

MINUTES
Council Meeting
Monday, November 9, 2009

CALL THE MEETING TO ORDER

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

SUNSHINE LAW STATEMENT

Council President Jasionowski 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 de Stefan, Councilman Matos, Councilman Vice Bromberg, Councilwoman Sieg and Council President Jasionowski were present.

Also present: Robert Gallione, Business Administrator, Holly Schepisi, Township Attorney, Gennaro Rotella, CFO, Dominic Carrino, Township Engineer, and Karen Padva, Township Clerk.

TOWNSHIP COMMUNICATION

2. Council Comments

Councilman de Stefan thanked the voters for their votes to approve the Preservation Bond on the ballot and stressed the importance of protecting the environment. He also thanked the voters for their vote supporting the reopening of Pascack valley Hospital.

Councilman Matos had no comments this evening.

Councilwoman Sieg gave a brief update on the construction of the EMS Park and her hopes that it not only honors our EMS personnel but also benefits the local businesses

Councilman Bromberg concurred with Councilman de Stefan’s comments with regard to thanking the voters for supporting the hospital reopening and hopes this send a message to Trenton.

Council President Jasionowski had no comments this evening.

Business Administrator’s Report

Mr. Gallione announced H1NI Flu vaccination dates for CDC priority groups; Friday, November 13th (2:30-8:30pm) at Bergen Technical School in Paramus. He also offered the County’s website address as well www.bergenhealth.org.

Mr. Gallione concluded with the presenting the Photo Contest Award winners; resident Mr. Frank Picciotto was the first place winner. Mr. Picciotto’s Winning photo will be displayed at Town Hall.

Township Engineer’s Report

Mr. Carrino commented on some residents concerns of their grass not growing back following their road being paved; he will follow up with the contractor. Mr. Carrino also reported on the status of the remedial action at the DPW garage site, the close out documents are near completion for Oradell Construction and the Mark Lane Lighting Project.

HEARING OF THE PUBLIC

Motion by Councilman Matos; seconded by Councilman Bromberg to open the meeting to the public.

Council President Jasionowski read the following statement into the record.

“Each person wishing to address the Council shall step up to the microphone, shall give his or her name in an audible tone for the record. All member of the public are expected to conduct themselves in a proper manner. Any derogatory, abusive or threatening statements will not be permitted. The Chair will immediately rule such conduct out of order and terminate any further comments.”

Jeffrey Albrechtson – 711 Rivervale Road– expressed his concerns regarding the nuisance lighting from a neighbor’s home. Unfortunately, he is not on speaking terms with this neighbor and the *International Property Maintenance Code* does not address residential lighting.

Council President Jasionowski responded that both the Mayor & Council have received Mr. Albrechtson’s letters and the Code Enforcement Official has made recommendations as well. Council President Jasionowski added that he should have a response soon if not before the next meeting.

Councilwoman Sieg stated that she has driven by Mr. Albrechtson’s home in the evening and agreed that there is a definite problem.

Tom Collins – 521 Piermont Avenue – expressed his concerns regarding receiving delinquent tax bills when his taxes are paid in full. Gennaro Rotella noted that Mr. Collins was listed on a Resolution for this evening’s agenda to receive a refund for overpayment.

Council President Jasionowski apologized to Mr. Collins for any inconvenience.

*****Mayor Blundo arrived at the meeting at 8:26pm*****

Joe Massin - 68 Holiday Court - offered the Mayor and Council a collection of EMS photos he has for display at the opening of the EMS Park

There being no further questions or comments from the public; motion by Councilman Bromberg; seconded by Councilman Matos to close the meeting to the public.

RESOLUTIONS

Motion by Councilman Bromberg; seconded by Councilman de Stefan to approve Resolutions #2009-254 through #2009-256 on Consent Agenda, as follows:

Resolution #2009-254

RESOLUTION

(Release of Performance Guarantee)

WHEREAS, Caitlin Construction Co., LLC had posted a Performance Bond of \$477,962.40 as requested by the Planning Board for Major Subdivision of Block 302, Lot 30; and

WHEREAS, the Planning Board Engineer has deemed that all the requirements as set forth in the Developer’s Agreement of March 3, 2004 have been completed satisfactorily for said project(s) on Hoiem Court and Orangeburgh Road (Block 302, Lot 30);

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the remainder of the cash portion of the Performance Guarantee be released;

BE IT FURTHER RESOLVED, by the Township Council of the Township of River Vale that the Chief Financial Officer be directed to issue a check in the amount of \$47,796.24 to payable to Caitlin Construction Co., LLC, 221 Sunrise Court, River Vale New Jersey 07675.

