

MINUTES
Regular Virtual Council Meeting
Monday, March 8, 2021
7:30pm

CALL THE MEETING TO ORDER

Council President Bromberg called the Virtual meeting to order at 7:30pm.

SALUTE TO FLAG

Council President Bromberg asked all in attendance to 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: Township Attorney Silvana Raso, Business Administrator/CFO Gennaro Rotella, Township Engineer Chris Statile and Township Clerk Karen Campanelli.

Council Comments

There were no Council comments this evening.

Business Administrator's Report

Mr. Rotella commented on Resolution #2021-79, the donation of surplus equipment. He explained that the Township acquired a Hummer from the Federal Government that the Police Department no longer needs. Mr. Rotella reported that they are donating the vehicle to another municipality which is much easier than trying to sell the vehicle. He added that they have done this before with other pieces of military equipment.

He next commented on Resolution #2021-82 rejecting the bids for the Miniature Golf Course project. Mr. Rotella explained that this is the second time they have bid out this project; the first time the price came in very high. He further explained that the second time they streamlined the bid to be a Design/Build project. However, the second bid also came in high at \$1.6 million therefore they are rejecting the bid.

Mr. Rotella has spoken to the Mayor and discussed the feasibility of moving forward with the Miniature Golf Course. He added that they have some good ideas for this piece of property and as things progress he will keep everyone updated. He further commented on how much more do they want to spend on this project and how much is the return on the investment. The \$1.6 million is just to build the miniature golf course and does not include the cost of "theme parking" the course.

Mr. Rotella feels they should take a step back and possibly utilize the funds for items such as netting. He explained that the Meskers property is being subdivided into four (4) different parcels; townhomes, affordable housing, the Police department and a group home. And golf balls don't mix well with homes and buildings; therefore, we need to put up netting which he has already gathered some price quotes.

He next commented on Resolution #2021-87, the CDBG grant application for Covid-19 Funding. Mr. Rotella explained that the Federal Government has given CDBG certain funds to improve structures. He and Chris have come up with replacing the HVAC units at the Community Center, Town hall and the Library to have HEPA filters which will help purify the air. Mr. Rotella reported that they have also submitted a Federal

Grant application for \$190,000 through their new Grant Writing firm for Fire Department equipment; specifically, for communications and radios. They should hear back on this application by June or July.

Council President Bromberg commented that we keep under estimating the cost of the miniature Golf Course and he questioned what the issue was. Mr. Rotella responded that they want to build something nice that looks good with water features, bridges and other items. The project also has to be ADA compliant which was an added cost. He explained that they have to look at the whole picture; he likes the idea and it could have made money. However, he feels from a long term perspective he's not certain it will fit with the Golf Course. Council President Bromberg is a little disappointed but he understands that financially it doesn't make sense.

Engineer's Report

Mr. Statile reported that the Edgewood Country will be going to the DEP to get permitting for work they're doing on the Course. The work is near the brook to address some drainage issues on the Course. He added that Edgewood will be notifying residents within 200 feet of the Golf Course; he's been briefed on the matter and there is no need for concern. Mr. Rotella commented on a water issue at the course; the stream on the Hillsdale side feeds into large pond that has developed a buildup of silt and needs to be dredged. He explained that if they dredge the pond it will help alleviate the water problems on the River Vale side.

Mr. Statile reported he is continuing to work with the architect and Police Chief on the new Police Department building and he is working with Rich on the 2021 Road Program.

Mr. Statile reported that the subdivision map for the Meskers site is ready to be signed by his surveyor. He explained that once the map is signed they will then go to the Planning Board to get approval for a Major Subdivision.

Councilwoman Sieg commented on his report and that they have an Open Space Grant of \$50,000 for the Miniature Golf Course. She questioned that if we don't do this project because its cost prohibitive can the money be applied to another recreational project in the same location. Mr. Statile responded that you can apply to repurpose the funds.

1st Hearing of the Public

Motion by Councilman Donovan; 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 Councilman Donovan to close the meeting to the public.

RESOLUTIONS

Motion by Councilman Criscuolo; second by Councilman Ben-Yishay to approve Resolutions #2021-78 through #2021-87 as a Consent Agenda as follows:

Resolution #2021-78

RESOLUTION APPROVING MINUTES FEBRUARY 8, 2021 COUNCIL MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the February 8, 2021 Regular meeting of the Township Council are hereby approved.

Resolution #2021-79

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 (1) military/tactical vehicle that are no longer needed for public use within the Township of River Vale

- **2004 AMG**
VIN: 137FA90304E210745

WHEREAS, the Township wishes to donate one (1) military/tactical vehicle 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 vehicle at no cost to the Borough of South Plainfield.

