

**MINUTES**  
**Council Meeting**  
**Monday, June 8, 2009**

**CALL THE MEETING TO ORDER**

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

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

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**Recognition of Woodside School Students Community Service Projects**

**Julianna Koeniges, Allie Garrett, Molly Kimball, Tyler Jacobson, Lillian Ochoa, Brianna Wong, Shawn Rowan, Tiana Giovatto, Megan Garrett, Camryn Theadore, Robert Arloro, Michael Leicht, Thomas Uhl, Noelle Garaccio, Danielle Weisfeld, Conor Kimball, Allie Leicht, Ally Pessalano**

**Also Present: Woodside School Principal Jackie Frangis and Bonnie Krentzman Woodside School 3<sup>rd</sup> Grade Teacher**

Principal Frangis and Mrs. Krentzman along with all the students who participated in the Community Service Projects presented the Council and administration with a power point presentation of their various projects.

\*\*\*\*\***Mayor Blundo arrived at the meeting at 8:20pm**\*\*\*\*\*

\*\*\*\*\* **Councilman Matos arrived at the meeting at 8:30pm**\*\*\*\*\*

Mayor Blundo read the following Proclamation into the record:

**WOODSIDE SCHOOL COMMUNITY SERVICE  
RECOGNITION DAY**

*June 8, 2009*

**WHEREAS**, during the 2008-2009 school year the students of Woodside School organized and participated in numerous community service projects; and

**WHEREAS**, the Township of River Vale recognizes that the students of Woodside School represent our future and it is today’s youth who will become tomorrow’s leaders and that teaching children to give back to society through community service is an important concept which benefits our community and helps them grow into conscientious and productive citizens; and

**WHEREAS**, there is a fundamental and conclusive correlation between youth community service and lifelong volunteering and philanthropy; and

**WHEREAS**, young people have great potential to contribute to many areas of daily life, and community service encourages them to apply what they have been taught in the classroom to real-life educational, human service and environmental issues; and

**WHEREAS**, young people around the world are volunteering more than any generation in history;

**NOW, THEREFORE**, I Mayor Joseph Blundo and all the members of the Council call upon our residents to recognize and applaud the Board of Education, teachers, parents and most importantly the students of Woodside School for their significant contributions and volunteerism. These students have demonstrated through their community service projects not only to have developed valuable character building skills but they have brought energy, creativity and a genuine sense of commitment to our community.

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Council Vice President Bromberg stated that he needed to change the order of business and vote on two (2) resolutions.

**RESOLUTIONS**

Motion by Councilman Matos; seconded by Councilwoman Sieg to approve Resolution #2009-155, as follows:

See Attached

**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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Motion by Councilman Matos; seconded by Councilman de Stefan to approve Resolution #2009-156, as follows:

See Attached

**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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\*\*\*\*\***Councilman Matos left the meeting at 8:40pm**\*\*\*\*\*

**TOWNSHIP COMMUNICATION**

1. Mayor's Comments

Mayor Blundo opened his comments with an update on the reopening of the hospital and the meeting that was held earlier at Westwood High School. The Mayor reported that approximately 1,000 people attended the public hearing. Most of the speakers showed overwhelming support of reopening the hospital. The next step in the process is another hearing in Trenton and he hopes that even though it is not as convenient some people can attend. The Mayor felt that our community has done a really good job of demonstrating our needs and why the hospital should reopen.

2. Council Comments

Councilman de Stefan commented on how much enjoyed the Community Service projects of the children and hopes it will continue. He has also heard very positive feedback on the progress of the Road Program.

Councilwoman Sieg remarked on how touched she was by the volunteerism of the students, teachers and parents who attended the meeting this evening.

Council Vice President Bromberg stated that he also attended that hospital meeting. He noted that one person he was particularly impressed with State Senator Cardinale. Council Vice President Bromberg remarked that the Senator was very well spoken and noted three (3) points he commented on during the hearing. The first being, that this was a community hospital that was built by our community and supported by the community. An investment mistake was made however; that should not be the reason to do away with this facility. The Senator also noted that no public or government funds will be used.

The seconded point noted was that ambulance crews are struggling on their routes creating a strain on the crews. Councilman Bromberg noted that Mayor Blundo's wife is on the ambulance corps.

The Senator's final point was that the objectors in this case are primarily not from this area and only have a financial stake in reducing competition. Council Vice President Bromberg added that he was very disheartened to hear other State representatives' from other districts, mostly representing Englewood Hospital, speak out against the opening of our hospital. He added that by and large the show of support for the hospital was overwhelming.

Council Vice President Bromberg made some general comments on State interference. He commented on supporting the resolution on the agenda this evening *Opposing the Age Restricted Housing Conversion Bill*. He explained that many communities have worked hard and in good faith to present complex plans to ensure that developments include COAH obligations and maintain minimal effects on the community. As part of this bill, age restricted portions of some of the developments would become null and void. The significance of the passage of this bill would be detrimental to many communities.

