

MINUTES
Regular Council Meeting
Community Center
Monday, October 26, 2020
7:30pm

CALL THE MEETING TO ORDER

Council President Bromberg called the meeting to order at 7:30pm in the Community Center located at 628 Rivervale Road, River Vale, New Jersey.

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, Councilwoman Sieg and Council President Bromberg were present. Councilmembers Criscuolo and Donovan 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.

Mayor's Comments

Mayor Jasionowski announced that there are two new Police Officers starting November 1st; Anthony Feorenzo and Aizad Ahmed who will be sworn in at the November 9th Council meeting. The Mayor next reported that they are in the final stages of the Capitan promotion; the interviews are next week, a decision will be made and a Capitan will be appointed just before Thanksgiving.

The Mayor concluded his comments explaining that with the exception of the Farmers Market; all Town events are cancelled for the remainder of the year. He added that the Farmers Market was very successful this year.

Council Comments

There were no Council comments this evening.

Business Administrator's Report

Mr. Rotella commented that two Girl Scouts were working on their Silver Award. Both girls came to him with the idea that they wanted to do something sustainable for their project. He explained that their idea was to collect used plastic bags and do a Trex Challenge. Mr. Rotella further explained that they collected over 500 pounds of plastic bags and in turn Trex donated a bench which the Township has received. He plans on putting the bench at the Giordano Playground.

Engineer's Report

Ms. Neiman reported that the 2020 Paving Program is complete including final striping. She next reported that Bob Wogisch Construction is starting work on the bunker at the end of the month. Ms. Neiman next reported the Poplar Road Safety Improvements project is planned to start the 2nd week of November. She also reported that the curbing is going in at the Fairways at Edgewood Development.

Council President Bromberg questioned the status of the grant for Wittich Terrace. Ms. Neiman responded that the grant application for Wittich and Thurnau isn't until next year in 2021.

1st Hearing of the Public

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

Bob Fortsch -511 Bernita Drive—Mr. Fortsch commented that like many people he’s been working from home and the cell service could be better; he recalled a conversation with Dwight de Stefan and Bob Menville who suggested putting up a cell tower at the Golf Course. Mr. Fortsch also commented that the Golf Course has been phenomenal this year. He commended the Police Department on their recent cigar night; he added that the event was great and well attended. Mr. Fortsch also shared the sad news that former Board Chairman Ron Tucci passed way about two weeks ago.

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

RESOLUTIONS

Council President Bromberg tabled Resolution #2020-215.

Motion by Councilman Ben-Yishay; second by Councilwoman Sieg to approve Resolutions #2020-214 through #2020-219; with the exception of Resolution #2020-215, as a Consent Agenda as follows:

Resolution #2020-214

RESOLUTION APPROVING MINUTES SEPTEMBER 14, 2020 REGULAR MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the September 14, 2020 Regular meeting of the Township Council are hereby approved.

Resolution #2020-216

RESOLUTION AWARDING A CONTRACT FOR ON-SITE ELEVATOR INSPECTION SERVICES

WHEREAS, presently the Department of Community Affairs performs state mandated inspections of elevators in the Township of River Vale in accordance with elevator sub-code pursuant to N.J.A.C. 5:23-12; and,

WHEREAS, the Township has deemed it necessary to award a contract to an on-site elevator inspection services company; and

WHEREAS, by utilizing a private agency the Township gains the opportunity control the inspection process and collect a 40% administration fee of the fees collected by the Township; and,

WHEREAS, on September 9, 2020 Municipal Inspection Corporation submitted a proposal to provide on-site elevator inspection services for the Township of River Vale; and

WHEREAS, the Business Administrator has reviewed the proposal and recommends awarding a contract to Municipal Inspection Corporation.

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of River Vale hereby awards a contract to Municipal Inspection Corporation with offices located at 183 West 4th Street, Bayonne, New Jersey for the provision of on-site elevator inspections services to the Township of River Vale.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Department of Community Affairs.

