

**MINUTES**  
**Regular Council Meeting**  
**Monday, April 12, 2021**  
**Community Center**  
**7:30pm**

**CALL THE MEETING TO ORDER**

Council President Bromberg called the meeting to order at 7:35pm.

**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, Township Clerk Karen Campanelli, Chief Sean Scheidle and Judge Garrett.

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**SWEAR IN NEW POLICE OFFICERS**

Council President Bromberg read a brief bio of Police Officer Kimberly Pane:

Kim currently resides in Westwood but grew up in River Vale. She attended Woodside Elementary School, Holdrum Middle School, and Pascack Valley High School. Throughout her educational career Kim was active in sports and played both soccer and basketball. Kim's participation in school sports truly instilled a sense of community and hometown pride for River Vale.

After graduating from Pascack Valley High School, Kim attended Montclair State University and received a Bachelor of Science Degree in Athletic Training in 2020. She obtained her EMT Certification and has been a member of the Hillsdale Volunteer Ambulance Corps. since 2016.

Kim furthered her knowledge in Law Enforcement by acquiring her Dispatcher Certification. She was hired by the Westwood Police Department as a part-time dispatcher for one year and full-time dispatcher for two years. During the summer of 2019, she became a Special Law Enforcement Officer Class I (SLEO I) for the Bradley Beach Police Department. After working there for one summer, she transferred to Westwood Police Department working as a SLEO I.

In August of 2020, Kim was accepted to the Atlantic County Police Training Center as an Alternate Route Candidate. She was awarded "Top Gun" in December while attending the academy.

Kim's Mother, Andrea and Father, Ralph will be holding the Bible and her girlfriend, Kayla Perez will pin her badge.

Judge Garrett swore in Police Officer Kimberly Pane.

Next, Council President Bromberg read a brief bio of Police Officer Goran Krasic:

Goran lives and grew up in Maywood. He attended Hackensack High School. After graduating he attended Assumption College in Worcester, Massachusetts. While in college he played football and

held two Internship positions. In 2018, he interned with the Worcester County District Attorney's Office, Gang Unit and in 2019 with the Worcester Police Department, Special Operations Unit. Goran graduated with a Bachelor Degree in Criminology and Sociology.

After college he enrolled in the Atlantic County Police Training Center as an Alternate Route Candidate. Goran's Father will hold the Bible and his Mother will pin his Badge.

Judge Garret swore in Police Officer Goran Krasic.

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### **Council Comments**

Council President Bromberg congratulated the two new Patrol Officers. He added that River Vale is a great Town to live in and that they have the best Police Department. Council President Bromberg further added that they exemplify the motto protect and serve. He is also very proud of the Police Department and both new officers must be very special to have been asked to become a part of this team.

Councilman Ben-Yishay welcomed and congratulated the officers; and wished all to stay safe.

Councilman Donovan commented that he is a lifelong resident and is very proud to see what they've accomplished as a Town and the track record of the River Vale Police Department. He welcomed the new officers and also wished them to stay safe.

Councilwoman Sieg congratulated the officers, welcomed them to the best Town in the Pascack Valley and be a part of a phenomenal Police Department. She added that they both must be very special to be asked to join our Police Department. Councilwoman Sieg expressed that she was very happy to see a woman on the Police force.

Councilman Criscuolo echoed his colleagues' comments. He thanked the officers for their anticipated service and keeping everyone in the Township safe. Councilman Criscuolo also thanked the families for the sacrifices they make as well. He welcomes them and also wished them to stay safe.

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Motion by Councilman Donovan second by Councilman Criscuolo to take a brief recess at 7:45pm. The Council reconvened at 7:54pm

### **ROLL CALL**

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

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### **Presentation MUNISITE Networks**

Mr. Rotella introduced Matt Watkins of Munisite. He explained that the Township has already engaged Munisite with regard to the future cell tower site to be located at the new Police Department site. This new cell tower will help provide better service to the residents in the north end of Town.

Matt Watkins introduced himself as the founder of Munisite Networks. He explained that he spent 20 years working for Verizon and T-Mobile in wireless site carrier development and managing cell site developments in New Jersey and New York City. Matt is very familiar with the strategies and tactics of the carriers and with what's coming down the road with regards to cellular technology. He briefly described the cell tower proposed for the site of the new Police Department building; the tower will be 60 feet tall and house multiple carriers as well as municipal emergency services.

Matt explained that he is here this evening to talk about small wireless facilities and that all the phones that will be working on 5G. He next gave a brief history of cellular technology and internet access over the years. He explained that over the years the band width and speed has increased but the signal effective range has decreased. Currently, the equipment associated with 5G has an effective range of 250 to 300 feet. Therefore,

the carriers now have a lot of ground to cover and the way they do this is by installing small wireless facilities, close to their customers, on existing utility poles in the right-of-way. This option is inexpensive and easy for the carriers.

