

MINUTES
Council Meeting
Tuesday, May 26, 2009

CALL THE MEETING TO ORDER

Council President Jasionowski called the meeting to order at 8:00pm in the Council Chambers of the Municipal Building located at 406 Rivervale Road, River Vale, New Jersey 07675.

SALUTE TO FLAG

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

SUNSHINE LAW STATEMENT

Council President Jasionowski 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 Bromberg, Councilwoman Sieg, and Council President Jasionowski were present. Councilman Matos was absent.

Also present: Mayor Joseph Blundo, Robert Gallione, Business Administrator, Holly Schepisi, Township Attorney, Gennaro Rotella, CFO, Dominic Carrino, Township Engineer and Karen Padva, Township Clerk.

A representative from TD Bank presented Mayor Blundo with a check for \$5,000 to support various activities in town; such as the Octoberfest, National Nights Out, Movie Night and the Holiday Lighting ceremonies.

TOWNSHIP COMMUNICATION

1. Mayor's Comments

Mayor Blundo opened his comments by announcing the loss of former Mayor Ed Zucchi who passed away recently at the age of 85. The Mayor explained that Ed Zucchi was Mayor from 1974-1976 and was responsible for the important implementation of the sewer system in the Township. He was also very active in Veterans Affairs. Mayor Blundo asked for a moment of silence in memory of Mayor Zucchi.

The Mayor commented that the Memorial Day Parade was very enjoyable and stressed the importance of remembering our veterans. He continued that Richard Greenhalgh was honored as Grand Marshall; he is a 50 year resident of town and a very active member of our community. Mayor Blundo thanked Bob Gallione, Kirstie Levine and the DPW for organizing the parade and making the town look great.

Mayor Blundo gave a brief update on the status of the reopening on the hospital. He announced that on Monday, June 8th at 4:30 the public hearing on the hospital will be held at Westwood High School. He continued that there is a sign up form if you would like to speak at the hearing. This form needs to be completed beforehand and is available at Town Hall. The Mayor encouraged people with real life stories to speak on behalf of keeping the hospital open. Presently, Hackensack has the license for the ER and hopefully they will also obtain the Certificate of Need for the hospital.

Mayor Blundo continued by reporting that Township received approval for a low interest loan to build a new salt shed as part of the Economic Stimulus program. In these fiscal times the Mayor

recommends not moving forward with this project. He added that the engineering work done will remain useful in the future if the Town decides to pursue replacing the salt shed in the future.

Mayor Blundo reported on the long term negotiations the Town has been having with the owners of Bergen Hills Golf Course. The Mayor explained that a very complex agreement was reached that would allow some building at the Meskers site with some higher end units to allow for a profit. In exchange, the Township would gain some land, COAH units and a 50 year building moratorium which would protect the golf course from being developed and put in a conservancy trust. The owner has subsequently, bi-furcated the two properties and wants to move forward with the building on the Meskers site however the golf course is in bankruptcy. Both Palisades and Oratani Banks are holding the loans. The Mayor explained that unfortunately Oritani Bank has decided not honor the terms of the agreement that were negotiated in good faith and are not agreeing to the 50 year conservancy of the golf course.

The Mayor reported that at the last Council meeting an ordinance was introduced that would prohibit any building on the golf course. Mayor Blundo requested that the ordinance be tabled tonight because it needs to be reviewed by the planning board prior to adoption. The Mayor concluded that if Oritani continues their position then the Council needs to decide how to proceed with regard to the overall future of the golf course. The Mayor felt disheartened because the Town had negotiated in good faith and under the assurances that the preservation of the golf course would be maintained. The Mayor made mention of the condemnation proceedings that were removed by the current administration under those assurances that the golf course remain.

2. Council Comments

Councilman de Stefan commented on the passing of former Mayor Ed Zucchi and how he very competently handled the town's transition to sewers. Councilman de Stefan added that it is quite a loss for the Township. He also commented on the resolution *Opposing the Age Restricted Housing Conversion* bill. Councilman de Stefan feels that River Vale should show support and consider placing this resolution on our next agenda.

