

MINUTES
Regular Council Meeting
Monday, February 10, 2020
7:30pm

CALL THE MEETING TO ORDER

Council Vice President Criscuolo called the meeting to order at 7:33pm in the Council Chambers located at 406 Rivervale Road, River Vale, New Jersey 07675.

SALUTE TO FLAG

Council Vice President Criscuolo asked all in attendance to rise and join him in a Salute to the Flag.

SUNSHINE LAW STATEMENT

Council Vice President Criscuolo 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 Vice President Criscuolo were present. Council President Bromberg was absent.

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

Council Comments

There were no Council comments this evening.

Business Administrator's Report

Mr. Rotella reported that he received a very nice letter from the Center of Hope & Safety; which is a shelter for battered women and children. He explained that over the holidays they collected toys which were then donated to the shelter.

Councilwoman Sieg commented how wonderful it was to hear this and how we helped make their holidays bright; however, we should remember them and show our support throughout the year. Councilwoman Sieg added that we all should be accountable for doing an act of kindness.

Township Engineer's Report

Mr. Statile reported that the Township spent \$270,000 installing sidewalks on Westwood Avenue and Rivervale Road. He recently received an email from Johanna Schnugg of 753 Westwood Avenue thanking them for the new concrete sidewalk and grading on her property and for a job well done.

Mr. Statile is waiting on the budget so he can finalize list of roads for this year's Road Program. He next reported Kristine is wrapping up work on the renovations to the Veteran's Memorial Park project. His office is also submitting a Discretionary Aid grant application for repairs to the bridge on Poplar Road.

Mr. Statile next reported that within the next 2 weeks PSE&G will be wrapping up their work on the gas main installation project. Mr. Rotella clarified that work PSE&G has been doing is now complete. He is also working with Gennaro on the bid spec for miniature golf course. Mr. Statile also reviewed the New Jersey Library Construction Bond project; explaining that now is the time to apply because it's a matching grant program. Councilwoman Sieg added that the submission time frame is March 9th through April 6th; she also suggested touching base with Diane the new Library Director and keeping her updated.

Councilman Donovan questioned the final Change Order for D&L Paving and whether it was partly for Poplar Road. Mr. Statile responded that the change order was specifically for the Road Program.

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

RESOLUTIONS

Motion by Councilman Donovan; second by Councilman Ben-Yishay to approve Resolution #2020-68 as follows:

Resolution #2020-68

RESOLUTION APPROVING MINUTES JANUARY 27, 2020 REGULAR MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the January 27, 2020 Regular meeting of the Township Council are hereby approved.

ROLL CALL VOTE

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

Motion by Councilwoman Sieg; second by Councilman Donovan to approve Resolutions #2020-69 through #2020-77 as a Consent Agenda as follows:

Resolution #2020-69

RESOLUTION APPROVING CHANGE ORDER NO. 1 FOR THE 2019 ROAD PROGRAM & NJDOT ROLLING HILL DRIVE IMPROVEMENTS PROJECT (INCREASE)

WHEREAS, on June 10, 2019 the Township of River Vale awarded the 2019 Road Program & Rolling Hill Drive Improvements project to D & L Paving Contractors, Inc. 675 Franklin Avenue, Nutley, New Jersey; and

WHEREAS, there were necessary changes during the project which are detailed in a statement prepared by the Township Engineer and on file in the Clerk’s Office; and

WHEREAS, this change order results in an increase to the contract sum; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the Capital Account.

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

Original Contract Sum	\$ 579,482.45
<u>Change Order #1 Increase</u>	<u>+ 51,025.34</u>
New Contract Sum	\$ 630,507.79

Resolution #2020-70

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

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

WHEREAS, the Township of River Vale has the need on a timely basis to lease the following vehicle for the River Vale Police Department utilizing State contracts;

- **(1) 2020 Dodge Durango AWD**

and

WHEREAS, the State Contract price is

Vehicle Purchase Price: \$ 32,389.00

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

WHEREAS, the Township of River Vale intends to enter into a Lease/Purchase contract with Beyer Fleet, 200 Ridgedale Avenue, Morristown, New Jersey (NJSC 47-CPCPS, Item #8) through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts.