Resolution #2020-217

RESOLUTION SUPPORTING THE LAKE TAPPAN URBAN RENEWAL LLC GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS, NEW JERSEY AFFORDABLE HOUSING TRUST FUND PROGRAM

WHEREAS, the developer, Lake Tappan Urban Renewal LLC desires to apply for and obtain funds from the New Jersey Department of Community Affairs, New Jersey Affordable Housing Trust Fund Program for an amount not to exceed the maximum amount allowed in accordance with N.J.A.C 5:43-1.1 *et*

seq. for the purpose of developing approximately twenty-four (24) units of 100% affordable family rental housing in the Township of River Vale for the Lake Tappan Urban Renewal project; and

WHEREAS, the Township of River Vale has determined that the housing project referenced above, will meet all or part of the Township’s low and moderate housing obligation in its Housing Element and Fair Share Plan.

NOW THEREFORE BE IT RESOLVED, that the Township of River Vale does hereby support the application for such funds to the New Jersey Department of Community Affairs, New Jersey Affordable Housing Trust Fund Program and acknowledge that the Project is located in an eligible municipality in accordance with N.J.A.C. 5:43-1.3(a).

BE IT FURTHER RESOLVED, that the Township of River Vale also asks that the developer, Lake Tappan Urban Renewal LLC, as permitted under N.J.A.C. 5:43-1.3(a), to contract only for this project, directly with the Department of Community Affairs.

Resolution #2020-218

**RESOLUTION GRANTING TAX EXEMPT STATUS
DISABLED VETERAN AND AUTHORIZING REFUNDING PROPERTY TAXES PAID**

WHEREAS, Michael J. Lotocki, who resides at and is the owner of 799 Loretta Drive (Block 304, Lot 5) in the Township of River Vale has been deemed a 100% permanently disabled veteran in accordance with the provisions of N.J.S.A. 54:4-3.30; and,

WHEREAS, Michael J. Lotocki made the appropriate claim for tax exemption through the River Vale Tax Assessor’s Office as a 100% permanently disabled veteran and was approved effective January 16, 2018; and,

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

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

- **2018** \$11,540.32
- **2019** \$12,206.57
- **2020** \$10,097.15
 - Q1 \$3,313.80
 - Q2 \$3,313.79
 - Q3 \$3,469.56

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale that the property known as 799 Loretta Drive is hereby designated as a tax exempt property as the property owner, Michael J. Lotocki, is a 100% permanently disabled veteran effective January 16, 2018.

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

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

Payable to:

“Michael J. Lotocki”
799 Loretta Drive
River Vale, New Jersey 07675

Refund Amount \$ 33, 844.04

Resolution #2020-219

RESOLUTION SUPPORTING PARTICIPATION IN THE BERGEN COUNTY PROSECUTOR’S OFFICE (BCPO) BODY WORN CAMERA INITIATIVE

WHEREAS, the Township of River Vale wishes purchase Body Cameras for the officers of the River Vale Police Department; and,

WHEREAS, due to expenses arising from the construction of a new Police Department and the previous purchase of ALPR cameras; the Township is unable to fund the purchase of (18) Body Worn Cameras for the Police Department; and,

WHEREAS, the Bergen County Prosecutor’s Office Body Worn Camera Initiative affords municipalities the opportunity to purchase these cameras for their officers; and,

WHEREAS, the Bergen County Prosecutor’s Office urges all law enforcement agencies to participate in this initiative as a measure of protecting their officers from unwarranted claims while assuring the public that the officers are engaging in appropriate conduct.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale hereby authorizes participation in the Bergen County Prosecutor’s Office Body Worn Camera Initiative.

BE IT FURTHER RESOLVED, by the Township Council that the Police Chief is hereby authorized to submit the required application for said Initiative.

ROLL CALL VOTE

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

Ordinances for 1st Reading

Motion to Introduce: Councilwoman Sieg

Second: Councilman Ben-Yishay

ORDINANCE #372-2020

AN ORDINANCE AMENDING CHAPTER 17 OF THE CODE ENTITLED FIRE DEPARTMENT ESTABLISHING THE OFFICE OF FIRE POLICE

Article V **FIRE POLICE**

§ 17-26 Position Established.

There is hereby established within the River Vale Volunteer Fire Department the office of Fire Police.