Councilwoman Sieg commented on how much she enjoyed marching in the Memorial Day Parade and that River Vale really is a beautiful town. She added that the Mayor gave a wonderful speech about the Grand Marshall that was very touching.

Councilman Bromberg also commented on how much he enjoyed the parade as well. Councilman Bromberg reported that he recently attended an Assembly at Woodside School where they commended some of the students on their fundraising efforts for numerous charity projects. Councilman Bromberg was very impressed and requested that at the next Council meeting; we could present a group of these students with a Proclamation commending them on their Community Service Projects.

Councilman Bromberg added that he was also very impressed with how quickly and smoothly the DPW coordinating along with the Police Department completed the recent county sidewalk and curbing project.

He continued his report by commending the River Vale Fire Department on their quick response to a recent fire on Gruman Court. The Fire Department contained the fire very quickly.

Councilman Bromberg encouraged residents to please attend the June 8th public hearing regarding the hospital. He also supports the Mayor's efforts on doing what's in the best interest of the Town with regard to the golf course.

Councilman Bromberg concluded his comments by offering his support of the resolution *Opposing the Age Restricted Housing Conversion* bill.

Council President Jasionowski also commented on how impressed he was with all the participants that marched in the Memorial Day Parade and all the volunteerism. Council President Jasionowski supports the Mayor with regard to the golf course. The negotiations have been long term and been in good faith as well as backing away from the condemnation proceedings. Mr. Kay has been a gentleman to deal with and well as the law firm representing the course. All the parties involved have acted in the best interest of the residents and he is disappointed in the actions of Oritani Bank.

*****Councilman Matos joined the meeting at 8:20pm*****

PRESENTATION – River Vale Library Interior Renovation

Ms. Ann McCarthy, the River Vale Library Director presented the Mayor and Council with a detailed report along with an artist’s renderings of the upcoming interior renovations to the library. The design phase is complete and reflects nature and the arts-n-craft movement.

The new circulation desk is being funded through a grant and will be ADA compliant. There will also be four (4) new donated computers. The children’s library will be redesigned and allow for more seating for adults. There will also be a children’s librarian added to the area.

Ms. McCarthy continued that they will also be adding an area for the middle school age children. In this new area there will be a book collection, seating and eight (8) computers for their use.

There are also plans to add a small conference room in addition to the existing larger meeting room which is heavily used. This smaller room could be used for ESL tutoring and serve up ten (10) people.

The Director continued that there will also be the addition of a quiet reading area that looks out on the rear of the building and over the beautiful setting of the Hackensack River. Ms. McCarthy concluded that all the tables will be ADA compliant and the lighting fixtures will be updated to be more efficient. The Library will be shutting down in August and reopening the beginning of December.

The Mayor stated how impressed he was with the plans and how much these changes will benefit and enhance the community. He offered his full support as well as that of the Council. Ms. McCarthy added that there are future plans to add a patio to the rear of the library. All the Council members complimented Ms. McCarthy and expressed how impressed they are with the plans. Councilman de Stefan noted that this is very impressive effort on behalf of Ms. McCarthy and the Board of Directors.

Mayor Blundo asked the Library Board members in attendance to stand and thanked them for all their hard work. The Mayor also gave additional thanks to Ann McCarthy. He expressed that she is a very important asset to the town and thanked her for taking the time to make herself a part of the River Vale community.

Business Administrator’s Report

The Business Administrator reported that recently during *Fleet Week* in New York City, the current commander of the USS Enterprise visited River Vale to see the piece of the original Enterprise at the Veterans Memorial Park. The Administrator passed out photos taken of the group for the Mayor and Council to view.

Mr. Gallione reported that River Vale was one of the many host towns for a baseball tournament that raised \$70,000; the tournament was held over the Memorial Day weekend. He also gave a brief update on the *Hope for the Nilssons Foundation* which will be holding an event on May 31st. The Mayor encouraged the residents to attend this fundraiser to help this family with two ill children.

