

**MINUTES**  
**Regular Council Meeting**  
**Monday, April 22, 2019**  
**8:00pm**

**CALL THE MEETING TO ORDER**

Council President Bromberg called the meeting to order at 8:01pm 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, Councilwoman Criscuolo, Councilwoman Sieg and Council President Bromberg were present. Councilman Donovan was absent.

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

**Council Comments**

There were no Council comments this evening.

---

**Business Administrator's Report**

Mr. Rotella had no report this evening.

**Township Engineer's Report**

Mr. Statile reported that he and Gennaro are working with PSE&G to negotiate the restoration of the roads after the installation of new gas mains in the northeast portion of Town. He is also working to combine the 2019 Road Program with the Rolling Hill Drive project which the Township received a DOT grant award. Mr. Statile plans to repurpose and use the construction plans from 2003 and 2005; when Rolling Hill was last paved, as a cost savings measure.

Mr. Statile announced that they are ready to go out to bid on the sidewalk project which he hopes will begin in the spring. He is meeting with Harris; who builds miniature golf courses throughout New Jersey; to discuss re-engineering the project and bring it back into budget.

He reported that the next meeting for the Fairways at Edgewood is scheduled for April 30<sup>th</sup> at the Community Center. Mr. Statile has been authorized to hire an arborist to review the trees on Piermont Road and determine if they are worth saving. He has also just received a new set of construction plans to review before the next meeting.

Mr. Statile reported that the Planning Board is recommending for consideration a change in the front yard setback for buildings in Town.

Council President Bromberg added that Chris is looking at making the setbacks more consistent and easier for both the Planning Board and residents to work with.

---

**PUBLIC HEARING 2019 MUNICIPAL BUDGET**

Motion by Councilman Criscuolo second by Councilwoman Sieg to open the Public Hearing for the 2019 Municipal Budget.

There being no questions or comments from the public motion by Councilman Criscuolo second by Councilwoman Sieg to close the Public Hearing on the 2019 Municipal Budget.

**RESOLUTIONS**

Motion by Councilman Ben-Yishay second by Councilwoman Sieg to approve Resolutions #2019-136 and #2019-137 as follows:

**Resolution #2019-136**

**RESOLUTION AUTHORIZING SELF EXAMINATION OF THE BUDGET**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *Township of River Vale* has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2019 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the *Township of River Vale* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

**Resolution #2019-137**

(Attached)

**ROLL CALL VOTE**

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

---

**1st Hearing of the Public**

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

Lenny Scott—702 Westwood Avenue—Mr. Scott had questions regarding culling the deer herd and whether there would be any cost to the Town for the professional bow hunters. He also questioned, that as a resident, would this be open to River Vale residents who are also professional bow hunters licensed by the State of New Jersey.

Council President Bromberg responded that at this time the Governing Body has backed the Mayor to investigate through the Division of Fish & Wildlife who manage these matters. He explained that it is his understanding that Fish & Game is the organization who will vet and decide. Council President Bromberg clarified that hunters will not be in people’s yards as may have been recently reported in other Towns by the newspapers. He further explained that this will be a very controlled and restricted operation. Mr. Rotella added that is too early in the process to say; however, when they have a more detailed conversation with Fish & Wildlife they will then be able to define the steps moving forward.

Kim Nagelhout—45 Parkview Drive Park Ridge—wished all a Happy Earth Day. Ms. Nagelhout distributed a list of deer resistant plants which has been used successfully by Saddle River residents.

Richard Tax—630 Montview Place—commented on the advertisements he’s seen for the Country Club and suggested the wording “...where Valley people meet...” be added to their advertising. Mr. Tax feels this may draw in people from other Towns.

