

**MINUTES**  
**Regular Council Meeting**  
**Monday, September 13, 2021**  
**Town Hall 7:30pm**

**CALL THE MEETING TO ORDER**

Council President Bromberg called the meeting to order at 7:33pm.

**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 Criscuolo and Council President Bromberg were present. Councilman Donovan and Councilwoman Sieg were absent.

**Also present:** Mayor Glen Jasionowski, Township Attorney Silvana Raso, Business Administrator/CFO Gennaro Rotella, Township Engineer Lisa Neiman and Township Clerk Karen Campanelli.

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**Mayor's Comments**

The Mayor commented on Tropical Storm Ida; he thanked the staff and all EMS responders for helping the residents through this difficult time. The Mayor has also instructed Town hall to waive all building department fees for those residents with flood damage. He next explained that the Town cannot force SUEZ to lower the water levels and when to open or close the flood gates; only the Governor has that authority. The Mayor further explained that the Town experienced an enormous amount of rain during a short amount of time which our infrastructure is not built to handle.

Mayor Jasionowski announced that FEMA will have their representatives here in the Council Chambers on Monday, September 20<sup>th</sup> from 9:00 to 5:00 to help any residents needing assistance with their applications for funding. The Mayor will have this information posted on the website and sent out an email blast.

He further reported that after the initial event the next day an automatic trigger on the dam released more water increasing the flooding in some areas. The Mayor added that the Town had no notice of this happening; the Township OEM, County OEM as well as other Town's OEM departments have contacted SUEZ as to why there was no notice. He reported that usually if we know when SUEZ is releasing water the Town will send a code red alerting residents.

Mayor Jasionowski reported on the award of the Golf Course RFP. He thanked Council Vice President Paul Criscuolo for helping with this enormous task; months of work reviewing all the proposals, analysis and healthy debate on what is best for the Township. The Mayor explained that they were looking for a firm that would take them to the next level. He added that after careful deliberation they decided to award to Long Ball for three (3) years with (2) opportunities to extend for (1) additional year.

The Mayor concluded with an announcement that October 10<sup>th</sup> is Town Day and there will be a big chili cook-off.

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**Council Comments**

Councilman Ben-Yishay had no comments this evening.

Councilman Criscuolo had no comments this evening.

Council President Bromberg also thanked all EMS personnel that came out during the storm to help the residents.

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### **Engineer's Report**

Ms. Neiman reported that the Township's infrastructure in general fared well during Tropical Storm Ida despite the large amount of flooding. Ms. Neiman reported that a culvert at the Golf Course failed which they've surveyed and are putting together a plan to replace. Mr. Rotella added that the concert bridge leading to the maintenance shed collapsed and the water flooded the entire area. He's contacted the insurance company and FEMA as well regarding the damage.

Ms. Neiman next reported that the Road Program is moving along and DLS, the contractor, has finished the drainage work on Wittich Terrace.

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### **\*Councilwoman Sieg joined the meeting at 7:43pm.**

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

Motion by Councilman Criscuolo; second by Councilman Ben-Yishay to open the meeting to the public.

David Rice—539 Bernita Drive—Mr. Rice commented that he was excited to see the article in the paper about the new Public Safety Complex. However, Gennaro informed him that the information in the article wasn't accurate; such as the building was only going to be one story and not two as stated in the article. Mr. Rice stated that he was a little upset because this was the first time in a year that information was given out. He also stated that this is not the method to get information out to residents; instead it should instead be sent out via email blasts. Mr. Rice also commented that recently there was a school election to approve a capital project which was voted on by the residents. Mayor Jasionowski clarified that the school went out for a \$40 million bond which had to be voted on by the residents; and the Board has voted on capital project for lesser amounts. Council President Bromberg added that four Council members are needed to vote on capital projects. Mr. Rice stressed the importance of letting people know about what's happening in Town. He sees other Towns having meetings and discussing projects in their Town.

Mayor Jasionowski reported that there have been many public meetings and articles about Meskers and he's been speaking about the new Public Safety Complex since he took office. He added that Gennaro has sent Mr. Rice several articles as well. He explained that if people don't attend their Governing Body's meetings; it is not on the Governing Body. He further explained that email blasts are not used to let people know that there's a vote tonight.

Councilman Criscuolo commented that to some extent it's on the residents to get involved and take an interest. He recalled the discussions regarding the deer hunt; they did much less advertising and the room was filled with people regarding that issue.

Mr. Rice explained that he has a difficult time finding the information and the email blasts are a good idea.

Councilman Criscuolo clarified that they are informing the residents and that Mr. Rice would prefer a different method.