The Administrator gave brief updates of the new EMS park and the possibility of creating another park in the rear of the Library.

Township Engineer’s Report

Mr. Carrino reported on the status of the County ADA ramps project which is near completion. The Mark Lane Basketball Court Lighting project is continuing with a completion date set for June 14th.

He added that the Bernita Drive wetlands survey is complete, and work is beginning on the 2010 DOT grant application. Councilman de Stefan requested that Mr. Carrino research the slope failure at not only Town Hall but other threatened areas in town.

HEARING OF THE PUBLIC

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

Council President Jasionowski 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.”

Bob Fortsch – 511 Bernita Drive – expressed his concern as a Zoning Board member that surveys received are old and would like to see more recent survey work required for projects. He also mentioned that the Zoning Board recently honored former members Mrs. de Stefan, Rica Fakazis and J.J. Clancy. Mr. Fortsch concluded with comments regarding concerns the Zoning Board has regarding the property at 601 Piermont Avenue.

There being no further questions or comments from the public; motion by Councilman Bromberg; seconded by Councilwoman Sieg to close the meeting to the public.

RESOLUTIONS –

Council Discussion

Councilwoman Sieg questioned Resolution #2009-137 and whether the Frank Giordano Playground will be completed by the start of camp. Mr. Gallione is not certain however it is their goal to have it finished in time for the start of camp.

Motion by Councilman Matos; seconded by Councilman de Stefan to approve Resolutions #2009-134 to Resolution 2009-141 on Consent Agenda, as follows:

Resolution #2009-134

RESOLUTION APPROVING THE MINUTES OF THE APRIL 27, 2009 COUNCIL MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the April 27, 2009 Council meeting are hereby approved.

Resolution #2009-135

RESOLUTION APPROVING THE MINUTES OF THE May 11, 2009 COUNCIL MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the May 11, 2009 Council meeting are hereby approved.

Resolution #2009-136

RESOLUTION
(Release of Escrow)

WHEREAS, LC Developers had posted Builders Escrow as requested by the Planning Board; and

WHEREAS, the Planning Board Engineer has determined that said project(s) for 140 Brookside Avenue (Block 2103, Lot 11) and 49 Bock Drive (Block 2103, Lot 11.01) are complete;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the Escrow Deposit be released;

BE IT FURTHER RESOLVED, by the Township Council of the Township of River Vale that the Chief Financial Officer be directed to release the escrow deposit in the amount of \$14,034.99 to LC Developers, 22 Ruth Place, Park Ridge, New Jersey 07656.

Resolution #2009-137

RESOLUTION AUTHORIZING MAYOR TO SIGN INTERLOCAL AGREEMENT WITH RIVER VALE BOARD OF EDUCATION FOR 2009 SUMMER CAMP PROGAM

WHEREAS, N.J.S.A. 40A-8A-1 et seq., authorizes public entities to enter into a contract with each other to subcontract any services which the parties to an agreement are empowered to render within its own jurisdiction; and

WHEREAS, the River Vale Board of Education and the Township of River Vale wish to operate the Camp Have Some Fun for the summer season of 2009; and

WHEREAS, it is beneficial to both the River Vale Board of Education and the Township of River Vale to provide the benefits of the Camp Have Some Fun to the residents;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign an Interlocal Agreement with the River Vale Board of Education for the operation of the 2009 Camp Have Some Fun program which will run from June 29, 2009 through July 31, 2009, per the terms of the Interlocal Agreement supplied to the Township by the River Vale Board of Education.

