROAD RESURFACING PROGRAM

WHEREAS, on July 15, 2016 the Township Engineer, Christopher P. Statile, P.A. submitted a proposal to provide full time inspection services and oversight of the 2016 Road Resurfacing project; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in the Capital Account.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale that not to exceed limitations are hereby approved and established in the amount of \$23,500.00 for the firm of Christopher P. Statile, P.A.

Resolution #2016-187

RESOLUTION

(Building Permit Refund)

WHEREAS, the property owners of 695 Alden Court had paid for a building permit (#16-267) for construction work to be performed at their home; and

WHEREAS, the contractor performing the work inflated the cost of the permit fee and the owner is requesting a refund of said overcharge.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the overcharge of the Building Permit fee be refunded.

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:

“Raymond & Mary Mulry”

Mailing Address:

695 Alden Court
River Vale, NJ 07675

\$ 638.00

Resolution #2016-188

RESOLUTION
(Disabled Veteran Tax Exemption)

WHEREAS, *N.J.S.A. 54:4-3.30* allows for Disabled Veterans to receive a 100% exemption from Property Taxes; and

WHEREAS, the following resident is eligible for said exemption from Property Taxes and is requesting a refund of taxes paid after the date of eligibility.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the Tax Collector is hereby authorized to cancel the property taxes of

Terrence M. Eckel, 647 Blue Hill Road, River Vale (Block 113, Lt 4)

as of his eligibility date of March 12, 2014.

<u>Year</u>	<u>Refund Amount</u>
2014	\$ 7,727.69
2015	\$ 10,069.83
2016	\$ 7,617.15

BE IT FURTHER RESOLVED, that the Treasurer is hereby authorized to issue a refund of property taxes payable as follows:

2014 & 2015 total refund is \$17,797.52

Payable to:

Terrence M. Eckel

647 Blue Hill Road
River Vale, NJ 07675

2016 Refund of \$7,617.15

Payable to:

CoreLogic

Refund Department

P.O box 961250

Fort Worth, TX 76161-9887

Resolution #2016-189

**AUTHORIZE PERSON-TO PERSON TRANSFER OF
PLENARY RETAIL CONSUMPTION LICENSE
#0253-33-007-007**

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License number 0253-33-007-007, hereto issued to Vale Bar & Grill, LLC located at 625 Rivervale Road, River Vale, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated there under, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of River Vale does hereby approves the transfer of the aforesaid Plenary Retail Consumption License to Zozo's USA, LLC, and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: "The license, subject to all its terms and conditions, is hereby transferred to Zozo's USA, LLC effective August 22, 2016."

Resolution #2016-190

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:

CURRENT ACCOUNT claims in the amount of:	\$158,813.80
RESERVE CURRENT ACCOUNT claims in the amount of:	\$6,271.64
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$77,577.98
ANIMAL TRUST ACCOUNT claims in the amount of:	\$3.60
MISCELLANEOUS TRUST ACCOUNT claims in the amount of:	\$0.00
RECREATION TRUST ACCOUNT claims in the amount of:	\$11,715.72
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:	\$17,985.10
SNOW REMOVAL TRUST ACCOUNT claims in the amount of:	\$0.00
HOUSING TRUST ACCOUNT claims in the amount of:	\$0.00
JUNIOR POLICE ACADEMY TRUST ACCOUNT claims in the amount of:	\$0.00
GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of:	\$4,131.53
OPEN SPACE TRUST ACCOUNT claims in the amount of:	\$0.00
CAPITAL ACCOUNT claims in the amount of:	\$17,590.25

PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$162.50
SPECIAL TRUST ACCOUNT claims in the amount of:	\$1,751.50
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$57.40
TOTAL CLAIMS TO BE PAID	\$296,061.02

