

**MINUTES**  
**Council Meeting**  
**Monday, February 23, 2009**

**CALL THE MEETING TO ORDER**

Council Vice President Bromberg called the meeting to order at 8:05pm in the Council Chambers of the Municipal Building located at 406 Rivervale Road, River Vale, New Jersey 07675.

**SALUTE TO FLAG**

Council Vice President Bromberg asked all in attendance to rise and join him in a Salute to the Flag.

**SUNSHINE LAW STATEMENT**

Council Vice 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 de Stefan, Councilman Matos and Council Vice President Bromberg were present. Councilwoman Sieg will be arriving late and Council President Jasionowski was absent.

**Also present:** Mayor Joseph Blundo, Holly Schepisi, Township Attorney, Dennis Harrington, Township Engineer, Gennaro Rotella, CFO and Karen Padva, Township Clerk.

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Mayor Blundo read the following Proclamation into the record:

**PROCLAMATION**  
***“Read Across America Day”***  
***March 2, 2009***

**WHEREAS**, the residents of River Vale stand firmly committed to the promoting reading as the catalyst for our students’ future academic success, their preparation for America’s jobs of the future, and their ability to compete in a global economy; and

**WHEREAS**, River Vale has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principal that educational investment is the key to the community’s well-being and long-term quality of life; and

**WHEREAS**, NEA’s *Read Across America*, a national celebration of reading, will be conducted on March 2, 2009, which would have been the 105<sup>TH</sup> birthday of Theodore Seuss Geisel, better known as “Dr. Seuss”; and

**WHEREAS**, *Read Across America-NJ* is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, Saturn-UAW, and their local affiliates across the state to promote reading and adult involvement in the education of our community’s students:

**NOW, THEREFORE, BE IT RESOLVED**, that I, Mayor Joseph Blundo, and the governing body of the Township of River Vale calls on the citizens of River Vale to assure that every child is in a safe place reading together with a caring adult on March 2, 2009;

**BE IT FURTHER RESOLVED** that this governing body enthusiastically endorses NEA’s Read Across America and Read Across America-NJ, and recommitts our community to engage in programs and activities to make America’s children the best readers in the world.

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**TOWNSHIP COMMUNICATION**

1. Mayor’s Comments

Mayor Blundo had no report for this evenings meeting.

2. Council Comments

Councilman de Stefan, Councilman Matos and Council Vice President Bromberg had no comments this evening.

**Township Engineer’s Report**

The Township Engineer reported that Brook Avenue may be added to the Road Program this year. In addition, he recommended that Berkshire Road be repaved due to significant damage the road sustained from possible truck traffic.

Mr. Harrington reviewed the lighting project at the Mark Lane Basketball courts. He requested authorization to move forward on the project to meet the June 15<sup>th</sup> deadline. Mayor Blundo stated that he is not authorizing the work tonight and would like to discuss further.

The Engineer estimates the lighting project will cost approximately \$80,000; this includes the computerized control system. Mayor Blundo added that he is very committed to the project but feels they need additional discussion. The Mayor also requested an itemized list of the cost for the basketball court lighting in advance of the next Council meeting.

Council Vice President Bromberg would like to see all the options in advance in order to make an educated decision. He added that the overall costs should be lower than the cost of the lower grove lighting project.

\*\*\*\*\***Councilwoman Sieg joined the meeting at 8:25pm**\*\*\*\*\*

Mr. Harrington continued with an update on the economic stimulus application for the replacement of the existing salt shed; the plans include demolition, excavation, and DEP permitting. The proposed cost is approximately \$300,000; the plan calls for a interest free 20 year loan with a portion possibly being an outright grant.

Mayor Blundo expressed his concerns regarding moving forward with this project even though the current salt shed is small and nonconforming. Mr. Harrington stated that there is no commitment to move forward and that the existing shed could possibly last a few more years. Council Vice President Bromberg added that he wants give his due diligence regarding this project.

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**HEARING OF THE PUBLIC**

Motion by Councilman de Stefan; seconded by Councilman Matos to open the meeting to the public.

Council Vice President Bromberg read the following statement into the record.