Silvana Raso addressed Mr. Rice's preference that information be conveyed in a different way. She explained that the Township is under obligation to post information that is legally required to be posted; which the Township does. Ms. Raso further explained that the Township cannot pick and choose which information is sent out to the residents. This might then imply to the residents that some issues are more important than other issues which might not be the case. Ms. Raso clarified that Mr. Rice may be disheartened by the lack of interest shown by other residents which is not a Governing Body issue. Ms. Raso stated that legally the Township is compliant and doing everything required to make the information available.

Mr. Rice feels the laws should be updated. Ms. Raso explained that the Township has to follow the laws and it's up to the legislators to determine if the laws should be different. She added that the Statutes for the State of New Jersey set forth the Township's legal obligation as to notifying the public of action being taken.

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

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**RESOLUTIONS**

Motion by Councilman Ben-Yishay; second by Councilwoman Sieg to approve Resolution #2021-185 as follows:

**Resolution #2021-185**

**RESOLUTION APPROVING MINUTES AUGUST 23, 2021 COUNCIL MEETING**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the minutes of the August 23, 2021 Regular meeting of the Township Council are hereby approved.

**ROLL CALL VOTE**

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

Motion by Councilman Criscuolo; second by Councilman Ben-Yishay to approve Resolutions #2021-186 through #2021-192 as a Consent Agenda as follows:

**Resolution #2021-186**

**TOWNSHIP OF RIVER VALE  
NEW JERSEY DEPARTMENT OF TRANSPORTATION  
SAFE ROUTES TO SCHOOL PROGRAM**

**WHEREAS**, the federally funded Safe Routes to School (SRTS) Program strives to empower communities to make walking and bicycling to school a safe and routine activity by making funding available for a wide variety of projects and activities that support and encourage students to walk and bicycle to school; and

**WHEREAS**, in New Jersey, these funds are available through and administered by the New Jersey Department of Transportation (NJDOT) and can be used to fund a variety of both infrastructure and non-infrastructure projects that benefit elementary and middle school children in grades K-8, both public and private schools; and

**WHEREAS**, the government of the Township of River Vale has worked closely with the River Vale School District on making safety improvements along the routes to the Woodside Elementary School; and

**WHEREAS**, in partnership with the River Vale School District, the Township of River Vale intends to apply to the New Jersey Safe Routes to School Program for funding to support infrastructure and non-infrastructure projects in accordance with the program requirements and as detailed in said application;

**WHEREAS**, the Township of River Vale desires to receive \$482,100 in funds from the New Jersey Department of Transportation SRTS Program for the purpose of making pedestrian/biking safety improvements along routes to the Woodside Elementary School; and

**BE IT RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application SRS-2022-Woodside School Regional Safety Imp-00027 to the New Jersey Department of Transportation on behalf of the Township of River Vale.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of River Vale and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**BE IT FURTHER RESOLVED** that the Township of River Vale commits to the future maintenance of the proposed improvements.

**Resolution #2021-187**

**RESOLUTION**

**REFUND TAX OVERPAYMENT**

**WHEREAS**, tax overpayments were received for the 3<sup>rd</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 a municipal checks payable as follows:

Block 103, Lot 14  
671 Montgomery Lane  
**Refund: \$ 3,145.20**  
**Payable to:**  
Corelogic  
Attn: Refund Department  
P.O. Box 9202  
Coppell, TX 75019

Block, 506, Lot 7  
804 Bailey Road  
**Refund: \$ 4,507.42**  
**Payable to:**  
Corelogic  
Attn: Refund Department  
P.O. Box 9202  
Coppell, TX 75019

Block 517, Lot 1  
573 Barr Court  
**Refund: \$4,683.80**  
**Payable to:**  
Corelogic  
Attn: Refund Department  
P.O. Box 9202  
Coppell, TX 75019

Block 810, Lot 7  
593 Thurnau Drive  
**Refund: \$ 3,483.39**  
**Payable to:**  
Corelogic  
Attn: Refund Department  
P.O. Box 9202  
Coppell, TX 75019

Block 1501.02, Lot 32.01  
376 Cedar Lane  
**Refund: \$ 3,087.28**  
**Payable to:**  
Corelogic  
Attn: Refund Department  
P.O. Box 9202  
Coppell, TX 75019

**Resolution #2021-188**

**RESOLUTION CONFIRMING CONTRACT WITH APPROVED STATE VENDOR FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-2A (JOHNSON CONTROLS SECURITY SOLUTIONS LLC)**

**WHEREAS**, the Township of River Vale, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, the Township of River Vale has the need on a timely basis to purchase the following equipment and services for the Department of Public Works utilizing State contracts;

**Fire Alarm & Critical Condition Monitoring**

**WHEREAS**, the State Contract price is

**Purchase Price:       \$ 31,097.74**

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available in the Capital Account (C-04-55-920-011); and

**WHEREAS**, the Township of River Vale intends to enter into a Purchase contract with Johnson Controls Security Solutions LLC (Sourcewell Contract# 031517-ITS) through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts.