NOW THEREFORE BE IT RESOLVED, that the Township of River Vale authorizes the Purchasing Agent to Lease the above listed vehicle from Beyer Fleet, pursuant to all conditions of the individual State contracts.

Resolution #2020-71

RESOLUTION AUTHORIZING PAYMENT OF INCENTIVE COMPENSATION TO LONG BALL GOLF MANAGEMENT

WHEREAS, on July 1, 2019 the Township entered an agreement with Long Ball Golf Management, LLC for the Management and Maintenance of the River Vale Country Club; and

WHEREAS, pursuant to Section 4 (b) of the Agreement entitled "Incentive Compensation" LBGM shall receive Incentive Compensation, in the amount of Fifteen Thousand (\$15,000) Dollars, when the Golf Course generates \$2,501,000.00 or more in Gross Revenue from various combined line item revenue sources; and

WHEREAS, in 2019 LBGM meet this goal and is therefore eligible to receive incentive compensation in the amount of \$15,000.00; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in an amount not-to-exceed \$15,000.00 in the Golf Course Operating account.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of River Vale that the Treasurer is hereby directed to issue a check for \$15,000.00 payable to Long Ball Golf Management LLC.

Resolution #2020-72

RESOLUTION CONFIRMING JOINT PLANNING BOARD PROFESSIONAL SERVICES APPOINTMENTS

WHEREAS, on January 29, 2020 the Joint Planning Board held their Annual Reorganization meeting; and

WHEREAS, at this meeting the Joint Planning Board by Resolution appointed both their Board Attorney and Engineer as follows:

- **Marc Leibman, Esq., Kaufman, Semeraro & Leibman, LLP—Joint Planning Board Attorney**
- **Christopher P. Statile, Statile Associates PA—Joint Planning Board Engineer**

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of River Vale confirms the Joint Planning Board appointments for a term of one (1) year ending on December 31, 2020.

Resolution #2020-73

RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE CONTRACT FOR THE BERGEN COUNTY TRUST FUND MUNICIPAL GRANT AWARD (RVCC Drainage & Safety Improvements Project)

BE IT RESOLVED that the Mayor and Council of the Township of River Vale wish to enter into a Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using an \$ 81,565.00 matching grant award from the 2019 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled the River Vale Country Club Drainage and Safety Improvements project located at 660 Rivervale Road, on the tax maps of the Township of River Vale; and,

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorize the Mayor to be a signatory to the aforesaid Contract; and,

BE IT FURTHER RESOLVED that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about December 23, 2021; and,

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund’s requirements; and,

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible construction costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund’s requirements. Professional Services Costs may be reimbursed from grant award’s unexpended balance, should there be a balance.

Resolution #2020-74

RESOLUTION APPROVING THE APPOINTMENT OF THE TAX ASSESSOR

WHEREAS, pursuant to N.J.S.A. 40A:9-148, 149 *et seq.* there shall be a Certified Tax Assessor (CTA) appointed by the Governing Body to serve a term of four years; and

WHEREAS, the former Tax Assessor retired effective December 31, 2019; and

WHEREAS, Township employee Joanne Allgor holds the statutory license required to be a Tax Assessor and has successfully performed these duties; and

WHEREAS, it is the recommendation of the Business Administrator to appoint Joanne Allgor as the Tax Assessor.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale that Joanne Allgor is hereby appointed as Tax Assessor for the Township of River Vale for a term effective 12/31/2019 to 6/30/2020.

BE IT FURTHER RESOLVED, by the Township Council of the Township of River Vale that Joanne Allgor’s term as Tax Assessor shall then be 7/1/2020 to 6/30/2024.