Mark Nagelhout—45 Parkview Drive, Park Ridge—addressed the controlled hunt comment. Mr. Nagelhout reported that Saddle River stated the hunt was going to be controlled as well. He recalled reading the Saddle River Police reports to the Council at a previous meeting; where deer were running on the people’s property, into traffic and being impaled on fences. Mr. Nagelhout added that these incidents occurred more during the Saddle River hunt. He explained that you should not expect this to be clean; deer bow hunting has a 50% wounding rate. Mr. Nagelhout further explained that you will have wounded deer running and on people’s property.

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.

---

**RESOLUTIONS**

Motion by Councilman Ben-Yishay; second by Councilwoman Sieg to approve Resolution #2019-138 through #2019-151 as a Consent Agenda as follows:

**Resolution #2019-138**

**RESOLUTION APPROVING MINUTES APRIL 8, 2019 REGULAR MEETING**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the minutes of the April 8, 2019 Regular meeting of the Township Council are hereby approved.

**Resolution #2019-139**

**RESOLUTION APPROVING THE RAFFLE LICENSE FOR THE NJ PBA LOCAL 206 CIVIC ORGANIZATION (OFF PREMISES 50/50)**

**BE IT HEREBY RESOLVED** that the following license to conduct an off Premises 50/50 raffle is issued to:

NAME: NJ PBA Local 206 Civic Organization  
17 Ackerman Avenue  
Emerson, NJ 07630

LOCATION OF RAFFLE: Florentine Gardens  
79 Rivervale Road  
River Vale, NJ 07675

DATE OF RAFFLE: June 18, 2019 (5:00pm – 8:00pm)

I.D. #: 547-8-37785

RAFFLE LICENSE: RL 569

**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 #2019-140**

**RESOLUTION**  
**REFUND TAX OVERPAYMENT**

**WHEREAS**, a tax overpayment was received for the 2<sup>nd</sup> quarter of 2019 and the property owner 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 a municipal check as follows:

**Payable to:**  
Marina Grodman

**Mail to:**  
628 La Manna Drive  
River Vale, NJ 07675  
(Block 901, Lot 2)

**Refund amount \$ 522.68**

**Resolution #2019-141**

**RESOLUTION AUTHORIZING CHANGE IN CLAIMANT SIGNATURE REQUIREMENT**

**WHEREAS, N.J.A.C. 5:30-9A.6(c), N.J.A.C. 5:31-4.1, and Local Finance Notice 2018-13** allows local units discretion to not require claimant certification under certain circumstances; and

**WHEREAS**, a local unit may also enact a standard policy through resolution to not require claimant certification where the vendor or claimant does not provide such certification as part of its normal course of business, and

**WHEREAS**, in instituting such a policy, the local unit shall have the discretion to require claimant certification as it deems necessary and appropriate.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of River Vale hereby establishes a policy requiring the claimant signature under the following circumstances only:

1. Advances or reimbursement of employee expenses, and
2. Services provided exclusively and entirely by an individual (e.g. sole proprietors)

**BE IT FURTHER RESOLVED**, this policy will be applied in a non-arbitrary fashion and will be affirmatively communicated to vendors.

**Resolution #2019-142**

**REFUND**

**(Volleyball Clinic Registration Fee)**

**WHEREAS**, the following individual is requesting a refund of the Volleyball Clinic 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 a municipal check payable as follows:

**Rosemary Helou  
102 Holiday Lane  
River Vale, NJ 07675**

**Refund Amount: \$ 60.00**

**Resolution #2019-143**

**RESOLUTION AUTHORIZING EXCEEDING THE TOWNSHIP BID THRESHOLD**

**WHEREAS**, the Township needs to secure the services of Watch Us Grow Landscape Design, LLC, 121 Woodland Avenue, Westwood New Jersey for the provision of landscape services at the River Vale Country Club; and

**WHEREAS**, the cost of these services will exceed the Township bid threshold; and

**WHEREAS**, under local Public Contracts Law *N.J.S.A. 40A:11-4.1* competitive contracting may be used by local contracting units in lieu of the standard public bidding process for procurement of specialized goods and services when the price exceeds the bid threshold.