**NOW THEREFORE BE IT RESOLVED**, that the Township of River Vale authorizes the Purchasing Agent to purchase the above listed equipment from Johnson Controls Security Solutions LLC pursuant to all conditions of the individual State contracts.

**Resolution #2021-189**

**RESOLUTION AUTHORIZING A CONTRACT FOR WITH A LEAF DISPOSAL FACILITY 2021-2022**

**WHEREAS**, the Mayor and Council recognize the Township's need for a facility to dispose of leaves collected each year; and

**WHEREAS**, as per N.J.S.A. 40A:11-5(s), recycling contracts are not subject to public bidding requirements; and

**WHEREAS**, it is recommended that the Township award a contract to Organic Recycling, Inc., 121 Route 303, Orangeburg, New York 10962 at the following price for leaves that are delivered to their facility pursuant to their proposal:

**\$12.70 per cubic yard for compacted leaves**

**\$11.25 per cubic yard for loose leaves**

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the Current Operating Account.

**NOW THEREFORE BE RESOLVED** by the Township Council of the Township of River Vale that the Business Administration/CFO is hereby authorized to execute a contract with Organic Recycling Inc., for the disposal of leaves for the term of October 2021 through February 2022.

**Resolution #2021-190**

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN THIRD AMENDMENT TO COMMUNICATIONS SITE LICENSE AGREEMENT (LITE SITE)**

**WHEREAS**, on August 8, 2011 the Township of River Vale entered into a Communications Site License Agreement with MetroPCS New York, LLC for the lease of ground space for cell tower use on the property located at 320 Rivervale Road (Block 1401, Lot 12) in the Township of River Vale; and

**WHEREAS**, the Township and the Lessee entered into a First Amended and Restated Communications Site Lease Agreement dated October 2, 2014, and Second Amendment to Communications Site License Agreement dated February 27, 2017 regarding the leased premises located at 320 Rivervale Road in the Township of River Vale; and

**WHEREAS**, the Township and the Lessee wish to amend the renewal term of the agreement and revise the rent due date of the lease; and

**WHEREAS**, the Township Attorney has reviewed and approved the terms and conditions of said amendment.

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the Third Amendment to the Communications Site License Agreement with T-Mobile USA, Inc.

**Resolution #2021-191**

**RESOLUTION AWARDING A CONTRACT FOR THE OPERATION AND MANAGEMENT OF THE RIVER VALE COUNTRY CLUB**

**WHEREAS**, on March 5, 2021 the Township received proposals from professional management companies for the Operation and Management of the River Vale County Club; and

**WHEREAS**, the Administration has reviewed the responses and determined that the proposal received from Long Ball Golf Management, LLC, 268 Valley Boulevard, Wood Ridge, New Jersey 07075 to be the most advantageous to the Township; and

**WHEREAS**, the term of the agreement shall be for three (3) years with the option of (2) 1-year extensions upon the approval of the Council; and

**WHEREAS**, the yearly management fee shall be \$144,000.00 for the initial three (3) year term of the agreement; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the Management Consulting Fees Account.

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign an agreement with Long Ball Golf Management LLC for the operation and management of the River Vale County Club.

**Resolution #2021-192**

**ROLL CALL VOTE**

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

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

**Ordinance #389-2021**

**Motion to Introduce:** Councilman Criscuolo

**Second:** Councilman Ben-Yishay

**AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN, NEW JERSEY AMENDING CHAPTER 212 OF THE CODE ENTITLED "STORMWATER MANAGEMENT"**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that Chapter 212 of the Township Code entitled "Stormwater Management" is hereby amended as follows:

**§ 212-2. Definitions.**

**COUNTY REVIEW AGENCY**

An agency designated by the County Board of {remove} ~~Chosen Freeholders~~ {insert} Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

- (1) A county planning agency; or
- (2) A county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

**NEW JERSEY STORMWATER BEST MANAGEMENT PRACTICES (BMP) MANUAL or BMP MANUAL**

The manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department's determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with §212-~~5~~ {insert}4F, of this chapter and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

**§ 212-4.C. Stormwater management requirements for major development.**

The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of § 212-~~5~~ {insert}4P, Q and R:

- (1) The construction of an underground utility line, provided that the disturbed areas are revegetated upon completion;
- (2) The construction of an aboveground utility line, provided that the existing conditions are maintained to the maximum extent practicable; and
- (3) The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.