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:	\$5,789,696.53
RESERVE CURRENT ACCOUNT claims in the amount of:	\$0.00
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$368,340.79
GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of:	\$0.00
UNEMPLOYMENT TRUST ACCOUNT claims in the amount of:	\$0.00
STATUTORY ACCOUNT claims in the amount of:	\$498,544.74
SNOW REMOVAL TRUST ACCOUNT claims in the amount of:	\$0.00
RECREATION TRUST ACCOUNT claims in the amount of:	\$57,495.20
PUBLIC ASSISTANCE TRUST ACCOUNT claims in the amount of:	\$0.00
ANIMAL TRUST ACCOUNT claims in the amount of:	\$0.00
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:	\$0.00
ACCUMULATED ABSENCES TRUST ACCOUNT claims in the amount of:	\$0.00
CAPITAL ACCOUNT claims in the amount of:	\$0.00
MISCELLANEOUS TRUST ACCOUNT claims in the amount of:	\$0.00
SPECIAL TRUST ACCOUNT claims in the amount of:	\$0.00
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$0.00
BOND TRUST ACCOUNT claims in the amount of:	\$0.00
TOTAL CLAIMS PAID	\$6,714,077.26

TOTAL BILL LIST RESOLUTION **\$7,010,138.28**

**MANUAL DISBURSEMENTS
BILL LIST FOR AUGUST 22, 2016**

07/30/2016 – Transfer Payroll	\$ 243,273.24
08/15/2016 – Transfer Payroll	\$ 255,271.50
TOTAL STATUTORY ACCOUNT DISTRIBUTIONS	\$ <u>498,544.74</u>

ROLL CALL VOTE

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

Ordinances for 1st Reading

ORDINANCE #317-2016

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING CHAPTER 18 OF THE CODE ENTITLED “FIRE DEPARTMENT BYLAWS”

Council Discussion

Council President Bromberg announced that the Fire Chief and Deputy Fire Chief are both present this evening to answer any questions regarding this ordinance. Council President Bromberg explained that there was a committee formed that was tasked with reviewing the Fire Department Bylaws. The Council President has spoken to several past Chiefs and other Officers who were all in favor of these changes which would then need to be memorialized by Ordinance.

Deputy Chief Greg Goodell offered a brief statement. He explained that they formed a committee comprised of ex-chiefs, Tom Shine and Jerry Marsh and Lt. Cannata. The committee reviewed the bylaws and prepared a proposal that was presented to the Board of Fire Officers. The Board accepted the changes that were then presented to the membership who were also in agreement. Deputy Chief Goodell added that they are now before the Council requesting their approval to change the bylaws.

Council President Bromberg added that it is his understanding that the Fire Department is seeking a balance between the mandated amount of time committed with the need for safety and training to ensure the Department runs efficiently.

Councilman Criscuolo requested some clarity with the language in section 18-4 sections (a) and (c) pertaining to the criteria of an active member. The Township of Attorney explained that this is not a substantive change and she will clarify the language for the next meeting.

~~Motion to Introduce:~~ Councilman Criscuolo

~~Second:~~ Councilwoman Donovan

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING CHAPTER 18 OF THE CODE ENTITLED "FIRE DEPARTMENT BYLAWS"

BE IT ORDAINED by the Township Council of the Township of River Vale that Chapter 18 of the Code is amended as follows:

ARTICLE I. Name

§ 18-1. Name of Department.

The name of this organization shall be the "River Vale Volunteer Fire Department," located at 330 River Vale Road, River Vale, New Jersey. It is referred to in the following as "this Department" or as "the Department."

ARTICLE II. Purpose

§ 18-2. Purpose of Department.

The purpose of this Department shall be the protection of life and property from fire and other emergencies and the procuring of personnel.

ARTICLE III. Members

§ 18-3. Composition of Department.

This Department shall consist of active, probationary, inactive, exempt, honorary and active life members.

§ 18-4. Qualifications of active members.

A.

An active member in good standing shall be:

(1)

A citizen of the United States;

(2)

A resident for at least six months prior to his/her application:

(a)

Of the Township of River Vale, New Jersey; or

(b)

Of a surrounding township in the State of New Jersey and residing no more than three miles from a Department firehouse;

(3)

Able to read and write the English language;

(4)

At least 18 years of age with proof of birth;

(5)

Able to pass the state physical examination; and

(6)

Fingerprinted and investigated by the River Vale Police Department.

B.

During the period commencing October 1st of each year through September 30th of the subsequent year, active members in good standing shall be required to:

(1)

Accept a minimum of 60% of all calls per year;

(2)

Attend a minimum of 6 Chief's Report meetings per year; and

(3)

Participate in a minimum of 10 drills per year.

