

MINUTES
Regular Council Meeting
Council Chambers
Monday, July 23, 2018
8:00pm

CALL THE MEETING TO ORDER

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

SALUTE TO FLAG

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

SUNSHINE LAW STATEMENT

Council President Bromberg read the Sunshine Statement into the record, as follows:

"In accordance with the provisions set forth in the Open Public Meetings Law, notification of this meeting has been sent to all officially appointed Township newspapers and notice is posted at the Municipal Office."

ROLL CALL

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

Also present: Township Attorney Silvana Raso, Township Engineer Chris Statile and Township Clerk Karen Campanelli.

Council Comments

There were no Council comments this evening.

Township Engineer's Report

Mr. Statile reported that the Road Program is underway and all the road have been milled. Due to the rainy weather the paving has been delayed and he hopes the contractor can start later this week. He further reported that Giordano Playground is complete; the DPW will now come in clean up the area and lay down fall protection woodchips.

Mr. Statile next reported that the River Vale Country Club Irrigation Project is complete; this project went well and the contractor did a great job. The Mark Lane Pavilion project is underway; the materials have been delivered and they have decided about the location of the electrical subpanel. The engineer expects the Contractor to start work shortly.

Mr. Statile has completed the design for the new sidewalks at the Senior/Community Center and submitted the plans to the County for their review and approval. He concluded his report that work is continuing at the miniature golf course and the fire stand pipe will be relocated shortly.

1st Hearing of the Public

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

Timothy McEvoy – 553 Herrmann Avenue—Mr. McEvoy thanked the Council for the work they do. Mr. McEvoy commented that he gave Councilman Donovan a letter regarding the paving project last Wednesday. He explained that last Tuesday he learned about the list of streets being paved on the internet. By Wednesday he had reviewed 10 of the 11 streets on the list. Mr. McEvoy reported that he spoke to Mr. Rotella and was

told that Herrmann Avenue from Rockland to Ford will be paved next year. He explained that two years ago Herrmann was paved from Ford to Cedar Lane.

Mr. McEvoy questioned whether any of the roads on the list were visualized by the Council. He reported that six of the streets are dead ends. He further explained that in his letter to the Mayor he questioned what the process is to select the roads. Council President Bromberg referred to the Township Engineer; who uses certain criteria to review the streets. He added that Herrmann may just have missed the list this year and was not overlooked. Council President Bromberg further commented that they also must work within the budgeted amount for that particular year. Mr. Statile added that they conducted a road survey three years ago and rated the all the streets; he stressed that the Council is not involved in the selection process.

Mr. Statile explained that they work from the top of the list street by street and work within the budget. Mr. Statile reported that Herrmann Avenue is on next year’s roster. Mr. McEvoy stated that this is what Mr. Rotella related to him on Thursday. He further urged the Council to look at the streets, questioned why certain street were on the list and reported holes near a catch basin on his street.

Kevin Martin—605 Alacci Way— Mr. Martin questioned the status of the sidewalks on Westwood Avenue and reported the poor condition of the sidewalks. Mr. Statile responded that they are currently surveying the sidewalks and are planning to do the work this fall. Mr. Martin thanked the Mayor, Council and the entire team for getting his road paved.

Councilman Donovan commented that after Mr. McEvoy attended the Planning Board meeting; because it was the first public meeting he could attend, he directed Mr. McEvoy to a Council meeting. Councilman Donovan left the Planning Board meeting and went to Herrmann Avenue and at that very same time Chris Statile arrived to view the street as well.

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

RESOLUTIONS

Motion by Councilman Criscuolo; seconded by Councilman Donovan to approve Resolution 2018-185 as follows:

Resolution #2018-185

RESOLUTION APPROVING MINUTES JULY 9, 2018 COUNCIL MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the July 9, 2018 Council meeting of the Township Council are hereby approved.

ROLL CALL VOTE

Councilman Donovan, Councilwoman Sieg and Councilman Criscuolo voted yes. Councilmembers Ben-Yishay and Bromberg abstained.