**§ 212-4.F. Table 2**

(Notes corresponding to annotations <sup>(b)</sup> through <sup>(d)</sup> are found on {remove}Page D-15{insert}Table 3)

**§ 212-9.A. (3) Requirements for a site development stormwater plan.**

The applicant shall submit {insert} 5 copies of the materials listed in the Checklist for Site Development Stormwater Plans in accordance with Subsection **I(3)** 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 Criscuolo, Councilwoman Sieg and Council President Bromberg voted yes. Councilman Donovan was absent.

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

**Ordinance #387-2021**

**Motion to Adopt:** Councilman Ben-Yishay

**Second:** Councilman Criscuolo

Motion by Councilman Ben-Yishay; second by Councilwoman Sieg to open the public hearing on Ordinance # 387-2021.

There being no questions or comments from the public. Motion by Councilman Ben-Yishay second by Councilwoman Sieg to close the public hearing on Ordinance #387-2021.

**AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN, NEW JERSEY, AMENDING CHAPTER 33 OF THE CODE ENTITLED “POLICE DEPARTMENT” SECTION 8 “PROMOTIONS”**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that Chapter 90 of the Township Code Section 33-8 entitled “Promotions” is hereby amended as follows:

**§ 33-8. Promotions.**

**Add New Section**

**K. Review of Process.**

1. Within ten (10) days of the publishing of the promotional list, a candidate may file a written letter requesting a review of that candidate’s file related to that specific promotional process. Said letter must contain the reason(s) or justification(s) for the request and must be submitted to the Mayor and the Chief of Police. The Mayor will review the request. The review request may include:
  - a. Review and re-tabulation of the scored elements of the promotional process related to the requesting candidate.
  - b. Review of any evaluation, or internal document that was used in the promotional process related to the requesting candidate.
2. If the review warrants a change to the results of the promotional ranking, which determination shall be within the Mayor’s sole discretion, the candidate ranking shall be re-evaluated.

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

**ROLL CALL VOTE**

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

**Ordinance #388-2021**

**Motion to Adopt:** Councilwoman Sieg

**Second:** Councilman Ben-Yishay

Motion by Councilman Ben-Yishay; second by Councilwoman Sieg to open the public hearing on Ordinance # 388-2021.

There being no questions or comments from the public. Motion by Councilman Criscuolo second by Councilwoman Sieg to close the public hearing on Ordinance #388-2021.

**REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE REFUNDING OF CERTAIN GENERAL IMPROVEMENT BONDS, SERIES 2011, OF THE TOWNSHIP AND APPROPRIATING AN AMOUNT NOT EXCEEDING \$2,130,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,130,000 REFUNDING BONDS OF THE TOWNSHIP OF RIVER VALE FOR FINANCING THE COST THEREOF**

**THE GOVERNING BODY OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY,**

**DO ORDAIN** (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section 1. The Township of River Vale, in the County of Bergen, New Jersey (the "Township"), is hereby authorized to refund all or a part of the Township's General Improvement Bonds, Series 2011, dated June 20, 2007, maturing on August 15 in the years 2022 to 2027, both inclusive, in the aggregate principal amount of \$2,035,000, such General Improvement Bonds being subject to redemption in whole or in part on any date on or after August 15, 2021, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount not to exceed \$2,130,000 pursuant to the Local Bond Law.

Section 3. An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 4. The purpose of the refunding is to provide for savings in the debt service payable by the Township with respect to its outstanding obligations.

Section 5. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this refunding bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 6. This refunding bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**ROLL CALL VOTE**

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

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**2<sup>nd</sup> Hearing of the Public**

Motion by Councilwoman Sieg; second by Councilman Ben-Yishay to open the meeting to the public.

David Rice—539 Bernita Drive—commented that Long Ball is doing an excellent job and they are very nice. He also commented that they are having some problems with all the kids going back to school; similar to what a lot of restaurants are experiencing.

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

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Councilman Ben-Yishay commented on a letter received from a Holdrum student named Maddie regarding the Angel Pena scoreboard at the softball field. The Mayor reported that Councilman Criscuolo responded to the letter and he has asked Gennaro to look into the cost; the Mayor wasn't aware that the scoreboard was that damaged. Mr. Rotella reported that the Football/Baseball Association has put in an application to replace the scoreboard which is presently with the Building Department for review. Mr. Rotella will get an update on the project.

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**ADJOURNMENT**

Motion by Councilman Ben-Yishay; second by Councilman Criscuolo to adjourn the meeting at 8:02pm.

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Council President Mark Bromberg

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ATTEST:

*Karen Campanelli, Township Clerk*