Matt stated that his main purpose today is to help them understand the ordinance which will protect the municipality. Once the carriers apply for the sites; without an ordinance in place that prohibits them from specific uses you have to comply with their application. He explained that the ordinance focuses on preventing blight so the residents don't have to see carrier equipment on every block. He added that there are solutions in the market place that prevent this. He next showed the Council a map of the Township if no action is taken and the amount of new equipment externally attached to existing structures in the public right-of-way. He also showed the same map of the Township if they enact the ordinance. Matt warned to not give the carriers a MLA (Master Licensing Agreement) which gives the carriers' free reign to attach equipment to the poles. He continued that the Township will have the right to enact esthetic controls and limit the number of poles. He explained that the Township can require that any new structure in the right-of-way is a decorative type pole and adopt a decorative poll ordinance. The carriers are currently focused on the shore Towns but will be moving north.

He commented that the Township will have the ability to control esthetics, the ability to consolidate and limit the amount of structures in the right-of-way and that the pole be required to carry municipal services. He next covered where the carriers need to be located by way of officially adopting a wireless site plan. This information is kept on a list in the Clerk's office as worded in the ordinance. He added that having a wireless sites plan in place will designate where the carriers can be before they submit an application. Matt concluded that the Township will then through the ordinance have to the ability to control esthetics, occupancy and frequency and location. Having the ordinance in place will also prevent a carrier from creating a geographic monopoly in a particular location. He also noted that existing wood poles that carriers apply for are not structurally rated to hold the additional equipment. Therefore, the carrier will have to deploy a new pole which will have to be a decorative type in accordance with the ordinance.

He next reported that there is no cost to the Township for the ordinance. He explained that Munisite recovers their costs by selling the structures and collecting monthly fees from the carriers. He added that the benefits are continuity for the Town; and for the carriers, a good relationship with the Town.

Council President Bromberg questioned if the day of the gigantic cell tower is over and everyone is moving to this option. Matt responded that carriers still need to have the tall poles for their 4G, legacy and low speed equipment. He does expect that eventually the carriers will phase out the large towers when they can effectively replace their services with 5G. Council President Bromberg also questioned if the Township wanted to add to the poles; such as charging stations, is this done by Munisite at no cost to the Township. He responded that after they prepare the sites plan they would ask the Township what sites they would want as a charging station or have security cameras. They would then probably cover the costs of the equipment and Township would cover the monthly costs for power, utilities and data management.

Councilman Criscuolo questioned how they segway do to less sites and still provide good cell service to the residents especially in northern River Vale where the service isn't great. Matt explained that the difference is not the location but the number of units and the carriers will be largely be operating within a block of one another. He added that the problem on the north end of Town will largely be solved by a new macro site at this location.

Councilman Donovan questioned the antenna ranges and where the coverage is coming from. Matt responded that the carriers focus on main heavily travelled roads and populated areas. Councilman Donovan questioned if the Town decides to move forward; does Munisite deploy the infrastructure to the carriers or wait for the carriers to go to them. Matt responded that they don't deploy infrastructure; they wait for the carriers to come to them. Councilman Donovan next asked if Munisite has a competitor. Matt responded that they do not; however, there are companies that do parts of what they do and use their ordinance. Councilman Donovan asked how tall the poles are. Matt responded that depending on the location the poles are 30 to 35 feet tall in an open area; in an area with trees the poles may be 40 to 45 feet tall. Councilman Donovan asked if they have any insight on how long will this technology be useful. Matt responded that the carriers are not signing leases for less than 30 years. Additionally, carriers are usually not willing to give up real estate. He used the example; that if in 5 to 10 years the carriers no longer need the equipment, as part of their application they have the responsibility to remove and restore anything that is no longer needed.

Council President Bromberg thanked Matt Watkins for a very thorough presentation.

### **Engineer's Report**

Mr. Statile reported that his office is repairing for the summer rush of work and projects. He is preparing the bid for the Road Program and he is working with Gennaro on the EMS Park Improvements project. Mr. Statile is also working on modifications to the Country Club parking lot for a new exit. He also reported that he will be presenting the Meskers sub-division plan to the Planning Board next month.

Council President Bromberg questioned if there are any grant opportunities for EV charging stations. Mr. Statile responded that there are some State grants to offset the costs. However, with the new Biden Infrastructure Bill there should be millions of dollars for EV charging stations.

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### **Business Administrator's Report**

Mr. Rotella reported that he has done research regarding the charging stations and a lot of companies are looking for volume and River Vale doesn't have the volume; additionally the charging units are expensive even with grant funding.

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### **1st Hearing of the Public**

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

Dennis Lowenfel—272 River Drive—Mr. Lowenfel has lived in Town for (4) years and expressed his concern over what is happening to the river behind his house. There are trees down and accumulating garbage in the river and he is looking for help. Mr. Lowenfels has spoken to Rich Campanelli, SUEZ, the Bergen County Mosquito Commission and the Hackensack River Keeper. He added that the excuses he's received are access to the river and damage to property. Mr. Lowenfel asked what could be done to help escalate this matter. Additionally, the river can't be used for recreation.

Councilwoman Sieg recalled when residents in this neighborhood properties were flooding and their hands were tied because the DEP would not permit any work be done because it was natural were the trees fell.

