

MINUTES
Regular Council Meeting
Monday, July 24, 2023
Council Chambers 7:30pm

CALL THE MEETING TO ORDER

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

SALUTE TO FLAG

Council President Criscuolo asked all in attendance to join him in a Salute to the Flag.

SUNSHINE LAW STATEMENT

Council President Criscuolo 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 Donovan, Councilwoman Sieg, and Council President Criscuolo were present. Councilmembers Ben-Yishay and Tolomeo were absent.

Also present: Mayor Mark Bromberg, Township Attorney Silvana Raso, Township Engineer Lisa Neyman, and Township Clerk Karen Campanelli.

Mayor's Comments

Mayor Bromberg referenced Gennaro Rotella's report and commented on the bids for the Police Department. The Mayor reported that due to certain financial issues they were unable to move forward with the bids. The Mayor added that between inflation, supply chain issues and increasing construction costs, they have to re-do the bid spec and increase the financing for the project.

The Mayor offered his congratulations to Kurt Schleir, who has served on our Ambulance Corps for decades, and will be receiving the Hometown Hero Award which will be presented to him from our Congressman's office.

Council Comments

There were no Council comments this evening.

Township Engineer Report

Ms. Neyman reported that the roof replacement project at the Library is set to start in September and is expected to take 30 working days for the work to be completed. She next reported that this Wednesday they will be holding the pre-construction meeting for the 2023 Road Program with DLS Contracting. She added that the project includes 3 miles of roads to be paved, including the trench work for PSE&G and the DOT grant streets. Ms. Neyman further added that there's a 60-day completion schedule for the project.

Councilman Donovan questioned when we anticipate the Road Program will start. Ms. Neyman didn't have an exact date but expects the project to start a couple of weeks after the meeting.

Councilwoman Sieg questioned if they have a new lay-out for the Veterans Park and when do they expect to start the project. Ms. Neyman responded that they are working on the plans now which will then have to be approved before they can go out to bid on the project.

1st Hearing of the Public

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

There being no questions or comments from the public. Motion by Councilwoman Sieg; second by Councilman Donovan to close the hearing of the public.

RESOLUTIONS

Council President Criscuolo tabled Resolutions #2023-177– Resolution Approving Minutes June 12, 2023 Council Meeting and #2023-179 Resolution Approving the Minutes of the July 10, 2023 Council meeting.

Motion by Councilman Donovan second by Councilwoman Sieg to approve Resolutions #2023-178, and Resolution #2023-180 through Resolution #2023-188 as a Consent Agenda as follows:

Resolution #2023-178

RESOLUTION APPROVING MINUTES JUNE 26, 2023, COUNCIL MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the June 26, 2023, Council meeting of the Township Council are hereby approved.

Resolution #2023-180

RESOLUTION APPROVING THE 2022 AUDIT CORRECTIVE ACTION PLAN

WHEREAS, the 2022 Annual Audit of the Township of River Vale, conducted by Lerch, Vinci & Bliss, LLP contained recommendations requiring action; and

WHEREAS, the Chief Financial Officer has reviewed the recommendations and prepared a Corrective Action Plan for the 2022 Annual Audit, responding to the Audit Recommendations; and

WHEREAS, the Corrective Action Plan has been reviewed by the members of the Governing Body of the Township of River Vale.

NOW THEREFORE BE IT RESOLVED, that the Township of River Vale 2022 Corrective Action Plan is hereby approved by the Governing Body of the Township of River Vale and approved for submission to the Division of Local Government Services.

Resolution #2023-181

RESOLUTION APPROVING CHANGE ORDER NO. 2 RVCC DRIVING RANGE NETTING Z-TECH CONTRACTING, LLC (INCREASE)

WHEREAS, on December 12, 2022, the Township awarded a contract to Z-Tech Contracting, LLC for the River Vale Country Club Driving Range Netting Project.; and

WHEREAS, the addition of poll padding installation work was added to the project; and

WHEREAS, this change order results in an increase to the contract sum.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that Change Order No. 2 for the above-mentioned project be approved as follows:

Original Contract Sum	\$ 1,103,210.90
Change Order #1 Increase	+ 26,790.40 (approved 7/10/2023)
Change Order #2 Increase	+ 5,904.00
New Contract Sum	\$1,135,905.30

Resolution #2023-182

RESOLUTION

(Permit Fee Refund)

WHEREAS, the contractor on behalf of the homeowner of 611 Charles Court (Block 1806, Lot 5) had inadvertently paid the permit fee for a fence installation twice; and

WHEREAS, the contractor is requesting a refund of the duplicate payment.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the permit fee be refunded.