Resolution #2021-80

RESOLUTION GRANTING TAX EXEMPT STATUS

DISABLED VETERAN AND AUTHORIZING REFUNDING PROPERTY TAXES PAID

WHEREAS, Austin M. Provancher, who resides at and is the owner of 803 Ellen Lane Court (Block 2002, Lot 4.06) in the Township of River Vale has been deemed a 100% permanently disabled veteran in accordance with the provisions of N.J.S.A. 54:4-3.30; and,

WHEREAS, Austin M. Provancher made the appropriate claim for tax exemption through the River Vale Tax Assessor's Office as a 100% permanently disabled veteran and was approved effective January 14, 2021; and,

WHEREAS, Mr. Provancher submitted an official letter from the Department of Veterans Affairs with the River Vale Tax Assessor confirming this information; and,

WHEREAS, Mr. Provancher is seeking a refund for property taxes paid as follows:

2021: \$6,377.68

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale that the property known as 803 Ellen Lane Court is hereby designated as a tax exempt property as the property owner, Austin M. Provancher, is a 100% permanently disabled veteran effective January 14, 2021.

BE IT FURTHER RESOLVED, that all property taxes on said property are hereby cancelled.

BE IT FURTHER RESOLVED, by the Township Council of the Township of River Vale that a refund of property taxes paid is hereby granted and the Treasurer is authorized to issue a municipal check payable as follows:

Payable to:

"Austin M. Provancher"

803 Ellen Lane Court

River Vale, NJ 07675

Refund Amount: \$6,377.68

Resolution #2021-81

RESOLUTION 2021 TEMPORARY EMERGENCY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 provides that where contracts, commitments or payments to be made prior to final adoption of the 2021 Budget, temporary appropriations should be made for the purposes and amounts required in the manner and time provided.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of River Vale that the following additional temporary appropriations be made and a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

<u>APPROPRIATIONS</u>	<u>SALARY & WAGES</u>	<u>OTHER EXPENSE</u>
General Administration		
Mayor & Council		
Township Clerk		
Financial Administration		
Audit Services		\$ 8,200.00
Tax Revenue Administration		
Tax Assessment		
Department of Law		
Engineering Services		
Planning Board		
Uniform Construction Code	\$ 8,000.00	
Insurance – Liabilities		
Insurance – Health		\$ 165,000.00
Insurance – Dental		
Insurance – Misc.		
Insurance – Unemployment		
PERS		
PFRS		
DCRP		
Police Department		
Office of Emergency Management		
Fire Department		
Fire Prevention Bureau		
Director’s Office DPW		
Public Works Department		\$ 50,000.00
<u>APPROPRIATIONS:</u>	<u>SALARY & WAGES</u>	<u>OTHER EXPENSE</u>
Snow and Ice Removal	\$ 40,000.00	\$ 55,000.00
Vehicle Maintenance/Garage		
Recycling		\$ 50,000.00
Buildings & Grounds		\$ 21,500.00
Prosecutor’s Office		

Recreation

Dept of Social and Cultural Affairs

Library Contribution

Utilities

Street Lights

Telephone Charges

Gasoline

Solid Waste Disposal

Statutory Expenses – F.I.C.A. \$ 50,000.00

Municipal Court

Public Defender

Mental Health Services \$ 7,250.00

Social Services

TOTAL: \$48,000.00 \$ 406,950.00

Pascack Valley DPW Interlocal:

Director’s Office DPW	\$ 43,500.00	
Public Works Department	\$ 240,272.00	
Snow and Ice Removal	\$ 1,000.00	\$ 183,600.00
Vehicle Maintenance/Garage	\$ 62,200.00	
<u>Insurance-Health</u>		\$ 186,500.00
TOTAL:	\$ 346,972.00	\$370,100.00

Resolution #2021-82

**RESOLUTION REJECTING THE BID FOR THE
MINIATURE GOLF COURSE IMPROVEMENTS PROJECT**

WHEREAS, on January 15, 2021 the Township of River Vale advertised bid specifications for the River Vale Country Club Miniature Golf Course Improvements project in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, bid submissions were received on Thursday, February 18, 2021 at 10:00am; and

WHEREAS, one (1) bid was received from Athletic Fields of America, 150 River Road, Montville, New Jersey; and

WHEREAS, the Administration has reviewed the submission and determined the bid from Athletic Fields of America is over the cost estimate for said project and recommends rejecting the bid pursuant to N.J.S.A. 40A:11-13.2(a).

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of River Vale that the one (1) bid received for the River Vale Country Club Miniature Golf Course Improvement project is hereby rejected.

Resolution #2021-83
RESOLUTION

TAX LIEN REDEMPTION

WHEREAS, the property located at 517 Wittich Terrace (Block 804, Lot 2) has been redeemed. The Tax Collector has received (1) one check in the amount of \$ 38,206.26 for payment of the lien (Certificate No. 20-00012); and

WHEREAS, the Township is holding a \$ 128,000.00 premium in a Trust Account for the above mentioned lien.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of River Vale that the Treasurer is hereby by authorized to issue two (2) municipal checks in the amounts of \$ 38,206.26 and \$ 128,000.00 respectively as follows:

Payable to:

“US Bank as Custodian for Actlien Holding Inc.”