**NOW THEREFOR BE IT RESOLVED**, by the Township Council of the Township of River Vale that the Business Administrator is hereby authorized to exceed the bid threshold and execute a contract with the above mentioned vendor.

**Resolution #2019-144**

**RESOLUTION TO OPPOSE THE VEGETATIVE MANAGEMENT RESPONSE ACT (S2505/A2558)**

**WHEREAS**, there is presently pending before the New Jersey Senate and Assembly the proposed Vegetative Management Response Act (S2505/A2558); and

**WHEREAS**, said legislation would allow any public utility to unilaterally usurp the role of local government in the management of public trees within public parks and within the public right-of-way, and would unilaterally permit the removal of trees on private property without the owner's consent whenever the public utility determines that such trees are "growing in, near, or adjacent to electric utility's right-of-way, and the electric distribution and transmission system...which may fall into, touch, affect, or otherwise interfere with an electrical distribution line;" and

**WHEREAS**, proposed amendments to N.J.S.A. 40:64-12c would expand the purview of any public utility (such as electric, gas, water and pipeline) or cable television company to clear, remove, cut or destroy any tree, shrub, or plant, without municipal permission or consultation, if done to install or maintain any structures; and

**WHEREAS**, the proposed legislation exempts public utilities from local regulation or penalty if they claim to be "acting in good faith, with due diligence and reasonable judgement;" and

**WHEREAS**, under the proposed legislation , a utility is under no obligation to confer with the local government or the private property owner before unilaterally choosing to clear, move, cut or destroy vegetation; and

**WHEREAS**, the proposed legislation limits the authority of local shad tree commissions by grating authority to any public utility to carry out “vegetative management” without notifying or consulting with the municipality or taking municipal regulations into account; and

**WHEREAS**, the Township of River Vale values both its public and private trees, which not only add to the beauty and overall livability of the Township but also serve as a buffer to the extreme of weather, offer cooling shade in the summer and shelter from winter winds, produce oxygen and reduce carbon dioxide in the air and help curtail flooding and restore the groundwater supply; and

**WHEREAS**, the proposed legislation is imbalanced and dramatically expands the authority of electric and other public utilities; and

**WHEREAS**, the Mayor and Council finds that public utilities and cable television providers have an obligation and responsibility to work with local authorities to cooperate in the responsible management of trees.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Township of River Vale opposes the Vegetative Management Response Act in its present form and urges the New Jersey Senate and Assembly not adopt same.

**BE IT FURTHER RESOLVED**, that the Township of River Vale is hereby authorized and directed to provide a copy of the within resolution to State Senator Gerald Cardinale, Assemblywoman Holly Schepisi and Assemblyman Robert Auth and to the municipal clerks in Bergen County.

**Resolution #2019-145**

**RESOLUTION AUTHORIZING THE SALE OF SURPLUS EQUIPMENT**

**WHEREAS**, the Township of River Vale is the owner of various surplus equipment which is listed on file with the Township Clerk and is no longer needed for public use; and

**WHEREAS**, the Township of River Vale desires to authorize the sale of this surplus equipment at a public sale pursuant to N.J.S.A. 40A:11-36, to the highest bidder.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of River Vale, County of Bergen and State of New Jersey, as follows:

1. The Township of River Vale hereby declares that the surplus equipment is no longer needed for public use.
2. The Township of River Vale and its officers are hereby authorized and directed to take any and all steps necessary to proceed with a public sale of said surplus equipment.
3. The notice of the date, time and place of the public sale together with a description of the surplus equipment and the conditions of sale, shall be published in *The Ridgewood News*, the official newspaper of the Township of River Vale, with the sale being held not less than seven (7) nor more than fourteen (14) days after the publication of said notice. The surplus equipment will be sold on a cash basis to the highest bidder(s).
4. No limit shall be placed on the number of surplus equipment that can be purchased by any one bidder.
5. The Township has set a minimum price for each vehicle, and reserves the right to reject any and all bids under the minimum price.