He also commented on showing support to maintain the EMT training fund. This fund was established for the purpose of subsidizing the training of EMT's who are mostly volunteers. The Governor is looking to take away this funding. Council Vice President Bromberg supports and would like to see River Vale prepare a resolution as other towns have done opposing the redirecting of the EMT funds.

Council Vice President Bromberg concluded his comments by thanking the Chief Financial Officer, Gennaro Rotella and the Administration for reducing the Town's audit points from three (3) pages of items to just (3) items. He is very impressed with the improvement of our finances and bookkeeping.

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#### **Business Administrator's Report**

The Business Administrator gave updates on the Shade Tree Committee meeting, plans for the EMS Park and the status of the renovations of the Frank Giordano Park.

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#### **Township Engineer's Report**

Mr. Carrino announced the completion of the County ADA ramp program. The Holdrum Field renovations are underway and there will be a need to add to the existing sprinkler system. Mr. Carrino stated that there is \$7,500 in the project budget for sprinklers. He will obtain proposals from the subcontractor for the sprinkler work and will work to keep within the \$7,500 budget. The Engineer hopes to get the work done within a week to 10 days.

The Mark Lane Lighting project is substantially done; however the sub code official had some issues with the footings that were poured on May 28<sup>th</sup>. He is planning on getting a letter from the contractor's engineer regarding the footings.

Ms. Carrion concluded his comments with an update on the Road Program and that the Bernita Drive DOT 2010 application is complete. Councilman Bromberg questioned whether the DOT application was for the repaving of Bernita Drive or the Headwall Replacement project. The

Engineer explained that that DOT application was for the repaving of Bernita Drive and that the Headwall Replacement project was separate. Mr. Carrino concluded with an update on the Headwall Replacement project.

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**HEARING OF THE PUBLIC**

Motion by Councilman de Stefan; seconded by Councilwoman Sieg 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 – 68 Holiday Court – commented on the reopening of the hospital and the funding of the Ambulance Corps. Mr. Massin expressed his concerns about traveling across the County to get to a hospital and that the fees involved may discourage people from calling. He also believes that the eroding of the EMT training fund is the States way of forcing towns to regionalize.

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

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**RESOLUTIONS**

The Township Attorney offered a further explanation of Resolution #2009-153. There is mediation session tentatively planned because of an objection to our COAH plan. She added that the reason this is being fast tracked is to enable the Township to finalize the acquisition of I6A.

Ms. Schepisi requested that Resolution #2009-153 be amended as follows:

**“...BE IT FURTHER RESOLVED, that in the event that any representative; hereunder, is unable to participate or is deemed not qualified to participate in the mediation the Council specifically authorizes the Mayor to appoint a replacement and the Mayor shall immediately submit to COAH in the writing the name of such replacement member....”**

Mayor Blundo noted that the objector is a developer who owns properties throughout the town.

Motion by Councilman de Stefan; seconded by Councilwoman Sieg to approve Resolutions #2009-143 to Resolution 2009-154 on Consent Agenda, as follows:

**Resolution #2009-143**

**RESOLUTION OPPOSING THE AGE-RESTRICTED HOUSING CONVERSION BILL**

**WHEREAS**, the New Jersey State Senate and Assembly have approved Senate Bill No. S-2577 known as the “Age-Restricted Housing Conversion Bill”; and

**WHEREAS**, S-2577 allows a developer, under certain conditions outside the control of the Township, to convert an approved age restricted development into a market rate housing project without age restrictions without applying for a zoning variance; and

**WHEREAS**, this bill would impose an additional property tax burden on local residents by increasing the number of school children in the community with concomitant education costs and facility expenses; and

**WHERAS**, the Township of River Vale has achieved a balance between the housing needs of all its citizens and the preservation of open space while being mindful of its impact on the municipal infrastructure; and

**WHEREAS**, this legislation restricts the ability of Local Governments to make sound local planning decisions and would allow state government and developers to usurp those decisions; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Township of River Vale Mayor and Council hereby oppose this bill and urge Governor Jon S. Corzine to veto this ill-advised legislation.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to Governor Jon S. Corzine, Senator Gerald Cardinale, Assemblyman John E. Rooney, and Assemblywoman Charlotte Vandervalk.

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**Resolution #2009-144**

**APPROVE LIQUOR LICENSES FOR THE TERM JULY 1, 2009 THROUGH JUNE 30, 2010**

**WHEREAS**, the following liquor license holders have paid the required fee to the Township of River Vale for renewal of their licenses for the July 1, 2009 through June 30, 2010 term;

**NOW, THEREFORE, BE IT RESOLVED** that the Township Clerk be and is hereby authorized to issue liquor licenses as follows:

**PLENARY RETAIL DISTRIBUTION LICENSE**

#0253-44-008-005	TENA Enterprises Inc. River Vale Liquors 209 Rivervale Road River Vale, NJ 07675	\$1,500.00
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**PLENARY RETAIL CONSUMPTION LICENSE**

#0253-33-004-001	Edgewood Country Club, Inc. Piermont Avenue & Rivervale Road River Vale, NJ 07675	\$2,000.00
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#0253-33-007-005	ATV Management LLC 625 Rivervale Road River Vale, NJ 07675	\$2,000.00
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**Resolution #2009-145**