Mr. Rotella commented that the DEP is involved and access to the stream itself is an issue. He explained that you would need massive equipment to remove the trees and the accessibility in many of the areas does not exist. Mr. Rotella added that this is an issue in other parts of Town; including Claus Lane were access is an issue as well. He further commented that this is SUEZ's property. Mr. Rotella explained that this is a very expensive proposition even if you get the DEP permits to do the work.

Council President Bromberg suggested picking one hotspot to look into. Mr. Rotella can price out but you are talking about very large equipment; bulldozers and exorbitant DEP permitting costs.

Councilman Donovan didn't think you could canoe or kayak in the river because it was the water company's property.

Mr. Statile does not believe the water company has the riparian right to enforce this.

Council President Bromberg commented that this is a complex issue and finances are a reality as well.

Mr. Rotella commented that the Mosquito Commission used to de-snag the streams; however, they no longer do and only spray.

Mr. Lowenfel questioned if the river needed to be clear for rescues.

Councilman Donovan suggested organizing a cleanup with SUEZ.

Council President Bromberg thanked Mr. Lowenfel for his concerns and they will look into this as best as they can.

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

### **RESOLUTIONS**

Motion by Councilman Criscuolo; second by Councilman Ben-Yishay to approve Resolutions #2021-101 through #2021-108 as a Consent Agenda as follows:

**Resolution #2021-101**

**RESOLUTION APPROVING MINUTES MARCH 22, 2021 COUNCIL MEETING**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the minutes of the March 22, 2021 Regular meeting of the Township Council are hereby approved.

**Resolution #2021-102**

**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 #2021-103**

**REFUND**

**(Golf Outing Deposit)**

**WHEREAS**, the following organization is requesting a refund of a deposit for a Golf Outing at the River Vale Country Club that has been cancelled due to COVID-19; and

**WHEREAS**, the Treasurer has certified the availability of funds in the Golf Operating 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:

**Payable to:**  
**"FMBA47 Golf Committee"**

**Mail to:**  
**201 E. Glen Avenue**  
**Ridgewood, NJ 07450**

**Refund Amount: \$ 2,500.00**

**Resolution #2021-104**

**REFUND**

**(Camp Have Some Fun Registration Fee)**

**WHEREAS**, the following resident has requested a refund of their Camp Have Some Fun 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 a issue municipal check payable as follows:

**Payable to:**

Kristen Lombardi  
560 Barr Court  
River Vale, NJ 07675

**Refund Amount: \$355.00**

**Resolution #2021-105**

**REFUND**

**(Field Hockey Program Registration Fee)**

**WHEREAS**, the following resident is requesting a refund of the Field Hockey Program 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 an issue municipal check payable as follows:

**Payable to:**

**Cindy Mazzurco  
60 Cherrywood Court  
River Vale, NJ 07675**

**Refund Amount: \$ 50.00**

**Resolution #2021-106**

**RESOLUTION**

**REFUND 2<sup>ND</sup> QUARTER PROPERTY TAX OVERPAYMENTS**

**WHEREAS**, a tax overpayments were received for the 2<sup>nd</sup> quarter of 2021 and the property owners have requested a refund of said overpayments.

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

**Payable to:**

Marina Grodman

**Mail to:**

628 La Manna Drive  
River Vale, NJ 07675  
(Block 901, Lot 2)

**Refund amount \$ 995.36**

**Payable to:**

Frederick McBrien

**Mail to:**

521 Piermont Avenue, C524A  
River Vale, NJ 07675  
(Block 1301.01, Lot 2, C524A)

**Refund Amount: \$\$408.45**

**Resolution #2021-107**

**RESOLUTION**

**REFUND 1<sup>ST</sup> QUARTER PROPERTY TAX OVERPAYMENTS**

**WHEREAS**, a tax overpayments were received for the 1<sup>ST</sup> quarter of 2021 and the property owners have requested a refund of said overpayments.

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

**Block 405, Lot 14**

580 Stellman Drive

River Vale, NJ 07675

**Total Refund of \$3,911.01 split as follows:**

**Refund of \$3,895.67**

Payable to:

Vested Land Services LLC

VLS Escrow V

165 Passaic Ave. Suite 101

Fairfield, NJ 07004

**Refund of \$15.34**

Payable to:

Flexible Title Closers, LLC

174 Boulevard, Suite 2

Hasbrouck Heights, NJ 07604

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**Block 409, Lot 6**

313 Hanna Road

River Vale, NJ 07675

**Refund Amount: \$4,239.60**

**Payable to:**

Atlantic Title & Settlement Service, LLC

Settlement Trust Account II

130 Clinton Road, Suite 201

Fairfield, NJ 07004

**Block 806, Lot 5**

571 Wittich Terrace

River Vale, NJ 07675

**Refund Amount: \$3,709.16**

**Payable to:**

NJ Escrow & Settlement Corporation

Escrow Account

P.O Box 7423

Shrewsbury, NJ 07702

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**Block 903, Lot 6**

595 Sunnyhill Terrace

River Vale, NJ 07675

**Refund Amount: \$5,144.36**

**Payable to:**

Kensington Vanguard National Land Services LLC

Escrow Account

39 West 37<sup>th</sup> Street, 3<sup>rd</sup> Floor

New York, NY 10018

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**Block 1102, Lot 1**

1 Aster Lane

River Vale, NJ 07675

**Refund Amount: \$2,547.68**

**Payable to:**

Meyerson, Fox

Mancinelli, & Conte PA

Attorney Trust Account

1 Paragon Dr. Suite 07645

Montvale, NJ 07645

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**Block 1301, Lot 37.01**

508 Brook Avenue

River Vale, NJ 07675

**Refund Amount: \$5,843.34**

**Payable to:**

Sunnyside Title Agency LLC

Escrow Account

1 Kinderkamack Road

Hackensack, NJ 07601

**Block 1501.04, Lot 4**

571 Brook Avenue

River Vale, NJ 07675

**Refund Amount: \$792.59**

**Payable to:**

Mohamad & Carol Allahyari

571 Brook Avenue  
River Vale, NJ 07675

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**Block 1715, Lot 25**

238 Rockland Avenue  
River Vale, NJ 07675

**Refund Amount: \$2,788.07**

**Payable to:**

Wayne A. Stahlmann  
Attorney Trust Account  
198 Boulevard  
Hasbrouck Heights, NJ 07604

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**Block 1801, Lot 38, C023A**

265 Collignon Way, Apt. 6A  
River Vale, NJ 07675

**Refund Amount: \$1,427.36**

**Payable to:**

Southcoast Title & Escrow Inc.  
IOLTA Trust Account  
150 Burnside Street  
Cranston, RI 02910

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**Block 1803, Lot 40**

621 Blakeney Pl.  
River Vale, NJ 07675

**Refund Amount: \$3,104.69**

**Payable to:**

Nationstar Mortgage LLC dba Mr. Cooper  
3001 Hackbery Drive  
Irving, Texas 75063-0156

**Resolution #2021-108**

**RESOLUTION SUPPORTING S-3522 CREATING A LOCAL PART OF THE  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS)**

**WHEREAS**, county, municipal, and other local governments have met their pension obligations as employers for more than a decade while the State of New Jersey has continued to underfund the pension systems in varying degrees since 1996 and thus created one of the worst publicly funded retirement systems in the entire nation; and,

**WHEREAS**, despite fulfilling their fiduciary duties in meeting their pension obligations, local governments across the State will experience double digit percentage increases in total employer pension

contributions in 2021 as determined in figures recently published by the Division of Pension and Benefits in the State Department of Treasury; and,

**WHEREAS**, even more alarming for local government employers is the fact that the unfunded accrued liability once again increased in 2021 to a staggering \$26.6 billion for the Public Employee’s Retirement System (“PERS”) alone, causing in part, a decrease in the funded ratio for the Local Part of PERS to 65.4%, the State Part to 31.2%, and the combined rate to a disconcerting 52.2% far below the target funded ratio of 75.0%; and,

**WHEREAS**, S-3522 would divide PERS into two parts: A State Part for State employees, and a Local Part for all other employees; and,

**WHEREAS**, the legislation creates a seven-member board consisting of three labor employee representatives, three management representatives, and one determined by the Board, tasked with operating the retirement system and directing policies and investments to achieve and maintain full funding; and

**WHEREAS**, this legislation is similar to the legislation that separated the Police and Fire Retirement System (P.L. 2018, c. 55) except for the control of investments and that management has an equal representation on the board, which was overwhelmingly supported by the legislature and signed by the Governor; and,

**WHEREAS**, S-3522 would protect local governing bodies from the State of New Jersey further directing property taxpayer dollars to subsidize its long mismanagement and underfunding of the pension systems as it would provide the new balanced board of trustees of PERS with the ability to determine or modify member benefits, direct policies and investments to achieve full funding, and serve as fiduciary of the system.

**NOW THEREFORE BE IT RESOLVED** that the Governing Body of the Township of River Vale does hereby support S-3522, which would establish a new board of trustees for the Local Part of PERS to preserve the structure and integrity of the more solvent Local Part.

**BE IT FURTHER RESOLVED** that certified copies of this Resolution shall be forwarded to Governor Phil Murphy, Senate President Stephen M. Sweeney, Speaker of the General Assembly Craig Coughlin, Senator Holly Schepisi, Assemblyman Robert Auth and the New Jersey League of Municipalities.