Resolution #2009-255

RESOLUTION

REFUND OF TAX OVERPAYMENTS

WHEREAS, a tax overpayments have been received for the 4th (fourth) quarter of 2009, and the property owners have requested a refund of said tax overpayment;

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

1. Block 914, Lot 3 608 Woodland Ct \$1,536.55 Wells Fargo Home Mortgage Service MAC X2302-04D, Tax Department 1 Home Campus Des Moines, IA 50328	10. Block 2206.01, Lot 6 646 Donna Ct. \$1,320.66 First American Real Estate Tax Refund Department PO Box 961250 Fort Worth, TX 76161
2. Block 2001, Lot 6 120 Stacey Ct \$3,721.13 Wells Fargo Home Mortgage Service MAC X2302-04D, Tax Department 1 Home Campus Des Moines, IA 50328	11. Block 809, Lot 1 630 Russell Snow Drive \$1,012.01 First American Real Estate Tax Refund Department PO Box 961250 Fort Worth, TX 76161
3. Block 1901, Lot 38 800 Blauvelt St \$1,240.91 Wells Fargo Home Mortgage Service MAC X2302-04D, Tax Department 1 Home Campus Des Moines, IA 50328	12. Block 514, Lot 10 391 Faletti Circle \$1,635.75 First American Real Estate Tax Refund Department PO Box 50 Fort Worth, TX 76161
4. Block 1501.04, Lot 6 563 Brook Ave \$2,254.26 Wells Fargo Home Mortgage Service MAC X2302-04D, Tax Department 1 Home Campus Des Moines, IA 50328	13. Block 507, Lot 7 727 Rolling Hill Drive \$1,627.97 First American Real Estate Tax Refund Department PO Box 961250 Fort Worth, TX 76161
5. Block 1001.02, Lot 9 QCT041 41 Pine Lake Terrace \$330.65 Wells Fargo Home Mortgage Service MAC X2302-04D, Tax Department 1 Home Campus Des Moines, IA 50328	14. Block 1105, Lot 3 626 Stanley Place \$2,440.78 First American Real Estate Tax Refund Department PO Box 961250 Fort Worth, TX 76161
6. Block 909, Lot 12.03 214 Patriot Ln \$1,966.40 Wells Fargo Home Mortgage	15. Block 1714, Lot 40

MAC X2302-04D, Tax Department 1 Home Campus Des Moines, IA 50328	551 Central Avenue \$2,336.57 First American Real Estate Tax
Service 7. Block 303, Lot 7 631 Sargent Rd \$1,629.42	Refund Department PO Box 961250 Fort Worth, TX 76161
Wells Fargo Home Mortgage MAC X2302-04D, Tax Department 1 Home Campus Des Moines, IA 50328	16. Block 1801, Lot 38 C023A 265 Collignon Way, Apt. 6A \$1,091.95 First American Real Estate Tax
Services 8. Block 502, Lot 20 753 Rivervale Rd \$2,000.00	Refund Department PO Box 961250 Fort Worth, TX 76161
Wells Fargo Home Mortgage MAC X2302-04D, Tax Department 1 Home Campus Des Moines, IA 50328	17. Block 2102, Lot 16 729 Wilson Court \$2,378.81 First American Real Estate Tax
Services 9. Block 1301.01 Lot 2, C431A 521 Piermont Ave, Apt 431 \$920.16	Refund Department PO Box 961250 Fort Worth, TX 76161
Thomas Collins 521 Piermont Ave, Apt 431 River Vale, NJ 07675	

Resolution #2009-256

RESOLUTION AUTHORIZING NOT TO EXCEED LIMITATIONS FOR LEGAL SERVICES – *IN REM FORECLOSURE* PROCEEDINGS

BE IT RESOLVED, by the Township Council of the Township of River Vale that limitations in an amount not to exceed \$2,500.00 be authorized for the legal services of the firm of Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi & Gill to conduct in *rem* foreclosure proceedings for the property of Patricia-Mary Koenig located on Rivervale Road (Block 601, Lot 7) is hereby approved.

ROLL CALL VOTE

Councilman de Stefan, Councilman Matos, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes.

Motion by Councilman Matos; seconded by Councilman de Stefan to approve Resolution #2009-257 and Resolution #2009-258, as follows:

Resolution #2009-257

RESOLUTION APPROVING RAFFLE LICENSE FOR RESIDENTS FOR A BETTER RIVER VALE – ON PREMISES 50/50 RAFFLE

BE IT HEREBY RESOLVED, that the following license to conduct an On Premises 50/50 Raffle be issued to:

NAME: Residents for a Better River Vale
744 Westwood Avenue
River Vale, New Jersey 07675

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

DATE OF RAFFLE: January 29, 2010 7:00 pm – 1:30am

I.D. #: 123-8-33288

RAFFLE LICENSE: RL 319

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 #2009-257

RESOLUTION APPROVING RAFFLE LICENSE FOR RESIDENTS FOR A BETTER RIVER VALE – CASINO

BE IT HEREBY RESOLVED, that the following license to conduct an On Premises 50/50 Raffle be issued to:

NAME: Residents for a Better River Vale
744 Westwood Avenue
River Vale, New Jersey 07675

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

DATE OF RAFFLE: January 29, 2010 7:00 pm – 1:30am

I.D. #: 123-8-33288

RAFFLE LICENSE: RL 320

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.

ROLL CALL VOTE

Councilman de Stefan, Councilman Matos, Councilman Bromberg, and Council President Jasionowski voted yes. Councilwoman Sieg abstained.