Resolution #2009-138

RESOLUTION

REFUND OF TAX OVERPAYMENT

WHEREAS, a tax overpayment have been received for the fourth quarter of 2008, 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:

<u>Name</u>	<u>Address</u>	<u>Amount</u>
Goichi Ikeda	644 Long Hill Road (Block 105, Lot 5)	\$ 479.10
Roslyn Nikola	679 Woodside Avenue (Block 302, Lot 11)	\$ 579.16
Suntrust Mortgage	425 Margiasso Court (Block 402, Lot 16.01)	\$4,536.04
Thomas & Denise Donofrio	286 Alpine Circle (Block 404, Lot 8)	\$ 428.10

Joseph Carl & Jean Ceva	757 Rolling Hill Drive (Block 506, Lot 2)	\$ 436.82
First American	619 Dale Court (Block 902 Lot 18)	\$2,773.15
Performance Equities	14 Holiday Court (Block 1301 Lot 2 QCT014)	\$1,998.63
Joseph Frantin	605 Piermont Avenue (Block 1301, Lot 19)	\$5,322.71
George & Gloria Lammers	521 Piermont Avenue (Block 1301.01, Lot 2 QC505A)	\$ 175.68
Arleen Sebe	506 Bryant Place (Block 1605, Lot1)	\$1,019.88

<u>Name</u>	<u>Address</u>	<u>Amount</u>
John Heim & L Trinidad	250 Rivervale Road (Block 1801.02, Lot 5)	\$ 142.49
Anthony & Mary Yorio	70 Hoffman Court (Block 2004, Lot 13)	\$1,196.56
Steven & Carla Malm	625 Roberge Drive (Block 2208, Lot 8)	\$1,372.87

Resolution #2009-139

Requesting Approval of the Director of the Division of Local Government Services to Establish a Dedicated Trust by Rider for Municipal Public Defender moneys pursuant to P.L. 1997 c.256.

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, municipalities are allowed to receive amounts for costs incurred for Municipal Public Defender Moneys and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of River Vale, in the County of Bergen, State of New Jersey as follows:

1. The Governing Body hereby requests permission of the Director of the Division of Local Government Services to pay expenditures the Municipal Public Defender Moneys as per N.J.S.A. 40A:4-39.
2. The Township Clerk of the Township of River Vale is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

Resolution #2009-140

RESOLUTION AUTHORIZING NOT TO EXCEED LIMITATIONS TO KELLER & KIRKPATRICK, INC. FOR THE SURVEY OF PARCEL I-6A

WHEREAS, the Township of River Vale wished to purchase Parcel I-6A and preserve it as Open Space within the Township; and

WHEREAS, the Township of River Vale is required to perform a Boundary Survey of Parcel I-6A as part of the Department of Environmental Protection Green Acres Program requirements;

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale that limitations in an amount not to exceed \$4,150.00 be authorized for services of the engineering firm of Keller & Kirkpatrick, Inc. for the Green Acres Boundary Survey of Parcel I-6A (Block 1001.01, Lot 10.01).

Resolution #2009-141

AUTHORIZE MAYOR TO SIGN INTERLOCAL SERVICES AGREEMENT FOR HILLS/VALLEY COALITION

WHEREAS, the Hills/Valley Coalition provides programs to the students and their families of the PVRHS district that help create safe and substance-free environments in our community;

WHEREAS, the Borough of Hillsdale, the Borough of Montvale, the Borough of Woodcliff Lake and the Township of River Vale have each agreed to contribute \$2,500.00 to help fund this organization;

WHEREAS, the Township of River Vale has agreed to act as the lead agency for the Hills/Valley coalition as employer of Jacqueline Murphy, as part-time coalition consultant (the "Consultant");

WHEREAS, the Consultant will assist the Hills/Valley Coalition and all four PVRHS town alliances in grant writing and prevention activities;

NOW THEREFOR BE IT RESOLVED for the mutual promises and covenants contained herein the parties hereto agree as follows:

1. The Township of River Vale, as lead agency to the Hills/Valley Coalition shall employ Jacqueline Murphy as the part-time coalition consultant. The Consultant will assist the Hills/Valley Coalition and all four PVRHS town alliances in grant writing and prevention activities.
2. The Consultant will work approximately 15 hours per week and be paid \$18.00 an hour. The Consultant will be expected to work approximately 37 weeks a year.
3. Each of Borough of Hillsdale, the Borough of Montvale, the Borough of Woodcliff Lake, and the Township of River Vale (the "Municipal Partners") shall contribute \$2,500 per annum to fund the salary of consultant or his or her replacement.
4. The Consultant will submit his or her hours of employment to the Township of River Vale's Business Administrator on a monthly basis.
5. The Municipal Partners agree to fund their respective \$2,500 contribution to the Township of River Vale, as lead agency by no later than August 1, 2009.
6. This Agreement will become effective upon full execution by the parties and shall be in effect for one (1) year from the effective date.