C.

Any active member not attending at least 30% of fire calls (October 1 of the preceding year to September 30 of the current year) will be dropped from membership in the River Vale Volunteer Fire Department.

D.

Each year that an active member meets the criteria set forth in subsection B shall be counted toward that member's active life membership.

§ 18-5. Application for membership.

Each application for active membership shall be made in writing using the state standard form. The application shall be forwarded to the membership committee, and, upon favorable report of same at the monthly meeting of the Board of Fire Officers, the applicant shall be recommended to the Mayor for the appointment as a probationary firefighter for a period of not less than one year.

§ 18-6. Probationary members.

A probationary member shall be an individual whose membership has been conditionally accepted by the Board of Fire Officers but has not completed the necessary fire courses. Upon appointment as a probationary firefighter by the Mayor, the member must meet the requirements of an active member, but he/she will not be eligible to vote, nominate, hold office or become a qualified driver. Upon determination by the Board of Fire Officers that a probationary member has satisfactorily completed Firefighter I and any other required courses at the Bergen County Police and Fire Academy or equivalent, and his/her probationary period, he/she shall be accepted as an active member.

§ 18-7. Inactive members.

A.

Any active member in good standing may request to be put on the inactive membership list. This request must be made in writing and submitted to the Board of Fire Officers. The Board of Fire Officers will make a determination whether the request is justified, on a case-by-case basis, before or during its next meeting.

B.

The Board of Fire Officers may grant an active member inactive membership for a period of up to six months. At this time, the member on inactive status may request in writing an extension or further extension of up to six months.

C.

No member shall be granted inactive membership for a period exceeding 12 months unless said member has:

(1)

Been a member in good standing for a period of three years prior to his/her request;

(2)

Is actively serving in the military; or

(3)

Is enrolled in an accredited college or higher educational program and is actively working in furtherance of obtaining a degree.

D.

An inactive member may attend meetings and answer fire alarms.

E.

An inactive member is not required to attend his/her specified percentage of fires or meetings until he/she returns to the active list.

F.

An inactive member may not nominate or vote for any line officers of the active Fire Department nor shall such member be permitted to hold office.

G.

An inactive member may request to be returned to the active list at any time during his/her inactive membership. This request shall be made in writing and shall be presented to the Board of Fire Officers for their acceptance or rejection.

§ 18-8. Exempt members.

An exempt membership to the Department shall be available, in accordance with the requirements of the laws of the State of New Jersey, to any person who shall be an active member of the Department at the time of his/her application. No member of the Department shall be granted a certificate as an exempt firefighter unless evidence is presented, sufficient in law to justify such issuance. Any active member joining that is over the state-required age will be granted exempt status through the Mayor after completion of all state requirements for exempt status.

§ 18-9. Honorary members.

Honorary membership to the Department shall be available, by election by the members of the Department, to any person for outstanding service to the Department. Such election shall require a favorable vote of at least 3/4 of the members present at a regular meeting.

§ 18-10. Active life members.

Upon service in the River Vale Fire Department for a period of not less than 20 years, as an active member in good standing, said member shall be reclassified as an "active life member" who shall enjoy the privileges of an active member, but shall not be required to attend fire calls or drills. All requirements set forth in section 18-4 must be met in order for active life members to nominate members for office, vote for members to hold or hold office himself or herself.

§ 18-10.1. Civilian defense members.

A civilian defense membership to the Department shall be available to allow the recruitment and retention of trained firefighters from other municipalities within the State of New Jersey who either work or live in the Township of River Vale. A civilian defense member shall be required to comply with the following conditions:

A.

A civilian defense member must meet all qualifications for active membership as detailed in § 18-4 (Qualifications of active members).

B.

A civilian defense member must be an active member in good standing of another New Jersey fire department in order to apply to be a civilian defense member and must provide written proof from the department that holds his/her New Jersey State firefighter's line number at the time of application. In addition, the applicant must provide a complete copy of his/her records from the department holding his/her New Jersey State firefighter's line number during the application period to the River Vale Fire Department Investigative Committee.

C.