The resolution shall take effect immediately.

**Resolution #2019-146**

**RESOLUTION APPROVING THE RAFFLE LICENSE FOR WESTWOOD CHARITY GOLF OUTING INC. (ON PREMISES 50/50)**

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

NAME: Westwood Charity Golf Outing, Inc.  
37 Goodwin Terrace

Westwood, NJ 07675

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

DATE OF RAFFLE: June 18, 2019 (7:00pam – 3:00pm)

I.D. #: 547-5-42266

RAFFLE LICENSE: RL 570

**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 #2019-147**

**RESOLUTION APPROVING THE RAFFLE LICENSE FOR WESTWOOD CHARITY GOLF OUTING INC. (ON PREMISIES MERCHANDISE RAFFLE)**

**BE IT HEREBY RESOLVED** that the following license to conduct an on Premises merchandise raffle is issued to:

NAME: Westwood Charity Golf Outing, Inc.  
37 Goodwin Terrace  
Westwood, NJ 07675

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

DATE OF RAFFLE: June 18, 2019 (7:00pam – 3:00pm)

I.D. #: 547-5-42266

RAFFLE LICENSE: RL 571

**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 #2019-148**

**RESOLUTION AWARDING A CONTRACT FOR ARCHIVAL SERVICES FOR TOWNSHIP SOCIAL MEDIA ACCOUNTS**

**WHEREAS**, on April 15, 2019 the Township received a proposal for the provision of archival services for all Township social media accounts; and

**WHEREAS**, the Business Administrator has reviewed the proposal and recommends awarding a contract to

**Archive Social  
P.O. Box 3330  
Durham, NC 27720**

**WHEREAS**, the Chief Financial Officer has certified that funds are available in an amount not to exceed \$ 1,592.00 in the Current Fund account; and

**WHEREAS**, the term of this contract shall run through December 31, 2019 and renew annually thereafter.

**NOW THEREFOR BE IT RESOLVED**, by the Township Council of the Township of River Vale that the Business Administrator is hereby authorized to execute a contract on behalf of the Township with Archive Social.

**Resolution #2019-149**

**RESOLUTION AWARDING A CONTRACT FOR A DEER POPULATION STUDY**

**WHEREAS**, on April 11, 2019 the Township received a proposal to conduct a survey of the white-tailed deer population as part of the Township’s Deer Management Plan. The data will be collected by using drones fitted with infrared cameras; and

**WHEREAS**, the Business Administrator has reviewed the proposal and recommends awarding a contract to

**Jay F. Kelly, Ph. D.  
Raritan Valley Community College  
118 Lamington Road  
Branchburg, NJ 08876-3315**

**WHEREAS**, the Chief Financial Officer has certified that funds are available in an amount not to exceed \$ 3,367.00 in the Current Fund account; and

**NOW THEREFOR BE IT RESOLVED**, by the Township Council of the Township of River Vale that the Business Administrator is hereby authorized to execute a contract on behalf of the Township with Raritan Valley Community College.

**Resolution #2019-150**

**RESOLUTION AUTHORIZING THE TRANSFER OF CERTAIN SURPLUS PROPERTY TO ANOTHER NEW JERSEY MUNICIPALITY**

**WHEREAS**, pursuant to N.J.S.A. 11:36(2), the Township may donate surplus property and equipment that is no longer needed for public use within the Township of River Vale; and

**WHEREAS**, the Township is presently in possession of three (3) military/tactical vehicles that are no longer needed for public use within the Township of River Vale

- **1991 BMY Harsco Cargo VIN#: 2307249**
- **1991 BMY Harsco Wrecker VIN: 3600927**
- **1991 AM General HMMWV VIN: 119777**

**WHEREAS**, the Township wishes to donate the three (3) military/tactical vehicles to the Borough of South Plainfield.

**NOW THEREFOR BE IT REOLVED** by the Township Council of the Township of River Vale that the Business Administrator is hereby authorized to donate the above listed vehicles at no cost to the Borough of South Plainfield.