*“Each person wishing to address the Council shall step up to the microphone, shall give his or her name in an audible tone for the record. All member of the public are expected to conduct themselves in a proper manner. Any derogatory, abusive or threatening statements will not be permitted. The Chair will immediately rule such conduct out of order and terminate any further comments.”*

Joe Massin –69 Holiday Court – suggested using the Brine System for making pickles. Mr. Massin commented on the method of newspaper advertising that municipalities use to solicit bids He added that other states are using the internet with great success and cost savings.

Bob Fortsch – 511 Bernita Drive – commented on the salt shed topic; he had heard the County was planning on putting a salt shed in at the Valley Brook Golf Course. Mr. Fortsch suggested we could share the shed with the County. Holly Schepisi answered that there were environmental

issues with the placement of a salt shed at the golf course.

There being no further questions or comments from the public; motion by Councilman de Stefan; seconded by Councilman Matos to close the meeting to the public.

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**TOPIC FOR DISCUSSION – Verizon Road Openings**

The Township was recently notified that Verizon would be returning in the spring to continue work installing FIOS which commenced last fall. Due to prior complaints from residents regarding the installation of FIOS; the Township Engineer suggested possible revisions to the existing ordinance to ensure better road repairs by utility companies. The Mayor and Council discussed the problems experienced when not just Verizon but other utility companies open the roads. The complaints range from damage to residents property or inadequate patch work when repairing the roads after an opening. The Mayor concluded that rather than change the current ordinance we need better enforcement regarding road openings.

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**RESOLUTIONS –**

Motion by Councilman Matos; seconded by Councilman de Stefan to approve Resolution #2009-72 through Resolution #2009-82 with the exception of Resolution #2009-81, as follows:

**Resolution #2009-72**

**RESOLUTION APPROVING MINUTES–February 9, 2009 Regular Meeting**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the minutes of the February 9, 2009 Regular Meeting of the Township Council are hereby approved.

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**Resolution #2009-73**

**RESOLUTION AUTHORIZING NOT TO EXCEED LIMITATIONS FOR THE ENGINEERING SERVICES OF CHRISTOPHER STATILE – BIKE PATH RECONSTRUCTION**

**WHEREAS** the Township received a \$300,000 grant from the Department of Transportation for the reconstruction and refurbishment of the Bike Path;

**NOW THEREFOR BE IT RESOLVED**, by the Township Council of the Township of River Vale that limitations in an amount not to exceed \$ 18,500.00 be authorized for engineering services for Christopher Statile in connection with the reconstruction and refurbishment of the Bike Path.

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**Resolution #2009-74**

**RESOLUTION APPROVING RAFFLE LICENSE FOR THE JEWISH HOME FOUNDATION OF NORTH JERSEY, INC.**

**BE IT HEREBY RESOLVED**, that the following license to conduct an Off Premises Raffle be issued to:

NAME:	Jewish Home Foundation of North Jersey, Inc. 10 Link Drive Rockleigh, NJ 07647
LOCATION OF RAFFLE:	Edgewood Country Club

Rivervale Road  
River Vale, NJ 07675

DATE OF RAFFLE: May 18, 2009 7:00pm  
I.D. #: 430-4-36720  
RAFFLE LICENSE: RL 306

**BE IT FURTHER RESOLVED** that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

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**Resolution #2009-75**

**RESOLUTION APPROVING RAFFLE LICENSE FOR NATIONAL COUNCIL OF JEWISH WOMEN IN BERGEN COUNTY**

**BE IT HEREBY RESOLVED**, that the following license to conduct an Off Premises Raffle be issued to:

NAME: National Council of Jewish Women in Bergen County  
75 South Washington Avenue  
Bergenfield, New Jersey 07621

LOCATION OF RAFFLE: Florentine Gardens  
97 Rivervale Road  
River Vale, NJ 07675

DATE OF RAFFLE: June 9, 2009 12:00pm

I.D. #: 32-4-35447

RAFFLE LICENSE: RL 307

**BE IT FURTHER RESOLVED** that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

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**Resolution #2009-76**

**REFUND OF TAX OVERPAYMENT**

**WHEREAS**, a tax overpayment have been received for the first quarter of 2009, and the property owner has requested a refund of said tax overpayment;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of River Vale, that the Chief Financial Officer is hereby authorized to issue a municipal check as follows:

<b><u>Name</u></b>	<b><u>Address</u></b>	<b><u>Amount</u></b>
Baronian	626 Sargent Road (Block 304, Lot 26)	\$ 2,753.77
Krzysztof	537 Dorchester Drive (Block 512, Lot 14)	\$ 3,247.32
Rorro	512 Herrman Avneue (Block 1701 Lot 24)	\$ 2,311.75
Kapilow	620 Dale Court (Block 904, Lot 2)	\$ 2,631.33
Bari	650 Cobh Road (Block 110, Lot 1)	\$ 2,555.88

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**Resolution #2009-77**

RESOLUTION OF THE TOWNSHIP OF RIVER VALE, BERGEN COUNTY, STATE OF NEW JERSEY, AUTHORIZING SUBMISSION OF A “LOAN APPLICATION” AND “DESIGN DOCUMENTS” TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FOR INCLUSION IN THE 2009 FINANCING PROGRAM FOR THE SALT STORAGE SHED REPLACEMENT PROJECT

*WHEREAS, the Township of River Vale (hereinafter referred to as the “Township”) is in the process of planning for replacement of its existing salt storage shed (hereinafter referred to as the “Project”); and*

**WHEREAS**, the Township wishes to construct or implement the Project at the lowest possible cost, and therefore wishes to submit a “Loan Application” and “Design Documents” to the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust (hereinafter collectively referred to as the “Trust”); and

**WHEREAS**, the Township has previously authorized its professional staff to prepare any and all necessary documents in conjunction with the Project and has therefore been presented with a “Loan Application” to be submitted with supporting “Design Documents” for funding through the Trust; and

**WHEREAS**, the Township has reviewed the aforementioned which it finds to be acceptable as to form and content.

NOW, THEREFORE, BE IT RESOLVED this 23<sup>rd</sup> day of February 2009, by the Township of River Vale, as follows:

1. The Township accepts the recommendations of its professional staff and authorizes the execution of a “Loan Application” for funding through the Trust for the Project.
2. The Township authorizes and directs the Mayor and Township Administrator to execute any and all necessary documents in order to implement the intent of this Resolution.
3. A copy of this Resolution shall be forwarded to Dennis J. Harrington, P.E., Township Engineer and Holly S. Schepisi, Esq., Township Attorney.

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**Resolution #2009-78**

(TEMPORARY EMERGENCY)

**WHEREAS**, N.J.S. 40A:4-19 provides that where contracts, commitments or payments are to be made prior to final adoption of the 2009 Budget, temporary appropriations should be made for the purposes and amounts required in the manner and time provided.

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

APPROPRIATION	SALARIES & WAGES	OTHER EXPENSES
General Administration		5,000.00
Division of Finance		5,500.00
Tax Assessor		2,000.00
Engineering		18,500.00
Police Chief		2,000.00
Police Patrol		21,000.00
Fire Department		10,000.00
DPW Director		3,000.00
DPW Streets and Roads	15,000.00	
Snow and Ice Removal		9,200.00
<b>Total</b>	<b>15,000.00</b>	<b>76,200.00</b>

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**Resolution #2009-79**

**RESOLUTION**  
**(TRANSFERS)**

WHEREAS, there exists a need to make transfers in the 2008 Budget Appropriations Reserves, and there exists balances from which to make said transfers,

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the Chief Financial Officer hereby be authorized to make the following transfers to the 2008 Budget Appropriations Reserves.

Inside CAP:  
From:

Police Patrol S&W	\$ 40,000.00
<b>Total</b>	<b>\$ 40,000.00</b>

Inside CAP:  
To:

Accumulated Leave Compensation S&W	\$ 40,000.00
<b>Total</b>	<b>\$ 40,000.00</b>

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**Resolution #2009-80**

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN 2009 CDL RANDOM DRUG AND ALCOHOL TESTING PROGRAM**

**BE IT RESOLVED** by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the CDL Random Drug and Alcohol Testing contract with Connor Strong Risk Control for a term expiring December 31, 2009.