BE IT FURTHER RESOLVED, by the Township Council of the Township of River Vale that the Treasurer is hereby directed to issue a municipal check as follows:

Payable to:

“Admiral Fence Company”

Mailing Address:

780 Morningside Lane

Ridgefield, NJ 07657

Refund Amount: \$ 100.00

Resolution #2023-183

RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF HARRINGTON PARK FOR THE PROVISION OF VEHICLE MECHANICAL AND MAINTENANCE SERVICES BY THE RIVER VALE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Interlocal Services Act, N.J.S.A. 40A8A-1 et. seq., authorizes public entities to enter into contracts with each other to subcontract any services which the parties to an agreement are empowered to render within its own jurisdiction; and

WHEREAS, the Borough of Harrington Park wishes to enter into a shared services agreement with the Township whereby the mechanics of the River Vale Department of Public Works would perform maintenance repairs to vehicles owned and/or operated by the Borough of Harrington Park; and

WHEREAS, it has been determined that it is beneficial to both the Township and the Borough to share the services of the Department of Public Works’ mechanics; and,

WHEREAS, this agreement has been reviewed by the Township Attorney.

NOW, THEREFORE, BE IT RESOLVED, that they Mayor is hereby authorized to sign the Interlocal Services Agreement with the Borough of Harrington Park for the provision of vehicle mechanical and maintenance services from the River Vale Department of Public Works.

Resolution #2023-184

RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE INTERLOCAL SERVICES AGREEMENT WITH THE RIVER VALE BOARD OF EDUCATION FOR THE PROVISION OF VEHICLE MECHANICAL AND MAINTENANCE SERVICES BY THE RIVER VALE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Interlocal Services Act, N.J.S.A. 40A8A-1 et. seq., authorizes public entities to enter into contracts with each other to subcontract any services which the parties to an agreement are empowered to render within its own jurisdiction; and

WHEREAS, the RVBOE wishes to enter into a shared services agreement with the Township whereby the mechanics of the River Vale Department of Public Works would perform maintenance repairs to vehicles owned and/or operated by the RVBOE; and

WHEREAS, it has been determined that it is beneficial to both the Township and the RVBOE to share the services of the Department of Public Works’ mechanics; and,

WHEREAS, this agreement has been reviewed by the Township Attorney.

NOW, THEREFORE, BE IT RESOLVED, that they Mayor is hereby authorized to sign the Interlocal Services Agreement with the River Vale Board of Education for the provision of vehicle mechanical and maintenance services from the River Vale Department of Public Works.

Resolution #2023-185

**Resolution Authorizing the Mayor to Sign a Contract with the County of Bergen
For the 2018 Bergen County Open Space Trust Fund Municipal Park Improvement Program
(Veteran’s Memorial Park & Amphitheater Enhancements)**

BE IT RESOLVED, that the Mayor and Council of the Township of River Vale wish to enter into a Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using a \$ 82,147 matching grant award from the 2018 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled Veteran’s Memorial Park Amphitheater Enhancements project, located in the Township of River Vale; and

BE IT FURTHER RESOLVED, that the Township Council hereby authorize the Mayor to be a signatory to the aforesaid contract; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby acknowledge that, in general, the use if this Trust Fund grant towards this approved park project must be completed by or about March 6, 2021; and

BE IT FURTHER RESOLVED that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund’s requirements; and,

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the Grant disbursement to the municipality be equivalent to fifty (50) percent of the eligible construction costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund’s requirements. Professional Services Costs may be reimbursed from grant award’s unexpended balance, should there be a balance.

Resolution #2023-186

**RESOLUTION AUTHORIZING REJECTING AND RE-ADVERTISING BIDS FOR
THE NEW PUBLIC SAFETY COMPLEX**

WHEREAS, on June 28, 2023, the Township of River Vale advertised bid specifications for the New Public Safety Complex in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, bid submissions were received on Wednesday, July 19, 2023, at 1:00pm; and

WHEREAS, two (2) bids were received from The Bennett Company, Inc. and from M&M Construction; and,

WHEREAS, the Administration has reviewed the submissions and determined that the bids are over the cost estimate for said project and recommends rejecting the bids 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 bids received for the New Public Safety Complex are hereby rejected.

BE IT FURTHER RESOLVED, that the Township Clerk is hereby authorized to re-advertise for bids for said project.