**ROLL CALL VOTE**

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

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**Ordinances for 1<sup>st</sup> Reading**

**Ordinance #376-2021**

**Motion to Introduce:** Councilman Criscuolo

**Second:** Councilman Ben-Yishay

**AN ORDINANCE AMENDING CHAPTER 142 OF THE CODE ENTITLED “LAND USE,” PART 1 “LAND USE GENERALLY,” ARTICLE V “PERMITS AND CERTIFICATES”**

**BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY**, that Chapter 142 of the Code is hereby amended as follows:

**§ 142-27. Certificate of Occupancy, Resale and/or Rental Certificates**

**A.**

Certificate of occupancy, resale and/or rental certificates are required before occupancy. No person shall occupy, rent, lease, sublet, transfer title to or suffer the occupancy of, the letting of or allow any person to live in or upon, inhabit as a tenant or tenants or occupants or to occupy as a new owner or cotenants or co-owner any dwelling house or houses or dwelling units, within the confines of the Township of River Vale, unless and until that person shall have first obtained from the Construction Official or his agent of the Township of River Vale a certificate of occupancy, resale and rental certificate, or a certificate of demolition and a permit authorizing any of the foregoing when any of the foregoing shall take place subsequent to February 1, 1996. When a certificate of demolition is obtained, the building shall remain unoccupied.

**B.**

New occupancy or reoccupancy. The provisions of Subsection A shall apply with equal force and effect to any and all new and additional lettings, tenancies, transfers of title of premises or any part thereof and occupancies of any dwelling house or houses or dwelling units, within the Township, upon vacating of same, whether the reoccupancy is by virtue of transfer of title of the dwelling house or houses or dwelling unit or dwelling units or by virtue of rental of any of the foregoing or by virtue of any other action not specifically herein enumerated. The foregoing requirements for Subsections A and B shall be effective whether the occupancy, rental, lease or transfer of title is temporary, seasonal or permanent or whether or not for a consideration. No rental shall be less than 30 days.

**C.**

Definitions; applicability.

**(1)**

As used in this section, the following terms shall have the meanings indicated:

**DWELLING HOUSE AND UNIT**

Includes but is not limited to any one-family dwelling, all apartments or portions of apartments in any apartment house or apartment structure and any rooms in a motel, hotel or other place of public accommodation. The term shall also include a unit in a condominium or cooperative.

**PERSON**

Any individual, partnership, firm, corporation, holding company, foreign corporation, limited liability company or any other entity, whether or not incorporated in this or any other state or country, including any real estate broker or real estate agent or any representative, servant or employee of the foregoing.

**(2)**

This section shall apply to each and every dwelling house as aforesaid and to each and every dwelling unit as aforesaid within the Township and shall include all single and multiple dwellings and premises on which a building is located and is used for human occupancy.

**D.**

Rooming houses exempt. Licensed rooming houses that are annually examined and licensed by the Township shall be exempt from the rental portions of this section only, provided that they keep an accurate register giving true names and addresses of all persons occupying any rooms for any period of time.

**E.**

Effect on other municipal ordinances. Nothing contained in this section shall exempt any of the dwellings or buildings or parts of buildings covered by this section from full and complete compliance with any other provisions of any other ordinance or ordinances of the Township of River Vale, as the same may be applicable.

**F.**

Application for certificate.

**(1)**

Prior to the rental, transfer of title or occupancy of any dwelling house or houses or any dwelling unit or units provided for in this section, application for a certificate of occupancy, resale and/or rental certificates permitting occupancy shall be made, in writing, to the Construction Official or his agent of the Township by that person, persons, firm or corporation, agent, servant or representative, as set forth in Subsection A, and consent shall be given therewith unto the Construction Official or his agent to enter upon and examine the dwelling house or houses and dwelling unit or units and the building or buildings wherein the same may be situate, for which the application is applied for.

**(2)**

All applications for such certificates, as aforesaid, shall be made in writing and shall state the name and address of the owner of the dwelling house or houses, the dwelling unit or units and the building or structure wherein the same may be situate; and the name and address of the owner-occupant or tenant-occupant or any other occupant of the same; and also the name and address, if a sale or transfer of title, of the seller, transferor, buyer and the new proposed owner-occupant or any-other-purposes occupant; and shall further state the name and address of the renting or sales agent, if any, and shall describe the premises to be occupied, including the street address thereof, and a designation of the portion or portions of the premises or structures for which the specific application is being made and the specific room or rooms in the premises to be occupied for sleeping purposes and the number of persons to occupy each sleeping room.

**G.**

Inspections.

**(1)**

The Construction Official or his agent shall conduct an inspection of the premises in question, to ensure compliance with applicable municipal ordinances and rules and regulations affecting the use and occupation of all such dwelling houses and dwelling units and structures. The inspection shall also require compliance with, but not limited to, the following regulations:

**(a)**

~~Flue connections are properly sealed.~~

**(b)**

~~Sump pumps are not connected to the sewer.~~

**(c)**

~~All electrical outlets, switches and panel boxes are properly covered.~~

**(d)**

~~Relief valves from boilers and water heaters are properly piped.~~

**(e)**

~~All plumbing fixtures are in working order.~~

**(f)**

~~Pools are properly fenced.~~

**(g)**

~~There are rails on all interior stairs of more than two risers.~~

**(h)**

~~Exterior rails must be properly secured.~~

**(i)**

~~Property must not be in violation of Chapter 181, Property Maintenance.~~

**(j)**

~~The property is being used for the use it is zoned.~~

- (a) Furnace/boiler flu connections – Properly sealed vent connectors at chimney.
- (b) Water heater/mechanical equipment require a permit to replace and must have an inspection with an approved sticker affixed to the exterior of the unit.
- (c) Sump pumps must be discharged to the exterior and cannot be attached to sanitary sewer line.
- (d) Anti- tip brackets shall be installed on kitchen stoves if required by the manufacturer.
- (e) Kitchen hood/microwave exhaust ducts that are visible must be rigid, not flexible, where required by the manufacturer.
- (f) All electrical outlets, switches, junction boxes, panels must be properly covered – no wires exposed or hanging.
- (g) Lamp cords cannot be used on fixed appliances (e.g. Garage openers, wall installed A/C units).
- (h) Handrails – must be installed on 4 or more risers.
- (i) Guards must be installed on landings 30” above floor/grade and on open basement stairs.
- (j) Garage walls/ceilings adjacent to dwelling must be sheet-rocked.
- (k) Pool/pool gates and fencing - there can be no deviation from original fence installation, gates must swing out, be self-closing and latching, and have latches 54” above grade, above ground pools in non-fence compliant yards must be 48” high with code compliant ladders.  
\*Exterior hot tubs shall have approved latches or conform to section (k) above.
- (l) Lawn and bushes should be neatly trimmed.
- (m) There can be no open permits or property maintenance violations.

**(2)**

No certificate of occupancy, resale and/or rental certificate permitting occupancy shall be issued unless there is full and complete compliance with all of the foregoing, unless otherwise specified, in writing, by the Construction Official or his agent.

**H.**

Violations and penalties.

**(1)**

Any person, persons, partnership, firm, corporation, holding company, foreign corporation, limited liability company or any other entity, whether or not incorporated in this or any other state or country, including any real estate broker or real estate agent or any representative, servant or employee of any of the foregoing, who in any manner knowingly fails to fully comply with the terms and covenants of the within section and who is part of any transaction resulting in the violations of any of the terms and provisions of the within section shall be deemed to have violated the terms and provisions of the within section and is subject to the penalties provided in this revised section for violation of the same, unless and until a certificate of occupancy, resale and/or rental certificate permitting occupancy as aforesaid shall have been issued.

**(2)**

All violations of this section by any person or persons, partnership, firm or corporation or any agents or servants or representatives, as provided herein, whether the person is the owner of the premises, the agent of any party as aforesaid or the tenant or the occupant or occupants, shall be deemed separate and distinct violations for each and every day that said violations may continue, and all parties violating this section shall be deemed jointly and severally liable for any and all such violations. For each and every violation committed, in violation of this section, violators shall be subject to the penalties provided in Chapter 1, Article I, § 1-14.

**I.**

Issuance by Construction Official; fees. A certificate of occupancy, resale and/or rental certificate permitting occupancy to be issued under the terms of this section shall be issued solely by the Construction Official or his agent without the necessity of approval therefor by the governing body of the Township of River Vale. The fee for issuance of such certificate, as provided for herein, shall be the sum of \$100.

[Amended 8-26-2004 by Ord. No. 0-9-04]

**J.**

Compliance with ordinances required. All buildings or structures or dwelling houses or dwelling units for which application shall have been filed by virtue of this section shall fully comply with all other municipal ordinances or requisite municipal requirements for the structures or units. The Construction Official or his agent shall be required to specify the corrections to be made to the premises for the certificate to be issued.

**K.**

Notification when inspection may be made. All owners or renting agents of real estate or person or persons applying for a certificate, as provided herein, shall advise the Construction Official or his agent of a reasonable time or times that the inspection may be made and have someone present to assist and provide entry for the inspection purposes. The Construction Official or his agent shall comply with the request and application within 10 working days after entry is provided and, when proper, shall issue the certificate upon approval.

**L.**

Compliance with procedures required. No tenant, owner or occupant shall sublease, sublet, transfer title (except as heretofore provided), permit the use or the occupancy of the dwelling house, dwelling unit or structure provided for herein without following the procedures set forth and required by the within section, nor shall any real estate broker or agent or representative of any of the foregoing permit any violation of this section.

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 1<sup>st</sup> Reading**

**Ordinance #377-2021**

**Motion to Introduce:** Councilman Donovan

**Second:** Councilman Ben-Yishay

**Council Discussion**

Councilman Ben-Yishay commented that this is a big topic and the most important factor for him was the letter the Police Chief wrote stating his clear objection to having these types of business in Town. He added that it is his understanding that if they pass this ordinance they can have a new ordinance at any time they deem; bringing these types of businesses into Town when it is in their best interest.

Ms. Raso commented that the ordinance can always be amended or scaled back.

Councilman Donovan agreed with Councilman Ben-Yishay’s comments; that this is necessary to maintain control and he would like to see revisited.

Councilwoman Sieg also agreed and they need to listen to their professionals.

Councilman Criscuolo echoed the other Councilmembers comments. He added that given what the professionals have advised and that if they don’t adopt by August they lose their options. Councilman Criscuolo continued that this the prudent thing to do and they can always reverse and modify at any point.

Council President Bromberg is also in agreement and for corroboration from the Township Attorney.