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**Resolution #2009-82**

**RESOLUTION ATTACHED**

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**Council Comments**

Council Vice President Bromberg requested that the minutes of the February 9<sup>th</sup> Council meeting reflect that the Open Space Ordinance was dictated by voter referendum.

**ROLL CALL VOTE**

Councilman de Stefan, Councilman Matos, Councilwoman Sieg and Council Vice President Bromberg voted yes. Council President Jasionowski was absent.

**Resolution #2009-81**

**RESOLUTION FOR PAYMENT OF BILLS**

BE IT RESOLVED by the Township Council of the Township of River Vale, County of Bergen, State of New Jersey, that the Business Administrator be, and hereby is authorized to pay the following claims:

RESERVE CURRENT ACCOUNT claims in the amount of:	\$ 37,196.90
CURRENT ACCOUNT claims in the amount of:	\$ 115,461.98
DOG TRUST ACCOUNT claims in the amount of:	\$ 932.00
TRUST ACCOUNT claims in the amount of:	\$ 0.00
CAPITAL ACCOUNT claims in the amount of:	\$ 998.75
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$ 5,986.25
RECREATION TRUST ACCOUNT claims in the amount of:	\$ 720.00
OPEN SPACE TRUST ACCOUNT claims in the amount of:	\$ 31,091.60
PRIVATE DUTY ESCROW ACCOUNT claims in the amount of:	\$ 8,134.59
RESERVE RECREATION TRUST ACCOUNT claims in the amount of:	\$ 219.36
RESERVE HOUSING TRUST ACCOUNT claims in the amount of:	\$ 2,600.00
SNOW REMOVAL TRUST ACCOUNT claims in the amount of:	\$ 9,246.46
SPECIAL TRUST ACCOUNT claims in the amount of:	\$ 4,476.75
HOUSING TRUST ACCOUNT claims in the amount of:	\$ 819.00
<b>TOTAL CLAIMS TO BE PAID</b>	<b><u>\$ 217,883.64</u></b>

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:

RESERVE CURRENT ACCOUNT claims in the amount of:	\$ 310.00
CURRENT claims in the amount of:	\$ 3,453,616.69
CAPITAL ACCOUNT claims in the amount of:	\$ 450.00
STATUTORY ACCOUNT claims in the amount of:	\$ 398,638.78
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$ 6,242.06
BOND ESCROW TRUST ACCOUNT claims in the amount of:	\$ 10,034.00
<b>TOTAL CLAIMS PAID</b>	<b><u>\$ 3,869,291.53</u></b>

**TOTAL BILL LIST RESOLUTION** **\$ 4,087,175.17**

**MANUAL DISBURSEMENTS  
BILL LIST FOR FEBRUARY 23, 2009**

01/30/2009 – Transfer Payroll	\$ 203,809.32
02/15/2009 – Transfer Payroll	\$ 194,829.46
<b>TOTAL STATUTORY ACCOUNT DISTRIBUTIONS</b>	<b><u>\$ 398,638.78</u></b>

**ROLL CALL VOTE**

Councilman de Stefan, Councilman Matos, Councilwoman Sieg and Council Vice President Bromberg voted yes. Council President Jasionowski was absent.

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**ORDINANCES 1<sup>ST</sup> Reading**

**Ordinance #205-2009**

**Council Comments**

Mayor Blundo briefly explained that the two (2) big items in this ordinance are the purchase of a new fire rescue truck and road improvements program.