Resolution #2023-187

RESOLUTION AUTHORIZING NOT TO EXCEED LIMITATIONS FOR THE FIRM OF CHIESA, SHAHINIAN & GIANTOMASI, PC (PILOT AGREEMENT WITH THE JEWISH HOME ASSISTED LIVING)

WHEREAS, on July 20, 2023, the firm of Chiesa, Shahinian & Giantomsi, PC submitted a proposal to serve as Counsel in connection with the negotiations and drafting of a Pilot Agreement with the Jewish Home Assisted Living located at 685 Westwood Avenue in the Township of River Vale; and,

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

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale that not to exceed limitations are hereby approved and established in the amount of \$17,500 for the firm of Chiesa, Shahinian & Giantomsi, PC, with offices located at 105 Eisenhower Parkway, Roseland, New Jersey.

Resolution #2023-188

PAYMENT OF BILLS

BE IT RESOLVED by the Township Council of the Township of River Vale

that the Business Administrator is hereby authorized to pay the following claims:

CURRENT ACCOUNT claims in the amount of:	\$	478,880.59
RESERVE CURRENT ACCOUNT claims in the amount of:	\$	41,138.99
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$	62,552.39
RESERVE GOLF COURSE UTILITY OPERATING ACCT claims in the amount of:	\$	7,400.00
ANIMAL TRUST ACCOUNT claims in the amount of:	\$	27.60
HOUSING TRUST ACCOUNT claims in the amount of:	\$	1,717.50
PAYROLL AGENCY ACCOUNT claims in the amount of:		
RECREATION TRUST ACCOUNT claims in the amount of:	\$	18,093.37
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:	\$	99,568.61
STATE & FEDERAL GRANT claims in the amount of:		
CONSTRUCTION CODE TRUST ACCOUNT claims in the amount of:		
JUNIOR POLICE ACADEMY TRUST ACCOUNT claims in the amount of:		
GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of:	\$	14,520.00
OPEN SPACE TRUST ACCOUNT claims in the amount of:		
CAPITAL ACCOUNT claims in the amount of:	\$	69,679.46
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$	180.00
SPECIAL TRUST ACCOUNT claims in the amount of:	\$	2,085.00
SNOW REMOVAL TRUST claims in the amount of:		
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$	495.00
TOTAL CLAIMS TO BE PAID	\$	796,338.51

BE IT FURTHER RESOLVED by the Township Council of the Township of River Vale that the following claims

have been paid by the Business Administrator prior to the Bill List Resolution in the following amounts:

CURRENT ACCOUNT claims in the amount of:	\$	4,014,409.10
RESERVE CURRENT ACCOUNT claims in the amount of:	\$	1,462.73
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$	178,315.32
RESERVE GOLF COURSE UTILITY OPERATING ACCT claims in the amount of:		

SNOW REMOVAL TRUST ACCOUNT claims in the amount of:	\$	4,813.12
ANIMAL TRUST ACCOUNT claims in the amount of:		
HOUSING TRUST claims in the amount of:		
RECREATION TRUST ACCOUNT claims in the amount of:	\$	9,905.00
PAYROLL AGENCY TRUST ACCOUNT claims in the amount of:	\$	8,215.50
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:		
GREEN ACRES GRANT ACCOUNT claims in the amount of:		
U.C.C. TRUST ACCOUNT claims in the amount of:		
UNEMPLOYMENT TRUST ACCOUNT claims in the amount of:	\$	177.67
OPEN SPACE TRUST claims in the amount of:	\$	40,046.80
UTILITY CAPITAL ACCOUNT claims in the amount of:	\$	40,000.00
CAPITAL ACCOUNT claims in the amount of:	\$	6,649,124.99
BOND TRUST claims in the amount of:		
SPECIAL TRUST ACCOUNT claims in the amount of:	\$	65.00
ZONING BOARD TRUST ACCOUNT claims in the amount of:		
TOTAL CLAIMS PAID	\$	10,946,535.23
<i>TOTAL BILL LIST RESOLUTION</i>	\$	11,742,873.74

MANUAL DISBURSEMENTS

BILL LIST FOR July 24, 2023

6/30/2023	Transfer Payroll	\$	369,594.88
7/14/2023	Transfer Payroll	\$	332,714.58
TOTAL STATUTORY ACCOUNT DISTRIBUTIONS		\$	702,309.46

ROLL CALL VOTE

Councilman Donovan, Councilwoman Sieg, and Council President Criscuolo voted yes. Councilmembers Ben-Yishay and Tolomeo were absent.

There were no Ordinances for 1st Reading

Ordinance for 2nd Reading & Public Hearing

Ordinance #416-2023

Motion to adopt: Councilman Donovan

Second: Councilwoman Sieg

Motion by Councilwoman Sieg second by Councilman Donovan to open the Public Hearing on Ordinance #416-2023.