**Resolution #2019-151**

**PAYMENT OF BILLS**

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

CURRENT ACCOUNT claims in the amount of:	\$	141,666.75
RESERVE CURRENT ACCOUNT claims in the amount of:	\$	22,683.80
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$	82,554.81
RESERVE GOLF COURSE UTILITY OPERATING ACCT claims in the amount of:	\$	2,050.00
UNEMPLOYMENT TRUST ACCOUNT claims in the amount of:		
ANIMAL TRUST ACCOUNT claims in the amount of:	\$	23.40
MISCELLANEOUS TRUST ACCOUNT claims in the amount of:		
RECREATION TRUST ACCOUNT claims in the amount of:	\$	10,633.37
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:	\$	12,015.33
PUBLIC ASSISTANCE TRUST ACCOUNT claims in the amount of:		
HOUSING TRUST ACCOUNT claims in the amount of:	\$	2,125.00
JUNIOR POLICE ACADEMY TRUST ACCOUNT claims in the amount of:		
GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of:		
OPEN SPACE TRUST ACCOUNT claims in the amount of:		
CAPITAL ACCOUNT claims in the amount of:	\$	28,745.70
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$	2,040.50
SPECIAL TRUST ACCOUNT claims in the amount of:	\$	2,157.50
ZONING BOARD TRUST ACCOUNT claims in the amount of:		

**TOTAL CLAIMS TO BE PAID** **\$ 306,696.16**

**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 Bills List Resolution as follows:

CURRENT ACCOUNT claims in the amount of:	\$ 4,374,160.95
RESERVE CURRENT ACCOUNT claims in the amount of:	\$ 1,925.00
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$ 176,670.77
RESERVE GOLF COURSE UTILITY OPERATING ACCT claims in the amount of:	
UNEMPLOYMENT TRUST ACCOUNT claims in the amount of:	
TAX SALE PREMIUM TRUST ACCOUNT claims in the amount of:	
ANIMAL TRUST ACCOUNT claims in the amount of:	
MISCELLANEOUS TRUST ACCOUNT claims in the amount of:	
RECREATION TRUST ACCOUNT claims in the amount of:	\$ 4,449.00
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:	\$ 20,000.00
OPEN SPACE TRUST ACCOUNT claims in the amount of:	
HOUSING TRUST ACCOUNT claims in the amount of:	
JUNIOR POLICE ACADEMY TRUST ACCOUNT claims in the amount of:	
GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of:	
GREEN ACRES TRUST ACCOUNT claims in the amount of:	
CAPITAL ACCOUNT claims in the amount of:	
SPECIAL TRUST ACCOUNT claims in the amount of:	
PERFORMANCE BOND TRUST ACCOUNT claims in the amount of:	\$ 3,606.47
ZONING BOARD TRUST ACCOUNT claims in the amount of:	
<b>TOTAL CLAIMS PAID</b>	<b>\$ 4,580,812.19</b>
 <b>TOTAL BILL LIST RESOLUTION</b>	 <b>\$ 4,887,508.35</b>

**MANUAL DISBURSEMENTS  
BILL LIST FOR April 22, 2019**

Transfer Payroll	\$ 276,706.94
Transfer Payroll	\$ 247,079.37
	 <b>\$ 523,786.31</b>

**ROLL CALL VOTE**

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

---

There were no Ordinances for 1<sup>st</sup> or 2<sup>nd</sup> Reading this evening.

---

**2<sup>nd</sup> Hearing of the Public**

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

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

---

**ADJOURNMENT**

Motion by Councilman Criscuolo; second by Councilwoman Sieg to adjourn the meeting at 8:20pm.

---

ATTEST:  
Karen Campanelli, Township Clerk

---

Council President  
Mark Bromberg