**Motion to Introduce:** Councilman de Stefan

**Second:** Councilman Matos

**Ordinance #205-2009**

**AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE TOWNSHIP OF RIVER VALE AND APPROPRIATING \$1,500,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,425,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE**

**TOWNSHIP OF RIVER VALE TO FINANCE THE SAME.**

**BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF all members thereof affirmatively concurring) AS FOLLOWS:**

Section 1. The several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of River Vale, in the County of Bergen, New Jersey (the "Township"), as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement or purpose, such sums amounting in the aggregate to \$1,500,000, including the aggregate sum of \$75,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,425,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

- (a) Purpose: Purchase of defibrillators for the Township's Administration Building, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 4,600
<u>Maximum Amount of Bonds or Notes:</u>	\$ 4,370
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 230

- (b) Purpose: Acquisition of equipment, including, but not limited to, Turnout gear and S.C.B.A equipment and upgrades, all for the Township's Volunteer Fire Department, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 50,600  
Maximum Amount of Bonds or Notes: \$ 48,070  
Period or Average Period of Usefulness: 15 years  
Amount of Down Payment: \$ 2,530

- (c) Purpose: Acquisition of pagers for the Township's Volunteer Fire Department, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 3,220  
Maximum Amount of Bonds or Notes: \$ 3,059  
Period or Average Period of Usefulness: 5 years  
Amount of Down Payment: \$ 161

- (d) Purpose: Acquisition of a rescue fire truck for the Township's Volunteer Fire Department, including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 713,000  
Maximum Amount of Bonds or Notes: \$ 677,350  
Period or Average Period of Usefulness: 10 years  
Amount of Down Payment: \$ 35,650

- (e) Purpose: Purchase of clothing lockers for the Township's Police Department, including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 34,500  
Maximum Amount of Bonds or Notes: \$ 32,775  
Period or Average Period of Usefulness: 15 years  
Amount of Down Payment: \$ 1,725

- (f) Purpose: Purchase of a CrossMatch Livescan Fingerprint System for the Township's Police Department, including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 23,000  
Maximum Amount of Bonds or Notes: \$ 21,850  
Period or Average Period of Usefulness: 7 years  
Amount of Down Payment: \$ 1,150

- (g) Purpose: Resurfacing of various roads in the Township, a complete list of which is on file in the office of the Township Clerk, including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 542,280  
Maximum Amount of Bonds or Notes: \$ 515,166  
Period or Average Period of Usefulness: 10 years  
Amount of Down Payment: \$ 27,114

- (h) Purpose: Repair of the head wall storm drain on Bernita Drive, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 46,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 43,700
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 2,300

- (i) Purpose: Acquisition of an asphalt hot box for the Township's Department of Public Works, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 31,050
<u>Maximum Amount of Bonds or Notes:</u>	\$ 29,497
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 1,553

- (j) Purpose: Acquisition of a bucket truck for the Township's Department of Public Works, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 51,750
<u>Maximum Amount of Bonds or Notes:</u>	\$ 49,163
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$ 2,587

(k) The estimated maximum amount of bonds or notes to be issued for the several improvements or purposes is as stated in Section 2 hereof.

(l) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than 99% of par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is

directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget, as applicable, of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Township may lawfully undertake as general improvements, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.31126 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,425,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$195,652 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) The Township reasonably expects to commence acquisition and/or construction of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the several improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this 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 real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Township hereby covenants to take any action necessary or refrain from taking such action in order to preserve the exclusion from gross income of interest on the bonds and notes authorized hereunder which are issued as tax-exempt bonds as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**ROLL CALL VOTE**

Councilman de Stefan, Councilman Matos, Councilwoman Sieg and Council Vice President Bromberg voted yes. Council President Jasionowski was absent.

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**ORDINANCES 2<sup>nd</sup> Reading**

**Ordinance #204-2009**

Motion by Councilman de Stefan; seconded by Councilwoman Sieg to open the Public Hearing on Ordinance #204-2009.

The being no questions or comments motion by Councilman de Stefan; seconded by Councilman Matos to close the public hearing on Ordinance #204-2009.

**Council Comments**

Councilman de Stefan stated that he is very proud and privileged to support this Ordinance. Council Vice President Bromberg stated for the record that this Ordinance was created by referendum.