A civilian defense member is not required to attend his/her specified percentage of fire calls or meetings in the Township of River Vale. However, said member shall be required to maintain

his/her good standing with the department that holds his/her New Jersey State firefighter's line number and must provide annual proof of same to the Board of Fire Officers.

D.

A civilian defense member may not nominate or vote for any line officers of the active Fire Department.

E.

A civilian defense member may not be nominated or run for any officer position in the active Fire Department.

ARTICLE IV. Board of Fire Officers

§ 18-11. Members.

Members of the Board of Fire Officers shall consist of a Chief, Deputy Chief, one Senior Captain, one Captain and a Lieutenant for each line apparatus, and such other officers of the Fire Department as shall be provided pursuant to ordinance.

§ 18-12. Members ex officio.

The members ex officio of the Board shall be the President of the River Vale Fire Department Association and Fire Marshal.

§ 18-13. Regular meetings.

The Board shall hold regular monthly meetings; the time, date and place to be determined by the Board Chairman with the approval of the majority of the Board members, and the Board may hold special meetings upon notice as hereinafter provided.

§ 18-14. Special meetings.

Special meetings may be called at the discretion of the Chairman of the Board, and are intended to address unforeseen circumstances, including emergency or death in the Department, where an immediate decision is required to ensure the proper operation of the Department.

§ 18-15. Quorum.

A quorum shall consist of no less than a majority of the qualified members in order that business

may be transacted at either regular or special meetings.

§ 18-16. Rules of procedure for regular and special meetings.

A.

For all regular and special meetings, the Chief shall automatically be Chairman of the Board and, in his/her absence, the Board shall be chaired by the Deputy Chief. In the case where both the Chief and Deputy Chief are unavailable, and a special meeting is necessary, the next available senior officer will act as Chairman of the Board. No regular meeting may be held in the absence of the Chief and the Deputy Chief. One member of the Board shall be designated by the Chairman as Secretary to keep complete records of all regular and special meetings.

B.

Transaction of business at all regular Board meetings shall proceed in the following order:

(1)

Reading of the minutes.

(2)

Reading of communications.

(3)

Chiefs report.

(a)

Department conditions.

(b)

New members.

(c)

Grievances.

(4)

Reports of committees.

(5)

Unfinished business.

(6)

New business.

(7)

Good of the Department.

(8)
Adjournment.

C.
Transaction of business at all special meetings shall proceed in the following order:

(1)
Report as to the purpose of the meeting.

(2)
Transaction of business for which the meeting was called.

(3)
Adjournment.

D.
A majority vote of Board members shall be required to pass any and all Board decisions.

E.
Meetings shall be conducted in accordance with all applicable State and local laws, regulations and ordinances.

§ 18-17. Interpretation of code.

Any question as to the interpretation, intention or meaning of this Code or Code of Control of the River Vale Volunteer Fire Department, or any parts hereof, shall be determined by a majority vote of the members of the Board, at any regular meeting, provided a quorum is present. Any decision shall be transmitted to the active Department at its next regular meeting and a copy retained in a separate file for future reference. It shall be the duty of every member of the Board to respect and enforce the Code to the best of said member's ability in order that the Board may operate efficiently and in order to ensure that the Department shall function with due regularity and maximum performance.

§ 18-18. Duties.

Duties shall be as follows:

A.
To formulate, prepare and effect a code for the control and management of the River Vale Volunteer Fire Department.

B.

To determine and recommend exemption certificates for members of the Fire Department who have served the time prescribed by law and have performed the yearly fire duty required of them for a period equal in years to the number of years required by the laws of the State of New Jersey.

C.

To prepare and formulate necessary rules and regulations for Board procedures as it may deem necessary, within the guidelines laid down herein.

D.

To prescribe and determine procedure for the election of departmental officers, determine qualification for office and report the results of elections through the Chief and/or Director of Fire to the Mayor for his approval.

E.

The Chairman of the Board shall appoint from the active Fire Department membership, members to serve on all existing committees. In addition, the Chairman may create any committees which the Chairman deems necessary to assist the Board.

F.

The Chairman shall appoint two active Ex-Chiefs, one exempt member, and two at large members to serve on the five member Grievance Committee. Current members of the Board shall not serve on the Grievance Committee.

G.

To appoint three active members from the active membership of the Department to serve on the Membership Committee.