Mail to:

50 S. 16th St.

Suite 2050

Philadelphia, PA 19102

Resolution #2021-84

RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE AMENDMENT TO THE DEVELOPER'S AGREEMENT WITH CRESENT WAYNE, LLC (BLOCK 601, LOT 7)

WHEREAS, on January 8, 2018 the Township Council authorized the Mayor to sign the Developer's Agreement with River Vale Homes LLC for a minor subdivision of the property located at Rivervale Road and Orangeburgh Road (Block 601, Lot 7) in the Township of River Vale; and,

WHEREAS, Crescent Wayne, LLC is the developer and successor in interest to River Vale Homes, LLC, who was the successor in interest to John Ferrara and Orangeburg, LLC; and,

WHEREAS, the prior Developers performed the improvements to the property which were accepted by the Township Engineer; and,

WHEREAS, the parties wish to clarify the Developer's Agreement.

NOW THEREFOR BE IT RESOLVED by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the amendment to the Developer's Agreement with Crescent Wayne, LLC for the property located at Block 601, Lot 7 in the Township of River Vale.

Resolution #2021-85

RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE MEMORANDUM OF UNDERSTANDING WITH LIEUTEANT JOHN DEVOE

WHEREAS, the Township of River Vale and Lieutenant John DeVoe desire to enter into a Memorandum of Understanding to clarify the terms of Lt. DeVoe's retirement.

NOW THEREFOR BE IT RESOLVED, by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the Memorandum of Understanding regarding the terms of retirement for Lieutenant John DeVoe.

Resolution #2021-86

RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE MEMORANDUM OF UNDERSTANDING WITH THE RIVER VALE PBA LOCAL 206

WHEREAS, the Township of River Vale and River Vale PBA Local 206 are parties to a collective Negotiations Agreement having a term of January 1, 2018 through December 31, 2021; and

WHEREAS, the Township of River Vale and River Vale PBA local 206 desires enter into a Memorandum of Understanding to clarify and agree upon procedures regarding health insurance contributions for retiring policer officers Charles Gerbasio, John DeVoe and Aurielio Dinelli.

NOW THEREFOR BE IT RESOLVED, by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the Memorandum of Understanding with the River Vale PBA Local 206 regarding the retirement health insurance procedures for the above mentioned police officers.

Resolution #2021-87

RESOLUTION ENDORSING THE COVID-19 COMMUNITY DEVELOPMENT BLOCK GRANT SUPPLEMENTAL ALLOCATION APPLICATION

Whereas, the Bergen County Division of Community Development has announced that the COVID-19 Community Development Block Grant (CDBG) Supplemental Allocation, Application Period Two, is now open for applications; and,

Whereas, the County has allocated supplemental funding for COVID-19 relief as a result of the CARES Act signed into law in March 2020; and,

Whereas, grants are to be used to prepare for, prevent and respond to the problems posed and needs created as a result of the pandemic; and,

Whereas, the Township has determined that there is a need to upgrade their HVAC handling units to provide a better level of cleanliness and protection to employees, patrons, and the senior population using such government facilities particularly challenged by the COVID-19 pandemic; and,

Whereas, the activities will take placed exclusively within the confines of the Township of River Vale, Bergen County; and,

Whereas, the Township is applying under the category of "Retrofitting, Adjustments, Additions to Office Space and Operations Infrastructure" which includes filtration technology and equipment; and,

Whereas, the Township has determined that upgrading targeted HVAC units will enhance and encourage programs effecting the senior and handicapped patrons to the various municipal facilities.

NOW, THEREFORE, BE IT RESOLVED, that the Township of River Vale hereby authorizes and endorses a grant application to the Bergen County Division of Community Development to upgrade their HVAC equipment in the Public Library, Community/Senior Center, and Municipal Hall to provide enhanced protection from COVID-19 in its public interior spaces patronized.

ROLL CALL VOTE

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

Ordinances for 1st Reading

There were no Ordinances for 1st Reading.

Ordinance for 2nd Reading & Public Hearing

Ordinance #374-2021

Motion to Adopt: Councilman Criscuolo

Seconded: Councilman Ben-Yishay

Motion by Councilman Criscuolo seconded by Councilman Ben-Yishay to open the public hearing on Ordinance #374-2021.

There being no comments or questions; motion by Councilman Criscuolo seconded by Councilwoman Sieg to close the public hearing on Ordinance #374-2021.

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY AMENDING CHAPTER 181 OF THE CODE ENTITLED "PROPERTY MAINTENANCE"

BE IT ORDAINED by the Township Council of the Township of River Vale that Chapter 181 is amended as follows:

§ 181-1. Adoption of standards by reference.

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- most current~~ 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.

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.

2nd Hearing of the Public

Motion by Councilman Ben-Yishay; second by Councilwoman Sieg 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 Donovan; second by Councilman Criscuolo to adjourn the meeting at 7:53pm.

ATTEST:

Karen Campanelli, Township Clerk

Council President Mark Bromberg