**AN ORDINANCE BY THE TOWNSHIP OF RIVER VALE IN BERGEN COUNTY, NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND ADOPTING SECTION 142-236.5 OF THE RIVER VALE TOWNSHIP CODE**

**WHEREAS**, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

**WHEREAS**, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

**WHEREAS**, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;

- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

**WHEREAS**, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and,

**WHEREAS**, section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and,

**WHEREAS**, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and,

**WHEREAS**, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

**WHEREAS**, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and,

**WHEREAS**, the Township Council of the Township of River Vale has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on the Township of River Vale in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of the Township of River Vale’s residents and members of the public who visit, travel, or conduct business in the Township of River Vale, to amend the Township of River Vale’s zoning regulations to prohibit all manner of marijuana-related land use and development within the geographic boundaries of the Township of River Vale; and,

**WHEREAS**, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by the Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act’s 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts.

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

1. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in the Township of River Vale, except for the delivery of cannabis items and related supplies by a delivery service.
2. Section 142-236.5 of the Township of River Vale Code is hereby adopted. Section 142-236.5 of the Township of River Vale Code shall state: “The following uses of property in the Township of River Vale are

prohibited: All classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service.”

3. Any article, section, paragraph, subsection, clause, or other provision of the Township of River Vale Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

5. This ordinance shall take effect upon its passage and publication and filing with the Bergen County Planning Board, and as otherwise provided for by law.

**ROLL CALL VOTE**

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

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**Ordinances for 2<sup>nd</sup> Reading & Public Hearing**

**Ordinance #375-2021**

**Motion to Adopt:** Councilman Donovan

**Second:** Councilman Ben-Yishay

Motion by Council Ben-Yishay second by Councilman Criscuolo to open the public hearing on Ordinance #375-2021.

There being no questions or comments from the public. Motion by Councilman Criscuolo second by Councilwoman Sieg to close the public hearing on Ordinance # 375-2021.

**AN ORDINANCE AMENDING ORDINANCE #0-10-04 ADJUSTING AND DETERMINING MUNICIPAL CLASS POSITION TITLES AND SALARY RANGES FOR OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF RIVER VALE**

**BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY,** as follows, until a subsequent salary ordinance is adopted:

**Section 1.** The salary ranges per annum for the following officers and employees of the Township of River Vale in the Classified Service (staff) shall be as follows:

Admin Assist / Communications Coordinator	\$ 35,000 - \$ 50,300
Assistant Business Administrator	\$10,000 - \$ 20,400
Accounts Payable Clerk	\$ 40,000 - \$ 57,850
Animal Licensing Clerk	\$500 - \$2,000
Assistant Deputy OEM Director	\$500 - \$1,500
Associate Director of Social & Cultural Affairs	\$5,000

Bookkeeper (Library)	\$38,500 - \$50,000
Building Inspector	\$6,500 - \$20,000
Building Department Secretary	\$25,000 - \$40,000
Building Department Secretary (Hourly)	\$15.00 - \$25.00
Business Administrator	\$30,000 - \$ 57,325
CCO Inspections (per inspection)	\$15.00 - \$25.00
Chief Financial Officer	\$75,000 - \$ 131,800
Chief of Police	\$ 150,000 - \$ 227,700
Children’s Services (Library)	\$52,000 - \$65,000
Circulation Clerk Library (hourly rate)	\$ 12.00 - \$28.00
Code Enforcement Officer (hourly rate)	\$15.00 - \$ 75.00
Construction Code Official	\$ 55,000 - \$ 85,000
Council Members	\$7,000
Deputy OEM Director	\$500 - \$1500
Director of Athletics	\$3,500 - \$10,000
Director of Emergency Management	\$6,000
Director of Law	\$3,200
Director of Public Works	\$75,000 - \$ 155,500
Director of Social & Cultural Affairs	\$7,000
Drug Alliance Coordinators (PV)	\$1,000 - \$7,500
Electrical Sub-Code Official	24,750
Farmers Market Coordinator	\$1.00 - \$1,000
Fire Inspector	\$2,000 - \$ 3,485
Fire Official	\$5,000 - \$ 9,300
Fire Sub-Code Official	\$9,000 - \$ 13,000
Grants Coordinator	\$5,000 - \$ 15,300
Human Resources Coordinator	\$5,000 - \$ 12,650
Information Technology Consultant	\$105.00
Joint Insurance Fund Coordinator	\$1.00
Land Use Administrator	\$10,000 - \$ 15,200
Land Use Administrator (hourly)	\$15.00 - \$25.00
Library Director	\$85,000 - \$100,000
Library Page (hourly rate)	\$ 12.00 - \$15.00
Library Programming Assistant (hourly rate)	\$15.00 - \$32.00
Mayor	\$9,000
Mayors Wellness Coordinator	\$2,500 - \$7,500
Municipal Alliance Coordinator	\$1,000