H.

To have sole jurisdiction in the assignment of members to serve fire stations and on fire apparatus.

I.

To appoint a member of the Fire Department to maintain records of members' percentages.

§ 18-19. Voting requirements.

In determining decisions to be made by the Board of Fire Officers, a majority vote shall be required, provided that a quorum is in attendance, at any regular or special meeting, and the said members of the Board of Fire Officers, in order to qualify to have their vote valid and effective, must be active and qualified members entitled to vote in the River Vale Volunteer Fire Department.

§ 18-20. Grievance process.

A.

All grievances against any elected officer or a member must be submitted to the Chief in writing and signed by a member or members in good standing, or brought by the Chief directly. The Chief will review the filed grievance and, based on the supporting evidence and seriousness of the alleged grievance, can immediately impose a temporary suspension of a member's active status of up to 90 days or until final disposition of the grievance by the Grievance Committee or the Board of Fire Officers (if appealed). The member may not attend meetings or serve at fires until the final outcome of the charges is determined and made known to him in writing. If no temporary suspension is ordered, the accused shall be entitled to continue as an active member of the Department in all respects. The Chief's action is not subject to appeal.

B.

If the seriousness of the alleged grievances merit a letter of reprimand, additional suspension time greater than 90 days, or termination of membership, the Chief must submit the written grievance and a request for review to the Grievance Committee. The Grievance Committee will meet as soon as practicable to review the merits of the charges, and take, by majority vote, one of the following actions:

(1)

Dismiss the grievance: This action automatically returns the member to active status, removes any letters of reprimand related to the grievance that were filed against the member, and credits the member for all missed fire calls, drills and mandatory meetings while suspended;

(2)

Find that the grievance is justified and impose additional penalties, if warranted; or

(3)

Find that the grievance is justified, and modify penalties imposed.

C.

Appeals to the Board of Fire Officers.

(1)

The member aggrieved by the decision and penalty of the Grievance Committee can appeal said decision and penalty to the Board of Fire Officers. Such appeal shall be taken by filing a written appeal to the Board of Fire Officers within 10 days after notice of the decision by the Grievance Committee.

(2)

Upon receipt of the written notice of appeal, the Board of Fire Officers shall schedule a time and date to review the findings of the Grievance Committee as soon as practicable, and must give adequate notice (at least seven days) to the member appealing the decision of the Grievance Committee of the date and time of the review.

(3)

The Board of Fire Officers will, by majority vote, affirm, overturn, or modify the decision of the Grievance Committee.

(4)

The accused may appeal the decision of the Board of Fire Officers to the Mayor within 10 days in writing directed to the Township Clerk. The determination both as to the charges and penalty shall be consistent with the rules and procedures of the Office of the Mayor and decided by said Mayor, and the Mayor's decision shall be final.

(5)

In the event an alleged grievance is found to be unjustified by the Grievance Committee, the Board of Fire Officers or the Office of the Mayor, then he/she shall be immediately entitled to resume all rights and privileges as a member of the Department in the event suspension has occurred, or, in the event of no suspension, his/her status shall be that of a member in good standing as though no charges had been brought.

D.

Penalties. The Grievance Committee and Board of Fire Officers shall have the authority and the right:

(1)

To suspend for any term and in any manner any member against whom valid grievances have been filed. In the event said member is suspended, he/she shall remain inactive and may not attend meetings or serve at fires and any compensation from the Township shall cease as of the date of his/her suspension;

(2)

To order the removal from Department membership of any member against whom valid grievances have been filed. In the event of discharge of a member of the Department, the member shall no longer be entitled to the rights and privileges of a member of the Department and all compensation shall cease as of the date of discharge;

(3)

To submit letters of reprimand into any member's personnel file against whom valid grievances have been filed.

ARTICLE V. Election of Officers

§ 18-21. Officers enumerated.

The following line officers shall be elected for a term of one year at the regular Department meeting in the month of November:

- A.
Chief.
- B.
Deputy Chief.
- C.
Two Captains-at-large, one senior.
- D.
One Lieutenant for each piece of fire apparatus.

§ 18-22. Nominations.