Resolution #2020-75

RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE CONTRIBUTION AGREEMENT WITH THE FAIRWAYS AT EDGEWOOD, LLC

WHEREAS, The Fairways at Edgewood, LLC is the contract purchaser of the property located at 455 and 449 Rivervale Road (Block 1201, Lots 5 and 6) in the Township of River Vale; and

WHEREAS, The Fairways at Edgewood, LLC desires to contribution the sum of \$700,000.00 to the Township to be used toward the costs for municipal improvements deemed appropriate by the Township; and

WHEREAS, the Township Attorney has reviewed and approved the Contribution Agreement.

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of River Vale hereby authorizes the Mayor to sign the Contribution Agreement with The Fairways at Edgewood, LLC.

Resolution #2020-76

RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF HARRINGTON PARK (CERTIFIED MUNICIPAL COURT ADMINISTRATOR)

WHEREAS, the Uniformed Shared Services and Consolidation Act N.J.S.A. 40A:65-1 et seq. authorizes public entities to enter into a contract with each other to share services which the entities are empowered to provide or receive within their own jurisdiction; and

WHEREAS, the Uniformed Shared Services and Consolidation Act promotes the broad use of shared services as a method to reduce local expenses funded by property taxpayers; and

WHEREAS, the Borough of Harrington Park currently has a need for a Court Administrator within their municipality; and

WHEREAS, the parties desire to enter into a shared services agreement whereby the Court Administrator for the Township of River Vale shall serve in this capacity for the Borough of Harrington Park pursuant to the Interlocal Services Agreement; and

WHEREAS, the terms and conditions of this agreement have been review and approved by the Township Attorney; and

WHEREAS, the term of the Interlocal Services Agreement shall be for three years effective January 1, 2020 through December 31, 2022.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the Interlocal Services Agreement with the Borough of Harrington Park.

Resolution #2020-77

RESOLUTION APPROVING RIGHT-OF-WAY USE TO CROSS RIVER FIBER

WHEREAS, Cross River Fiber LLC ("Cross River Fiber"), seeks to place its telecommunication facilities aerially on existing utility poles or in an underground conduit in the Public Rights-of-Way within the Township of River Vale for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system; and

WHEREAS, Cross River Fiber was approved by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout the State; and

WHEREAS, N.J.S.A. 48:3-19 requires Cross River Fiber to obtain the consent of the Township of River Vale for the joint use of any existing utility poles; and

WHEREAS, N.J.S.A. 54:30A-124(a) provides that a municipality may not impose any fees, taxes, levies or assessments in the nature of a local franchise, right of way, or gross receipts fee, tax, levy or assessment against telecommunications companies but that a municipality may impose reasonable fees for actual services made by any municipal, regional or county governmental agency; and

WHEREAS, it is in the best interests of the Township of River Vale and its citizens to grant consent to Cross River Fiber; and

WHEREAS, the consent granted is for the non-exclusive use of the Public Rights-of-Ways for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system subject to the terms and conditions of the attached Use Agreement with Cross River Fiber.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale, that Township of River Vale is hereby authorized to grant Cross River Fiber a non-exclusive use of the Public Rights-of-Ways for the purpose of owning, constructing, installing, operating repairing and maintaining a telecommunications system.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute any and all documents necessary to effectuate this Resolution.

ROLL CALL VOTE

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

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

2nd Hearing of the Public

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

Bill Hepper—497 Piermont Avenue S.—commented on the Recycling Center and that the containers are very large and hard to reach in order to put items into them. He requested that something needs to be done to improve the area. Mr. Rotella suggested that Mr. Hepper go to the office and ask for assistance putting his recycling items in the containers.

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

ADJOURNMENT

Motion by Councilman Donovan: second by Councilwoman Sieg to adjourn the meeting at 7:46pm.

ATTEST:
Karen Campanelli, Township Clerk

Council Vice President
Paul Criscuolo