§ 17-27 Nomination and Confirmation; term of office.

The River Vale Volunteer Fire Department may nominate not more than five (5) volunteer members of the Department to serve as fire police. Candidates nominated to said office shall be confirmed by the Township Council and shall serve for a term of one year or until their successors are nominated and confirmed. Fire police officers shall serve without compensation from the Township.

§ 17-28 Requisites for appointment.

No member of the River Vale Volunteer Fire Department shall be appointed to the office of Fire Police unless the person:

- A. Is a volunteer member of the River Vale Volunteer Fire Department in good standing;
- B. Is a citizen of the United States;
- C. Will be at least eighteen (18) years of age on the date of appointment;
- C. Is able to read, write and speak the English language well and intelligently;
- D. Is of good moral character and has not been convicted of any criminal offense involving moral turpitude;
- E. Has a valid New Jersey driver's license prior to the date of appointment;

F. Has successfully passed a physical examination and submitted to a criminal history search as defined in Section **§18-4** of the Code of the Township of River Vale not more than three months prior to said appointment; and

G. Has successfully completed the "NJ adopted Fire Police Officer instructional program" or an equivalent course approved by the New Jersey Department of Community Affairs, Division of Fire Safety, and has passed the associated State exams approved for such instructional program; and

H. Provides written proof of having been certified by the New Jersey Department of Community Affairs, Division of Fire Safety, as a fire police officer.

§ 17-29 Oath of Office.

Each individual appointed and qualified as a fire police officer shall, before entering upon the performance of his or her duties, take and subscribe to an oath, administered by the Township Clerk, to faithfully, impartially and justly perform all of the duties of his or her office. The original of the oath shall be filed with the Township Clerk and a copy thereof filed with the Secretary of the River Vale Volunteer Fire Department.

§ 17-30 Duties and powers.

The rights, privileges, powers and duties of a fire police officer shall be as follows:

A. The protection of property;

B. The establishment and maintenance of fire lines;

C. The performance of such necessary traffic control duties from the fire station to and at the vicinity of the fire scene, fire drill or other emergency call as the River Vale Volunteer Fire Department may respond to, until the arrival of a duly authorized police officer, or any public event where Fire Police services may be requested to protect the public, subject to the approval of and supervision by the chief law enforcement officer of the Township;

D. The investigation of all causes of fires and preservation of all evidence pertaining to fires of questionable origins, in the absence of investigating authorities; and

E. The wearing and exhibition of an authorized Fire Police badge on the left breast of the outermost garment while on duty and acting in the capacity of a fire police officer.

Nothing herein shall confer on a fire police officer the right to arrest or detain any person.

§ 17-31 Supervision.

The performance of the duties of a fire police officer shall be under the supervision of the Fire Commissioner or the highest ranking fire officer in charge of the fire scene or fire drill, until the arrival of a duly authorized police officer, who shall assume responsibility for the supervision of traffic duties, preservation of evidence and all other law enforcement duties. Nothing in this article shall diminish the powers of the Commissioner or other superior officer(s) of the River Vale Volunteer Fire Department in the exercise of his or her duties or confer on a fire police officer the right to supersede a duly authorized police officer.

§ 17-32 Bylaws and standard operating procedures.

The River Vale Volunteer Fire Department shall amend the Department's bylaws and standard operating procedures to provide for the establishment of the position of fire police officer and for the process of nomination to said position.

§ 17-33 Violations and penalties.

A. The refusal to obey a direction or command given by a fire police officer in the performance of his or her duties shall be considered a violation of this article;

B. Any person, firm, or corporation violating any of the provisions of this article shall be subject to such penalties as are provided for in Chapter 1, General Provisions, Article I, § 1-14 of the Code of the Township of River Vale, except that nothing herein shall confer on a fire police officer the right to arrest or detain any person.

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

ROLL CALL VOTE

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

2nd Hearing of the Public

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

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

ADJOURNMENT

Motion by Councilwoman Sieg; second by Councilman Ben-Yishay to adjourn the meeting at 7:43pm.

ATTEST:
Karen Campanelli, Township Clerk

Council President Mark Bromberg