- A.
At the Chief's Report meeting held in the month of October, active members in good standing shall nominate members to fill the offices of Chief, Deputy Chief, Captain-at-large and Lieutenant in accordance with the requirements of this Code and subject to the qualifications set forth in Section 18-27 of this Code.
- B.
No nomination will be considered after the close of the October Chief's Report meeting.
- C.
The incumbent Deputy Chief shall be permitted to run for the office of Chief without the need of a formal nomination from other active members in good standing.
- D.
Members shall not run for more than one office. A member must accept his or her nomination by letter submitted to the Chairman of the Board or in person at the October Chief's Report meeting. Nominations not accepted at the conclusion of the nominations portion of the Chief's Report meeting shall be disregarded.

§ 18-23. Notice of election.

The Board shall notify all Department members of the date, time and place of said election at

least five days prior to the election.

§ 18-24. Balloting.

All elections shall be by a plurality of ballots cast and shall be by secret ballot. Absentee ballots may be cast according to rules prescribed by the Board of Fire Officers.

§ 18-25. Nominations to fill vacancies.

If any office shall be vacated by death, resignation or otherwise, the Board of Fire Officers shall call a special election. Nominations shall be made to the Board of Fire Officers at a meeting to be held at least five days before the date set in the notice of the special election meeting.

§ 18-26. Rerun in case of tie.

If no candidate for an office receives a plurality of ballots cast, an immediate rerun election shall be held between all candidates receiving an equal number of votes. Absentee ballots will be considered on all rerun elections.

§ 18-27. Qualifications.

A.

No member shall be eligible to hold office of Chief or Deputy Chief, unless he/she shall have at least five years of active fire duty, including at least one year in office as Captain.

B.

No member shall be eligible to hold the office of Captain unless he/she shall have served satisfactorily as a Lieutenant at least one year active fire duty.

C.

No member shall be eligible to hold the office of Lieutenant unless he/she shall have at least two years active fire duty, said period to include all probationary periods, and have completed the course in Firefighter I and any other municipal, county, state, or federally required officer training courses conducted by the Bergen County Fire Academy or other municipal, county, state or federal agency.

D.

Members running for office must be qualified drivers of any apparatus operated by such office for a period of at least six months prior to running for office.

§ 18-28. Appointment to fill vacancy.

The Board of Fire Officers may appoint, in the event of a vacancy in office, a member not fully qualified, to fill said office, for a period of 90 days. The Board of Fire Officers can continue to reappoint a member not fully qualified until the vacancy is filled through regular or special election.

ARTICLE VI. Installation of Officers

§ 18-29. When installation takes place.

The duly elected officers will assume their duties on January 1 of each year at 0001 hours (12:01 a.m.).

Article VII. Duties of Officers

§ 18-30. Chief.

A.

The Chief shall have exclusive control and supervision at all fires, Department inspections, drills and reviews or other fire duties.

B.

The Chief shall also have supervision of all fire equipment, of all officers and members of the Department.

C.

The Chief shall hold the members and officers of the Department strictly to account for neglect of duties, and may suspend any member or officer at any time for refusing to obey orders or for any reason that would promote discord or decrease efficiency in the Department.

D.

The Chief shall enforce rules and regulations of the Department.

E.

The Chief shall have crews drill on fire duty as often as he/she deems necessary.

F.

The Chief shall hold at least one drill each month.

G.

The Chief shall check and report to the proper authority all faulty hydrant conditions.

H.

The Chief shall be required to select and submit to the Department and the Township the names of all drivers of apparatus during his/her term in office and in this respect, for purposes, among others, of being that of securing insurance coverage for said appointed drivers.

I.

The Chief shall be the Chief Executive Officer of the Department.

J.

The Chief shall appoint the Purchasing and Budget Officer, to maintain proper records and provide monthly reports of budget and purchasing matters to the Chief.

K.

The Chief shall appoint a Training Officer and a Radio Officer. At the end of their terms of office, both the Radio and Training Officers shall surrender all properties of the Department to their successors in office.

L.

The Chief shall appoint a Board Secretary from the Board of Fire Officers to prepare the official minutes during all regular and special meetings.

M.

At the conclusion of his or her term in office, the Chief shall surrender all Department property to his or her successor.

§ 18-31. Deputy Chief.