**Motion to Adopt:** Councilman de Stefan

**2<sup>nd</sup>:** Councilman Matos

**Ordinance #204-2009**

**AN ORDINANCE TO CREATE AN OPEN SPACE TRUST FUND FOR THE TOWNSHIP OF RIVER VALE**

*WHEREAS*, New Jersey Statutes Annotated, N.J.S.A. 40:12-15.7 authorizes the governing body of any New Jersey municipality to submit to the voters of the municipality in a general election a referendum question authorizing imposition of an annual levy for an amount or at a rate deemed appropriate for the following purposes:

- a.) acquisition, development and maintenance of lands for recreation and conservation purposes;
- b.) acquisition of farmland for farmland preservation purposes;
- c.) acquisition or preservation of historic properties; or
- d.) for the payment of debt service incurred by the Township for these purposes.

*WHEREAS*, the Council of the Township of River Vale determined that it would be in the public interest to place a non-binding referendum question on the November 2008 general election ballot for the purpose of assessing voter preference with regard to the question as to whether the Township of River Vale shall continue its municipal open space recreation and farmland preservation trust fund program for the purposes aforesaid

funded by an annual levy, i.e. Tax, at an annual rate not to exceed \$.01 per \$100.00 of total municipal equalized real property valuation shall be imposed in the Township of River Vale.

**WHEREAS**, by vote of 2127 in favor to 1165 opposed, the voters of the Township indicated their interest in the continuing of an open space trust fund; and,

**WHEREAS**, the River Vale Township Council now wishes to continue a perpetual open space trust fund and concurrent funding source by the dedication of a specific tax to fund this open space trust.

**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the Township of River Vale, County of Bergen, State of New Jersey, that the River Vale Township Council does hereby create a Township open space trust fund and concurrent funding source, via a separate tax, as follows:

**Section 1.** There is hereby created a River Vale Township Open Space Trust Fund, whose purposes are set forth below.

**Section 2.** The purposes of the River Vale Township Open Space Trust fund are as follows:

- a) to acquire, develop and maintain lands/properties within the Township for recreation and conservation purposes;
- b) to assist in the preservation of farmland within the Township wherein there is a funding necessity, either through matching grants for farmland preservation/acquisition or through funding for the reservation of farming privileges and/or the acquisition of development rights as established by State law and/or the Bergen County Board of Chosen Freeholders or their designees;
- d) to acquire or preserve historic properties; or
- e) to provide funding for the payment of debt service related to appropriations in accordance with the subsections a) through d) above.

**Section 3.** The funding source for the Township Open Space Trust Fund shall be the establishment of a separate Township tax line item at an annual rate not to exceed One cent (\$.01) per one hundred (\$100) dollars of ratables for each and every taxable property located within the Township. The rate shall be set every year by the Township Council, by resolution, during the existence of the Township Open Space Trust Fund, no later than the meeting at which the Township budget shall be introduced. The Township Chief Financial Officer, the Township Auditor, the Township Tax Collector and the Township Tax Assessor, where applicable, shall assist the Mayor and Council in the annual creation/collection of this open space tax.

**Section 4.** The determination of how the Township Open Space Trust Fund shall be expended at anytime shall be at the sole discretion of the Mayor and Township Council and they shall be the final determiners of the allocation(s) of the Trust fund during its existence. The Township reserves the right to establish an Open Space Advisory Committee to assist the Township in addressing the provisions of this Ordinance.

**Section 5.** The provisions of taxation to create and fund Open Space Trust Fund and the existence of the Township Open Space Trust Fund shall be perpetual, unless terminated by the Township Council.

**Section 6. Severability.** If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

**Section 7. Repealer.** All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

**Section 8. Effective Date.** This ordinance shall take effect after publication and passage according to law.

**ROLL CALL VOTE**

Councilman de Stefan, Councilman Matos, Councilwoman Sieg and Council Vice President Bromberg voted yes. Council President Jasionowski was absent.

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**HEARING OF THE PUBLIC**

Motion by Councilman Matos; seconded by Councilman de Stefan to open the meeting to the public.

There being no questions or comments from the public; motion by Councilman de Stefan; seconded by Councilman Matos to close the meeting to the public.

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**ADJOURNMENT**

Motion by Councilman Matos; seconded by Councilwoman Sieg to adjourn the meeting.

\_\_\_\_\_  
Mark Bromberg  
Council Vice President

ATTEST:  
Karen Padva  
Township Clerk