ROLL CALL VOTE

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

Council President Jasionowski abstained from Resolution #2009-134 because he was absent.

Motion by Councilman Matos; seconded by Councilman de Stefan to approve Resolution #2009-142 as follows:

Resolution #2009-142

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:	\$ 39,808.64
CURRENT ACCOUNT claims in the amount of:	\$ 168,710.02
DOG TRUST ACCOUNT claims in the amount of:	\$ 36.60
APPROPROATION RESERVE ACCOUNT claims in the amount of:	\$ 4,557.00
CAPITAL ACCOUNT claims in the amount of:	\$ 32,336.34
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$ 366.80
RECREATION TRUST ACCOUNT claims in the amount of:	\$ 1,263.00
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$ 1,026.69
PRIVATE DUTY ESCROW ACCOUNT claims in the amount of:	\$ 2,776.93
RESERVE RECREATION TRUST ACCOUNT claims in the amount of:	\$ 0.00
OPEN SPACE TRUST ACCOUNT claims in the amount of:	\$ 4,090.01
PUBLIC ASSISTANCE TRUST ACCOUNT claims in the amount of:	\$ 0.00
SPECIAL TRUST ACCOUNT claims in the amount of:	\$ 3,376.40
HOUSING TRUST ACCOUNT claims in the amount of:	\$ 1,197.00

TOTAL CLAIMS TO BE PAID **\$ 259,545.43**

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:	\$ 0.00
CURRENT claims in the amount of:	\$ 3,455,667.71
CAPITAL ACCOUNT claims in the amount of:	\$ 00.00
STATUTORY ACCOUNT claims in the amount of:	\$ 381,352.61
UNEMPLOYMENT TRUST ACCOUNT claims in the amount of:	\$ 1,406.80
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:	\$ 15,324.71
TOTAL CLAIMS PAID	<u>\$ 3,853,751.83</u>

TOTAL BILL LIST RESOLUTION **\$ 4,113,297.26**

**MANUAL DISBURSEMENTS
BILL LIST FOR MAY 26, 2009**

04/30/2009 – Transfer Payroll	\$ 193,173.96
05/15/2009 – Transfer Payroll	\$ 188,178.65
TOTAL STATUTORY ACCOUNT DISTRIBUTIONS	<u>\$ 381,352.61</u>

ROLL CALL VOTE

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

ORDINANCES 2ND Reading

Chief Financial Officer, Gennaro Rotella explained the funding of this ordinance prior to the public hearing.

Motion by Councilman de Stefan; seconded by Councilman Matos to open the public hearing on Ordinance #210-2009.

Brian Weitland – 608 John Street – Mr. Weitland stated how pleased he is with the passage of this ordinance. He applauds and appreciates all the Council’s hard work on preserving open space.

There being no further questions or comments from the public motion by Councilman Matos; seconded by Councilman Bromberg to close the public hearing on Ordinance #210-2009.

Council Discussion regarding Ordinance #210-2009

Councilman de Stefan thanked not only this administration but prior ones as well. He expressed how pleased and proud he is to finally see this land preserved as open space. Council President Jasionowski added his thanks to the Mayor for all his hard work regarding getting this project accomplished.

Mayor Blundo thanked Council President Jasionowski, Brian, Holly Schepisi and Bob Gallione for all their patience, help and an overall team effort.