Motion by Councilman Ben-Yishay; seconded by Councilman Donovan to approve Resolutions 2018-186 through 2018-191 as a Consent Agenda as follows:

Resolution #2018-186

RESOLUTION AUTHORIZING NOT TO EXCEED LIMITATIONS FOR DECOTIIS, FITZPATRICK, COLE & GIBLIN, LLP (WOODCLIFF LAKE WITHDRAWAL REFERENDUM BALLOT QUESTION)

WHEREAS, the law firm of DeCotiis, Fitzpatrick, Cole & Giblin, LLP represents the Township in matters regarding the Regional High School Litigation; and

WHEREAS, DeCotiis, Fitzpatrick, Cole & Giblin submitted a proposal for the tasks related to the preparation of the Woodcliff Lake Withdrawal Referendum Ballot Question; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in the Current Fund.

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 \$20,000.00 for the law firm of DeCotiis, Fitzpatrick, Cole & Giblin, LLP.

Resolution #2018-187

RESOLUTION APPROVING THE RAFFLE LICENSE FOR DUMONT HIGH SCHOOL ATHLETIC BOOSTER ASSOCIATION (ON PREMISES 50/50)

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

NAME: Dumont HS Athletic Booster Assn
P.O. Box 150
Dumont, NJ 07628

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

DATE OF RAFFLE: September 10, 2018 (8:00am – 5:00pm)
I.D. #: 109-5-24823

RAFFLE LICENSE: RL 527

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 #2018-188

RESOLUTION APPROVING THE RAFFLE LICENSE FOR DUMONT HIGH SCHOOL ATHLETIC BOOSTER ASSOCIATION (TRICKY TRAY)

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

NAME: Dumont HS Athletic Booster Assn
P.O. Box 150
Dumont, NJ 07628

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

DATE OF RAFFLE: September 10, 2018 (8:00am – 5:00pm)
I.D. #: 109-5-24823

RAFFLE LICENSE: RL 528

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 #2018-189

RESOLUTION APPROVING CHANGE ORDER NO. 1 FOR THE 2018 ROAD IMPROVEMENTS PROGRAM

WHEREAS, on June 11, 2018 the Township of River Vale awarded the 2018 Road Improvements program contract to 4 Clean-Up, Inc., 4501 Dell Avenue, North Bergen, New Jersey 07047; and

WHEREAS, the Business Administrator has determined there are sufficient funds available to allow for one (1) additional street be added to the 2018 Road Improvements program list of streets for resurfacing. This Change Order results in an increase to the original contract sum; and

WHEREAS, the Chief Financial Officer has determined that sufficient 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 is hereby approved as follows:

Original Contract Sum	\$ 431,272.50
Change Order #1 Increase	+ 29,900.00
New Contract Sum	\$ 461,172.50

Resolution #2018-190

RESOLUTION AUTHORIZING THE MAYOR TO SIGN RENEWAL OF MEMBERSHIP AGREEMENT WITH THE BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Township of River Vale is a member of the Bergen County Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2018 unless earlier renewed by agreement by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership.

NOW THEREFORE, BE IT RESOLVED as follows:

1. The Township of River Vale agrees to renew its membership in the Bergen County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, Coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall by and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Bergen County Municipal Joint Insurance Fund evidencing the Municipality’s intention to renew Its membership.

Resolution #2018-191

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:	\$ 523,464.86
RESERVE CURRENT ACCOUNT claims in the amount of:	\$ 5,772.07
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$ 63,447.77
RESERVE GOLF COURSE UTILITY OPERATING ACCT claims in the amount of:	
UNEMPLOYMENT TRUST ACCOUNT claims in the amount of:	
ANIMAL TRUST ACCOUNT claims in the amount of:	\$ 12.00
MISCELLANEOUS TRUST ACCOUNT claims in the amount of:	
RECREATION TRUST ACCOUNT claims in the amount of:	\$ 3,932.43
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:	\$ 52,545.16
SNOW REMOVAL TRUST ACCOUNT claims in the amount of:	
HOUSING TRUST ACCOUNT claims in the amount of:	\$ 208.33
JUNIOR POLICE ACADEMY TRUST ACCOUNT claims in the amount of:	\$ 40.01
GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of:	\$ 241.76
OPEN SPACE TRUST ACCOUNT claims in the amount of:	\$ 25,935.00
CAPITAL ACCOUNT claims in the amount of:	\$ 44,857.24
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$ 497.25
SPECIAL TRUST ACCOUNT claims in the amount of:	\$ 1,968.75
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$ 317.50
TOTAL CLAIMS TO BE PAID	\$ 723,240.13