A.

The Deputy Chief shall perform the duties of the Chief in the absence of the Chief and such other duties prescribed by departmental rules.

B.

At the conclusion of his or her term in office, the Deputy Chief shall surrender all Department property to his or her successor.

§ 18-32. Captain.

A.

The Captains shall be assigned to a fire station. The fire station to which they are assigned shall be at the discretion of the Chief.

B.

Each Captain shall be responsible for the fire apparatus and all Department equipment assigned to his/her fire station.

C.

It shall be the duty of each Captain to see that the truck room is always kept clean and in perfect order and to assume charge of his/her respective apparatus and other appliances pertaining thereto so that they are in complete order and working condition.

D.

At every alarm of fire or emergency, each Captain is responsible for those firefighters under his/her command and to ensure that each firefighter does his/her duty.

E.

Each Captain shall obtain the discharge of his/her station from the Chief or officer acting as Chief after the fire has been extinguished and the roll called.

F.

Each Captain shall maintain the discipline of the station under his/her command and instruct the members in their duties.

G.

Each Captain shall carry out the orders of the Chief or officer acting as Chief.

H.

Each Captain shall report to the Chief at the time of duty at fires, the conditions thereof and the conditions relating to positions assigned and shall make recommendations where needed to more effectively control said fire.

I.

At the conclusion of his or her term in office, the Captain shall surrender all Department property to his or her successor.

§ 18-33. Lieutenants.

A.

Lieutenants shall be obligated to encourage the members in performance of duties and enforce all orders given by active officers senior in rank.

B.

It shall be the duty of each Lieutenant on his/her respective apparatus to properly instruct the persons assigned to that apparatus in the use of the equipment and appliances and to recommend qualified drivers to the Chief.

C.

At the conclusion of his or her term in office, the Lieutenant shall surrender all Department property to his or her successor.

§ 18-34. Temporary officers.

At an alarm of fire, the first officer to arrive at the fire acts as Chief and performs the duties of Chief until his/her superior arrives. If no officer arrives, then the drivers of each truck shall take charge until an officer arrives. If no officers arrive, then the drivers shall continue in charge until the fire is extinguished.

§ 18-38. Fire Police.

The Department can designate Fire Police to assist at the scene of an alarm, active fire, accident, or other emergency, consistent with state law.

ROLL CALL VOTE

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

Ordinances for 2nd Reading and Public Hearing

Council President Bromberg next invited Police Officer Josh Wisse to answer questions regarding a proposed Stop Sign Ordinance. Officer Wisse is a member of the Traffic Bureau and works with Lt. Ryan.

Officer Wisse reported on a proposed Stop Sign at Russell Snow and Thurnau Drive. The Police Department has received residential complaints about the area for the past several years. Officer Wisse explained that he and Lt. Ryan went to the site and determined that it warranted a Stop Sign. He further explained that this was not to stop the speed but to control the volume of traffic in the area. He stated that based on these findings they decided to propose a Stop Sign for the area.

Council President Bromberg commented that he is very familiar with the intersection. He explained that it is a "T" intersection with one part of the "T" going to a cul-de-sac with (6) homes. He further stated that 99% of the traffic is either making a right turn from Russell Snow to Thurnau or a left turn from Thurnau to Russell Snow and therefor their paths are not crossing.

Officer Wisse agreed and clarified that it is not a matter of speed but rather the safety of the residents in the area.

The Mayor reported that he has meet with Lt. Ryan regarding this issue and stressed the need for the Stop Sign and that it's a safety issue. Mayor Jasionowski stated that he thought that Lt. Ryan would want a traffic light at Prospect but said they did not need it. He also cautioned the Council; explaining that our experts consider this to be a safety issue and that we need a Stop Sign and this should be taken seriously.

Council President Bromberg commented that he does take the issue seriously and he has the utmost respect for our Police Department. Council President Bromberg referred to the Mayor's comment about the intersection at Prospect and Rivervale Road that has significantly more traffic and it was decided that a light wasn't necessary. Council President Bromberg also commented that they have had other discussion on parking ordinances and safety around school zones and not all were agreed upon. He also questioned if there was anything that could be done to help mitigate the issue. He feels the issue is the traffic coming off of Thurnau is cutting the corner and doesn't feel the Stop Sign is going to help the problem and possibly create an unnecessary impediment.