There being no questions or comments from the public. Motion by Councilman Donovan second by Councilwoman Sieg to close the Public Hearing on Ordinance #416-2023.

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY AMENDING CHAPTER 90 OF THE CODE ENTITLED CONSTRUCTION CODES, UNIFORM SECTION 90-4 "FEES"

BE IT ORDAINED by the Township Council of the Township of River Vale that the Chapter 90-4 of the Code is hereby amended as follows:

§ 90-4. Fees.

(3) Plumbing Subcode fees.

ADD

(c) Annual Inspections

1. Annual testing of commercial backflow devices: \$50.00 per device

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

ROLL CALL VOTE

Councilman Donovan, Councilwoman Sieg, and Council President Criscuolo voted yes. Councilmembers Ben-Yishay and Tolomeo were absent.

2nd Hearing of the Public

Motion by Councilman Donovan, second by Councilwoman Sieg to open the meeting to the public.

Kathleen Barker—595 Sunset Rd.—Ms. Barker commented that during the week of July 4th she has been woken up at 6:00am from construction noise at Holdrum School and that trucks have been making deliveries at 1:20 in the morning. Ms. Barker went to Town hall who told her to call the Police, when the Police arrive, they quiet down but not for long. She also feels the behavior of the contractor on the job has been obnoxious.

Ms. Barker further commented that her husband went to Town Hall and received a copy of the waiver resolution. She then emailed the Mayor, Council and Board of Education members. She added that no one is aware of the noise waiver nor was she notified, and no consideration has been shown. Ms. Barker also noted that they start work at 6:00am and finish at 3:00 everyday and that they don't need the time to work.

Mayor Bromberg questioned if the noise has been going on for the past week or two since that week in July on off hours. Ms. Barker responded yes, but not the noise of items being thrown into dumpsters. The Mayor clarified that the noise has been abated in the past week or so and has not been as bad during the off hours. Mayor Bromberg added that he was on the Council when they passed this resolution and they do take these decisions very seriously. He explained that the reason they did this was because this was an immense school project, that was time sensitive, and they did grant an allowance to go outside the hours. He added that they were under the impression that most on the construction work would be done internally during the off hours. The Mayor commented that they did not anticipate they would be making noise at 1:20 in the morning or 6:00am with the noise she has been describing. Mayor Bromberg apologized for any inconvenience or aggravation. He further reported that he met with Gennaro Rotella, the Township Business Administrator, and School Business Administrator Kelly Ippolito regarding her concerns. Kelly Ippolito did speak to the contactor about the noise and what could be held off until reasonable hours. He added that the work has to get done before the kids go back to school. Mayor Bromberg clarified the reason behind the resolution and why the Governing Body made this allowance and suspended that part of the ordinance.

Ms. Barker understands the school and safety issues but feels there was no common courtesy. Mayor Bromberg added that if the noise gets out of hand again to please let them know. He noted that it is still a construction site and presumably a noisy project during the normal hours.

Council President Criscuolo echoed the Mayor's comments and that when they make these decisions, they take into consideration several factors including safety. Specially, in the summer when a lot of kids play sports and are using the fields, mostly in the afternoon. Council President Criscuolo further explained that they thought it best that work start early and finish by 3 or 4, which is ideal because that is when most of the sports teams are arriving at the fields.

Councilwoman Sieg apologized for not getting back to her, and that her email was not disregarded but to her knowledge Gennaro did get back to her. She also apologized for anyone that was rude to her on behalf of the Township. Councilwoman Sieg noted that perhaps they could have done better notifying the Police and Town Hall staff so she could have received a better response.

Councilman Donovan commented that at the time he requested that the school come before them to discuss this matter. He also understands her frustration, but they take making these decisions very seriously. Councilman Donovan noted the concessions that were made, which was his one of concern, if they gave permission to work earlier that they weren't outside because this would affect people. He echoed the other comments, that they looking to make sure they are abiding by what the Township allowed. Councilman Donovan noted the reason the school came to them was to make sure the project would be completed in time.

He was also disappointed to hear that Ms. Barker thought they had not taken this decision seriously, and that they specifically sat with the school because they were worried about this happening. Councilman Donovan concluded that he hopes the issues she was having have ceased.

There being no further questions or comments from the public. Motion by Councilwoman Sieg, second by Councilman Donovan to close the hearing of the public.

ADJOURNMENT

Motion by Councilwoman Sieg; second by Councilman Donovan to adjourn the meeting at 8:04pm.

Council President Criscuolo

ATTEST:

Karen Campanelli, Township Clerk