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 ACCOUNT claims in the amount of:	\$ 3,163,723.94
RESERVE CURRENT ACCOUNT claims in the amount of:	\$ 1,984.17
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$ 111,917.29
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:	\$ 16,681.94
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:	
SNOW REMOVAL 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:	
OPEN SPACE TRUST ACCOUNT claims in the amount of:	
CAPITAL ACCOUNT claims in the amount of:	\$ 10,319.00
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	
PERFORMANCE BOND TRUST ACCOUNT claims in the amount of:	\$ 26,069.99
ZONING BOARD TRUST ACCOUNT claims in the amount of:	
TOTAL CLAIMS PAID	\$ 3,330,696.33
 TOTAL BILL LIST RESOLUTION	 \$ 4,053,936.46

**MANUAL DISBURSEMENTS
BILL LIST FOR July 23, 2018**

6/29/2018	Transfer Payroll	\$ 299,655.02
7/13/2018	Transfer Payroll	\$ 243,688.93
 TOTAL STATUTORY ACCOUNT DISTRIBUTIONS		 \$ 543,343.95

ROLL CALL VOTE

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

Ordinances for 1st Reading

ORDINANCE #344-2018

Motion to Introduce: Councilman Criscuolo

Second: Councilwoman Sieg

Council Comments

Council President Bromberg commented that he did have one question that was answered as to why a three way stop as there are no three or four way stops in the Township. He explained that the issue was not just the cars rolling off The Plaza onto Winding Way during school traffic but the cars turning off of Winding Way onto The Plaza which was endangering the children as they walked home from school. Council President Bromberg added that once this question was answered he could certainly see the need for this stop sign intersection.

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN, NEW JERSEY, AMENDING CHAPTER 81 OF THE CODE ENTITLED "VEHICLES AND TRAFFIC" ARTICLE II "STOP INTERSECTIONS"

BE IT ORDAINED by the Township Council of the Township of River Vale that Chapter 81 is amended as follows:

**Article II
Stop Intersections**

§ 81.6.2. Stop intersections.

A. The following described intersections are hereby designed as stop intersections:

<u>Intersection</u>	<u>Stop Sign On</u>
Winding Way and The Plaza	Northwest and Southeast sides of Winding Way at The Plaza and Northwest side of The Plaza.

This Ordinance shall take effect following adoption and approval in a time and manner prescribed by law.

ROLL CALL VOTE

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

ORDINANCE #345-2018

Motion to Introduce: Councilman Criscuolo

Second: Councilwoman Sieg

Council Comments

Councilman Donovan commented that he believes this is an area that needs to be addressed and possibly even extended.

Council President Bromberg explained that part of the problem is most kids are being driven to school these days and not walking or riding their bikes. Councilman Donovan added that people are also not waiting in line to go through pickup loop.

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN, NEW JERSEY, AMENDING CHAPTER 81 OF THE CODE ENTITLED "VEHICLES AND TRAFFIC" ARTICLE VI "PARKING PROHIBITED CERTAIN HOURS ON CERTAIN STREETS"

BE IT ORDAINED by the Township Council of the Township of River Vale that Chapter 81 is amended as follows:

**Article VI
Parking Prohibited Certain Hours on Certain Street**

§ 81.17. No Parking Certain Hours.

<u>Name of Street</u>	<u>Sides</u>	<u>Hours</u>	<u>Location</u>
Westwood Avenue	North Side Westbound Lane	7:00a.m to 9:00a.m.	From the eastern curbline of Interglen Avenue, a distance of 505 feet east

This Ordinance shall take effect following adoption and approval in a time and manner prescribed by 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

ORDINANCE #342-2018

Motion to Adopt: Councilman Criscuolo

Second: Councilman Donovan

Motion by Councilman Donovan; seconded by Councilman Criscuolo to open the Public Hearing on Ordinance #342-2018.

There being no questions of comments from the public. Motion by Councilman Criscuolo; seconded by Councilwoman Sieg to close the Public Hearing on Ordinance #342-2018.

ORDINANCE OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53 TO FUND CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES

WHEREAS, the Township of River Vale, in the County of Bergen, New Jersey, has accrued accumulated severance liabilities due to the retirements and layoffs in the 2018 budget year; and

WHEREAS, N.J.S.A. 40A:4-53(h) permits a municipality to adopt an ordinance authorizing a special emergency appropriation in order to fund the cost of contractually required severance liabilities resulting from the layoff or retirement of employees.