Ordinance #210-2009

Motion to Adopt: Councilman Bromberg

Seconded: Councilman de Stefan

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF PROPERTY IN AND FOR THE TOWNSHIP AND APPROPRIATING \$3,280,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$3,240,000 IN 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 improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of River Vale, in the County of Bergen, New Jersey (the “Township”), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$3,280,000 including the sum of \$40,000 which is hereby appropriated from the Township’s Open Space Trust Fund, and grants which are hereby appropriated in the aggregate amount of \$3,140,000, consisting of a \$1,500,000 Bergen County Open Space Trust Fund Grant, three separate grants in the aggregate amount of \$1,140,000 from the New Jersey Department of Environmental Protection pursuant to the Green Acres program constituting \$400,000 appropriated pursuant to Chapter 8 of the Public Laws of 2005, \$400,000 appropriated pursuant to Chapter 184 of the Public Laws of 2005, and \$340,000 of the \$500,000 appropriated pursuant to Chapter 59 of the Public Laws of 2001, and, in addition there is appropriated a \$500,000 Green Acres Grant to be received from the Garden State Preservation Trust upon the receipt of a legislative appropriation therefor, all of said Green Acres grants being for “Watershed Property Acquisition”. No down payment is required in connection with the authorization of bonds and notes pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance involves a project to be funded by a State grant.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable

bonds or notes are hereby authorized to be issued in the principal amount of \$3,240,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, and in anticipation of the receipt of the grants appropriated herein, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the acquisition of the real property known as Lot 10.01 in Block 1001.01 on the tax maps of the Township, and including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose 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 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 amended 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 Clerk and is available there for public inspection.

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

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the 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 \$3,240,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$50,000 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 improvement or purpose.

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 improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized 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. 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 10. 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, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes.

Motion by Councilman Bromberg; seconded by Councilman Matos to open the public hearing on Ordinance #212-2009.

There being no questions or comments from the public motion by Councilman Bromberg; seconded by Councilman de Stefan to close the public hearing on Ordinance #212-2009.

Ordinance #212-2009

Motion to Adopt: Councilman Bromberg

Seconded: Councilwoman Sieg

ORDINANCE #212-2009

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY, CREATING A NEW SECTION OF THE CODE ENTITLED CHAPTER 187 “RETAIL BUSINESSES”

BE IT ORDAINED, by the Township Council of the Township of River Vale, as follows:

ARTICLE I Hours of Operation

- A. The Mayor and Council have found that undesirable noise, inconvenience and disturbance is caused by retail businesses remaining open late at night.
- B. The Mayor and Council deem it to be in the best interests of the residents of the Township of River Vale for retail businesses to cease the conduct of their business at a reasonable hour.

§ 187-1 Definitions.

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

Retail Business – Any business which holds itself out to the general public for the sale at retail of goods.

§ 187-2 Closing Hours.

Every retail business located within the Township, excluding restaurants, catering businesses, pharmacies, nighttime recreational centers and businesses regulated by the New Jersey Division of Alcoholic Beverage Control, shall be closed to the public, and business with the public therein shall be and is hereby prohibited, between the hours of 12:00 midnight and 5:00a.m., except that fitness centers shall be closed to the public, and business with the public therein shall be and is hereby prohibited, between the hours of 12:00 midnight and 5:00a.m.

ROLL CALL VOTE

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

Council President stated that at the request of the administration the Council table Ordinance #213-2009.

Motion by Councilman Bromberg; seconded by Councilman de Stefan to table Ordinance #213-2009.

ROLL CALL VOTE

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

HEARING OF THE PUBLIC

Motion by Councilman Bromberg; seconded by Councilwoman Sieg to open the meeting to the public.

There being no questions or comments from the public; motion by Councilman Bromberg; seconded by Councilwoman Sieg to close the meeting to the public.

ADJOURNMENT

Motion by Councilman Matos; seconded by Councilwoman Sieg to adjourn the meeting at 9:15 pm.

Council President
Glen Jasionowski

ATTEST:
Karen Padva
Township Clerk