The Mayor suggested letting the Council decide regarding this ordinance based upon the recommendation of their Traffic Expert.

Councilman Criscuolo questioned why they were questioning and uncertain about the recommendations of our Police Department who are the experts regarding this issue. Council President Bromberg wanted to have a discussion on this ordinance before it was up for a vote.

Councilwoman Sieg commented that as a precaution she stops at that location already even without the Stop Sign. She also agrees with the Council Vice President; if the Police Department is recommending this then there is a reason for it. Officer Wisse added that Russell Snow is a cut through street used to avoid the intersection at Prospect and this where they've seen the volume.

2nd Hearing of the Public

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

~~Chris Wahmann—611 Poplar Road—~~ Mr. Wahmann continued his comments and recited how Township Open Space funds have been spent. He questioned if this was an open expense for the DPW and expressed his concerns regarding how the money is spent from the fund.

Mayor Jasionowski disagreed with Mr. Wahmann and responded that all of the expenses mentioned were reviewed and approved by the Township auditors.

Mr. Wahmann stated that every year \$166,000 comes out; \$100,000 for the Golf Course and \$66,000 for Poplar Road. The current fund amount is \$207,440 for the year; the remaining \$41,000 is distributed mainly to the DPW.

Mr. Wahmann suggested that he would like to see a tree bank for the Planning Board sub-divisions to be used for the planting of trees in various locations, a storage area for DPW woodchips and a spot for the garden club to plant and grow flowers.

Council President Bromberg commented on the DPW expenses mentioned; adding that it is primarily the responsibility of the DPW to maintain the Township's fields and Open Spaces. Therefor anything from that fund would go towards the DPW.

The Mayor invited anyone concerned with the expenses the opportunity to meet with the auditors to discuss. Mayor Jasionowski announced that he will be walking the property on Friday afternoon with Gennaro and Rich. He extended this invitation to two Council members as well.

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

The Township Engineer gave a report on Storm Water Management; opening with a brief history. In 2000, the Federal EPA implemented a nationwide Storm Water Management Program. Thereafter in 2002, the NJDEP promulgated new rules regarding Storm Water Management. Presently, every community in New Jersey is issued a permit to discharge their storm water into the streams and brooks. Mr. Statile clarified that River Vale has separated storm water meaning that there is no sewerage going into our storm drains.

Mr. Statile explained the point system of the Storm Water Management Program. The Township must earn 10 points a year through various mechanisms. He gave the examples of posting displays at Town Hall and the website as methods to earn points. Mr. Statile added that presenting to the Governing Body earns 3 points. The primary purpose is to get information out to the public.

In addition to the Storm Water Management rules of the NJDEP; the Township has promulgated their own in the form of ordinances approved in 2006. These ordinances are focused on keeping the water as clean as possible when discharged to our streams; the water from our stream goes to our reservoirs which serve as our drinking water. Mr. Statile listed the various permitted activities that can be discharged into the storm drains; pumping uncontaminated ground water, car washing and draining a pool are all permitted. Mr. Statile next reviewed the activities not permitted; you cannot discharge sewerage or landfill waste into the storm drains.

The Township's responsibility is to perform public outreach through newsletters and handouts at public events. The Township's catch basins are also labeled stating to not discharge materials into the storm drains. The Superintendent manages an effect street sweeping program and all the collected material in considered solid waste and handled separately. Mr. Statile added that the salt shed must be protected from the rain to prevent the salt from running off into the streams. The Superintendent is also required to train his employees in storm water management and maintain a log books for street sweeping and vehicle washing. Mr. Statile explained that this practice is necessary for when the State performs inspections and requests to inspect the log books.

The Township also adopted several Ordinances in 2006 dealing with pet waste, prohibiting the feeding wildlife and litter. And every year as part of the road paving program; new eco grates are installed on the catch basins to prevent debris from washing into the storm drains.

ADJOURNMENT

Motion by Councilman Donovan; seconded by Councilwoman Sieg to adjourn the meeting at 9:00 pm.

ATTEST:
Karen Campanelli
Township Clerk

Council President
Mark Bromberg