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

SECTION 1. To fund the cost of accumulated severance liabilities resulting from retirements and layoffs in fiscal year 2018, there is hereby appropriated the sum of \$1,400,000 as a special emergency appropriation pursuant to N.J.S.A. 40A:4-53(h).

SECTION 2. For the purpose of financing the special emergency appropriation referred to in Section 1 above, special emergency notes of the Township are hereby authorized to be issued in the principal amount of \$1,400,000 pursuant to N.J.S.A. 40A:4-55. At least one-fifth (1/5) of all such special emergency notes, and the renewals thereof, shall mature and be paid in each year, so that all such special emergency notes shall have matured and have been paid not later than the last day of the fifth year following the date of adoption of this ordinance.

SECTION 3. All special emergency notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:4-55(b). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale, and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report shall

include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

SECTION 4. All special emergency notes issued pursuant to this ordinance shall be executed by the Chief Financial Officer and the Mayor of the Township, and shall be under the seal of the Township and attested by the Township Clerk. Such officers are hereby authorized to execute and deliver all documents necessary or convenient in connection with the issuance, sale and delivery of the special emergency notes.

SECTION 5. In accordance with N.J.S.A. 40A:4-53, the Clerk is directed to file a copy of this Ordinance as adopted with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

SECTION 6. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by N.J.S.A. 40:49-27.

ROLL CALL VOTE

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

ORDINANCE #343-2018

Motion to Adopt: Councilman Criscuolo

Second: Councilwoman Sieg

Motion by Councilman Criscuolo; seconded by Councilman Donovan to open the Public Hearing on Ordinance #343-2018.

There being no questions of comments from the public. Motion by Councilman Criscuolo; seconded by Councilman Donovan to close the Public Hearing on Ordinance #343-2018.

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN, NEW JERSEY, AMENDING CHAPTER 174 OF THE CODE ENTITLED "PEDDLING AND SOLICITING"

BE IT ORDAINED by the Township Council of the Township of River Vale that Chapter 174 is amended as follows:

Article III
No-Knock List

§ 174-12. Establishment of No-Knock List.

Any resident of the Township may register their name, address and/or unit/apartment number with the Township Clerk to be placed on the No-Knock list, indicating that they do not want canvassers, distributors, solicitors, peddlers, transient merchants or hawkers of any sort to approach their homes and/or seek personal contact with the occupants of the registered residence. The Township Clerk shall provide the registration form, which shall be available during normal business hours. By registering for the No-Knock list, the resident acknowledges that the Township police, fire and other emergency services groups are exempt from the requirements of this section.

§ 174-13 Updating and provision of No-Knock List.

The Township Clerk shall maintain a No-Knock list, a copy of which shall be provided to all persons or organizations required to obtain a license or register pursuant to this chapter. Registrants shall remain on the No-Knock list for a period of five years from the date of registration or until such time as they advise the Township Clerk, in writing, that they wish to be removed from the list. The Township Clerk shall ensure that the list is updated periodically.

§ 174-14 Registration and display of decal.

Upon completion of registration on the No-Knock list, the subscriber may request and receive, at no charge, a decal stating "DO NOT KNOCK; Registered on the No-Knock List with the Clerk of the Township of River; VIOLATORS WILL BE PROSECUTED," which may be displayed in a clearly visible location (e.g., front door or window adjacent to the front door).

§ 174-15 Violations.

It shall be unlawful for any canvasser, distributor, solicitor, peddler, transient merchant or hawker to approach and/or seek personal contact with the occupants of any residence if that residence is registered on the No-Knock list. Any person who shall violate any provision of this article shall be punished as provided in Chapter 1, General Provisions, Article 1 § 1-14, in the discretion of the Judge before whom such conviction shall be had.

ROLL CALL VOTE

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

2nd Hearing of the Public

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

Richard Tax -630 Montview Place—Mr. Tax brought in a sample model plane and a copy of the flyer from his model flyers event. He explained that they had their first meeting however only one person showed up; a reporter from The Record/The Community Life. Mr. Tax is having trouble distributing and getting the word out on his events. The Council offered their help including posting on the Township website.

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

ADJOURNMENT

Motion by Councilman Donovan; second by Councilman Criscuolo to adjourn the meeting at 8:35pm.

ATTEST:
Karen Campanelli, Township Clerk

Council President
Mark Bromberg