Municipal Architect	\$90.00 - \$150.00
Municipal Board of Health Secretary	\$500 - \$2,000
Municipal Bond Council	\$125.00 - \$165.00
Municipal Court Administrator	\$45,100 - \$ 59,450
Municipal Court Bailiff	\$14.00 - \$20.00
Municipal Court Clerk (hourly rate)	\$14.00 - \$25.00
Municipal Court Interpreter (hourly rate)	\$30.00 - \$75.00
Municipal Court Judge	\$15,000 - \$ 21,600
Municipal Court Prosecutor	\$7,000 - \$ 10,475
Municipal Court Prosecutor (hourly rate)	\$100.00 - \$150.00
Municipal Environmental Consultant	\$65.00 - \$225.00
Municipal Housing Liaison	\$1,000 - \$5,000
Municipal Planner (hourly rate)	\$100.00 - \$ 160.00
Municipal Planner Affordable Housing (hourly rate)	\$70.00 - \$140.00
Municipal Public Defender (rate per case)	\$75.00 - \$150.00
Municipal Tax Appeal Attorney (hourly rate)	\$100.00 - \$175.00
Municipal Recycling Coordinator	\$1,000 - \$ 6,120
Municipal Tax Assessor	\$15,000 - \$ 21,300
Municipal Tax Assessor Assistant	\$2,000 - \$ 4,000
Municipal Tax Collector	\$ 50,000 - \$ 77,675
Municipal Deputy Tax Collector	\$1.00 - \$5,000
Pesticide Licensed Professional	\$1,000 - \$2,000
Planning Board Attorney	\$ 4,400
Planning Board Attorney (hourly rate)	\$100.00 - \$140.00
Planning Board Engineer	\$1,200
Planning Board Engineer (hourly rate)	\$100.00 - \$175.00
Plumbing Sub-Code Official	\$9,000 - \$ 18,500
Police Department Admin. Assistant	\$35,000 - \$ 49,800
Property Maintenance Officer	\$5,000 - \$ 15,500
Public Works Secretary	\$ 35,000 - \$41,300
Public Works Secretary (hourly rate)	\$15.00 - \$20.00
Public Works Sewer Inspector	\$5,000 - \$8,000
Qualified Purchasing Agent	\$ 2,040
Records Analyst (hourly rate)	\$17.50 – \$20.00
Reference Librarian	\$52,000 - \$65,000
Reference Librarian (hourly rate)	\$18.00 - \$35.00

Registrar Vital Statistics	\$5,000 - \$ 8,375
School Crossing Guard (hourly rate)	\$18.00 - \$24.00
Secretary (hourly rate)	\$12.00 - \$25.00
Senior Circulation Clerk (Library)	\$35,000 - \$45,000
Snow Removal Coordinator	\$2,000 - \$7,500
Special Legal Counsel (hourly rate)	\$135.00 - \$175.00
Social Services Coordinator	\$5,000 - \$10,000
Summer Camp Directors	\$200 - \$7,500
Summer Camp Counselors (hourly rate)	\$8.60 - \$15.00
Technical Assistant	\$25,000 - \$ 48,500
Technology Librarian	\$52,000 - \$65,000
Township Attorney (hourly rate)	\$100.00 - \$140.00
Township Clerk	\$55,000 - \$ 90,500
Township Engineer (hourly rate)	\$60.00 - \$175.00
Township Van Driver (hourly rate)	\$15.00 - \$20.00
Transcriptionist (hourly rate)	\$15.00 - \$45.00
Treasurer	\$50,000 - \$ 92,010
Vendor Billing Coordinator	\$2,500 - \$5,000
Zoning Official	\$3,000 - \$18,000

**Section 2.**  
The Mayor or his designee is

hereby authorized to determine the salary of each employee within each salary range annually, such determination and salary to be effective the first day of each calendar year beginning 2021.

**Section 3.** All employees shall be paid on the 15<sup>th</sup> and 30<sup>th</sup> of every month as stipulated in the Township Personnel Manual except for changes required on account of calendar year requirements.

**Section 4.** All parts or ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistent parts, but nothing herein contained shall be construed to authorize any salary decrease.

**Section 5.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

This ordinance shall take effect after passage in the manner provided by law, except that any and all such salary increases shall in all respects be subject to any provisions of law.

**ROLL CALL VOTE**

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

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**2<sup>nd</sup> 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.

**RESOLUTION**

Motion by Councilman Criscuolo; second by Councilwoman Sieg to approve Resolution #2021-109 as follows:

**Resolution #2021-109**

**RESOLUTION AUTHORIZING THE COUNCIL TO ENTER INTO CLOSED SESSION**

**BE IT RESOLVED**, pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-6 *et seq.* the Township Council of the Township of River Vale will now convene into Closed Session to discuss operations at the North Firehouse.

**BE IT FURTHER RESOLVED** that upon adjourning from Closed Session no action will be taken.

**ROLL CALL VOTE**

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

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Motion by Councilman Criscuolo; second by Councilman Donovan to adjourn from Closed Session.

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**ADJOURNMENT**

Motion by Councilman Ben-Yishay; second by Councilman Donovan to adjourn the meeting at 10:15pm.

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ATTEST:  
*Karen Campanelli, Township Clerk*

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Council President Mark Bromberg