Motion by Councilman Bromberg; seconded by Councilman Matos to approve Resolution #2009-259, as follows:

Resolution #2009-259

RESOLUTION

(TRANSFERS)

WHEREAS, there exists a need to make transfers in the 2009 Budget Appropriations, and there exists balances from which to make said transfers,

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the Chief Financial Officer hereby be authorized to make the following transfers to the 2009 Budget Appropriations.

Inside CAP:

To:

Fire Prevention-Hydrants OE	\$ 18,500.00
Engineering Services OE	\$ 21,000.00
Snow & Ice Removal OE	\$ 2,100.00
School Crossing Guards S&W	\$ 18,000.00

Tax Assessor OE	\$ 1,000.00
Health Services S&W	\$ 7,200.00
Fire Department OE	\$ 3,800.00
Garage – Auto Repairs OE	\$ 7,000.00

Total \$ 78,600.00

Inside CAP:
From:

Gas & Oil OE	\$ 40,000.00
Health Services – County of Bergen OE	\$ 4,000.00
Miscellaneous Insurance OE	\$ 4,600.00
Group Health OE	\$ 30,000.00

Total \$ 78,600.00

ROLL CALL VOTE

Councilman de Stefan, Councilman Matos, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes.

ORDINANCES 1st Reading

Ordinance #223-2009

Council Discussion

Councilman de Stefan thanked the Council for good debate and compromise; overall this is a good ordinance that meets requirements and upgrades enforcement. Councilman de Stefan does support this ordinance.

Councilman Matos agreed as well.

Councilwoman Sieg agreed and is pleased to move forward on this ordinance.

Councilman Bromberg appreciates all the work and is pleased to see Chapter 1 omitted however; Chapter 3 is of concern. Even though Westwood, Emerson and Hillsdale have adopted the *International Property Maintenance Code*; the other towns in the Pascack Valley have their own code as River Vale does. Councilman Bromberg feels we should revise our ordinance and not adopt this one.

Council President Jasionowski thanked both the Mayor and Administration for all their work on this ordinance. He requested that the second reading of this Ordinance be set for the first meeting in December.

Motion to Introduce: Councilwoman Sieg

Second: Councilman Matos

AN ORDINANCE ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE WITH THE EXCEPTION OF CHAPTER ONE

BE IT ORDAINED by the Township Council of the Township of River Vale, County of Bergen, and State of New Jersey that the 2006 edition of the International Property Maintenance Code is hereby adopted, as follows:

Section 1:

That a certain document, three copies of which are on file in the office of the Municipal Clerk of the Township of River Vale, being marked and designated as the International Property Maintenance Code, 2006 Edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Township of River Vale, in the State of New Jersey, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of

buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as provided in the chapter; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of such property maintenance on file in the office of the Municipal Clerk of the Township of River Vale are referred to adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed Section 2 of this ordinance.

Section 2: The following section(s) is hereby deleted:

- **Chapter 1 ADMINISTRATION** is removed in its entirety

Section 3: That Ordinance No. 163-2006 of the Code of the Township of River Vale and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4: That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Township Council of the Township of River Vale hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase therefore, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5: That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6: That the Municipal Clerk is hereby ordered and directed to cause this ordinance to be published and posted as required.

Section 7: That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effects and be in full force and effect twenty (20) days after its final passage.

ROLL CALL VOTE

Councilman de Stefan, Councilman Matos, Councilwoman Sieg and Council President Jasionowski voted yes. Councilman Bromberg voted no.

ORDINANCES 2ND Reading

There were no Ordinances for 1st reading this evening.

MAYOR'S COMMENTS

Mayor Blundo thanked the Council for introducing the International Property Maintenance Code. He realizes that it is not perfect however it can be worked on later and we need something on the books.

The Mayor continued with comments on the election question results from both Woodcliff Lake and Montvale regarding dissolving the Regional High School District. The Mayor explained that this is a long process and the laws are in our favor. He added that River Vale does not want to pay more. Mayor Blundo noted comments from a member of the Assembly; there are no anticipated changes in the law and the suggestion that commercial ratables in Woodcliff Lake and Montvale are paying a portion. The Mayor continued that this would mean the actual amount paid by the taxpayer is closer and that River Vale and Montvale are almost the same.

Mayor Blundo briefly explained the process; 3 of the 4 sending towns must pass a referendum to dissolve the district. River Vale and Hillsdale would stay together and the result would be lawsuits and legal fees. The Mayor is very concerned with the people understanding the issues. He concluded with supporting a public relations campaign to get the message out to the residents.

HEARING OF THE PUBLIC

Motion by Councilman Bromberg; seconded by Councilman Matos to open the meeting to the public.

Joe Massin – 68 Holiday Court – agreed with the Mayor’s opinion regarding the impact of the break-up of the High School. Mr. Massin stressed that the formula on how we fund education is antiquated and a statewide problem

There being no further questions or comments from the public; motion by Councilman Bromberg; seconded by Councilman Matos to close the meeting to the public.

ADJOURNMENT

Motion by Councilman Bromberg; seconded by Councilman de Stefan to adjourn the meeting at 8:52pm.

Council President
Glen Jasionowski

ATTEST:
Karen Padva
Township Clerk