**RESOLUTION APPROVING APPOINTMENT OF A MUNICIPAL REPRESENTATIVE TO THE OPEN SPACE COMMITTEE**

**WHEREAS**, the Township of River Vale has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:8A-1 et seq. to participate in the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund; and

**WHEREAS**, said Agreement requires that one municipal representative be appointed by the governing body of the community to be part of the Open Space Trust Municipal Park Improvement and Land Acquisition Program Regional Committee for the term of one year coinciding with the fiscal year July 1, 2009 through June 30, 2010;

**NOW, THEREFORE, BE IT RESOLVED**, that the governing body hereby appoints Chris Wahmann as its representative to participate on the Open Space Trust Municipal Program Regional Committee and Robert Gallione, Jr. as the alternate representative.

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**Resolution #2009-146**

**RESOLUTION ENDORSING BERGEN COUNTY OPEN SPACE TRUST FUND MUNICIPAL PARK IMPROVEMENT PROGRAM FOR RIVER VALE EMERGENCY SERVICES PARK**

**WHEREAS**, a Bergen County Open Space Trust Fund application in the amount of \$50,000 has been proposed by the Township of River Vale for improvements to the River Vale Emergency Services Park in the Township of River Vale, and

**WHEREAS**, pursuant to the State Interlocal Services Act, such funds may not be spent in a municipality without authorization by the Governing Body; and

**WHEREAS**, the aforesaid project is in the best interest of the people of the Township of River Vale,

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Township of River Vale hereby confirm endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED**, that the Governing Body is committed to providing a dollar for dollar cash match for the project; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development so that implementation of the aforesaid project may be expedited.

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**Resolution #2009-147**

**RESOLUTION ENDORSING BERGEN COUNTY OPEN SPACE TRUST FUND  
MUNICIPAL PARK IMPROVEMENT PROGRAM FOR RIVER VALE LIBRARY  
PIAZZA PARK**

**WHEREAS**, a Bergen County Open Space Trust Fund application in the amount of \$25,000 has been proposed by the Township of River Vale for the River Vale Library Piazza Park in the Township of River Vale, and

**WHEREAS**, pursuant to the State Interlocal Services Act, such funds may not be spent in a municipality without authorization by the Governing Body; and

**WHEREAS**, the aforesaid project is in the best interest of the people of the Township of River Vale,

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Township of River Vale hereby confirm endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED**, that the Governing Body is committed to providing a dollar for dollar cash match for the project; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development so that implementation of the aforesaid project may be expedited.

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**Resolution #2009-148**

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL SERVICES  
AGREEMENT WITH THE BOROUGH OF OLD TAPPAN FOR THE SHARED USE OF  
A BUCKET TRUCK**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the Mayor and Township Clerk is hereby authorized to execute an Interlocal Services Agreement between the Township of River Vale and the Borough of Old Tappan for the shared use of the bucket truck; and

**BE IT FURTHER RESOLVED**, that said Interlocal Services Agreement has been reviewed and approved by the Township Attorney; and

**BE IT FURTHER RESOLVED** that said Interlocal Services Agreement shall have term of seven (7) years commencing June 8, 2009;

**NOW THEREFORE BE IT RESOLVED THAT** a copy of this Resolution be forwarded to the Borough of Old Tappan.

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**Resolution #2009-149**

**RESOLUTION APPROVING THE FIREWORKS PERMIT FOR THE EDGEWOOD COUNTRY CLUB – JULY 3, 2009 (RAIN DATE JULY 5, 2009)**

BE IT RESOLVED, by the Township Council of the Township of River Vale that the fireworks permit for the above mentioned is hereby approved; and

BE IT FURTHER RESOLVED, that all permit fees to the Township of River Vale have been paid in full; and

BE IT FURTHER RESOLVED, that the Fire Official has received all pertinent applications and approvals according to Township Ordinances and Statutes of the State of New Jersey.

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**Resolution #2009-150**

**RESOLUTION CONFIRMING CONTRACT WITH CERTAIN APPROVED STATE VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-2a – FRANK GIORDANO PLAYGROUND EQUIPMENT**

**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 goods or services utilizing State contracts; and

**WHEREAS**, the Township of River Vale intends to enter into contracts with the attached Referenced State Contract Vendors 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 certain goods or services from those approved New Jersey State Contract vendors on the attached list, pursuant to all conditions of the individual State contracts; and

**BE IT FURTHER RESOLVED**, that the governing body of the Township of River Vale pursuant to N.J.A.C. 5:30-5.5 (b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer.

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**Resolution #2009-151**

**RESOLUTION CONFIRMING CONTRACT WITH CERTAIN APPROVED STATE VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-2a – LIBRARY CIRCULATION DESK**

**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 goods or services utilizing State contracts; and

**WHEREAS**, the Township of River Vale intends to enter into contracts with the attached Referenced State Contract Vendors 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 certain goods or services from those approved New Jersey State Contract vendors on the attached list, pursuant to all conditions of the individual State contracts; and

**BE IT FURTHER RESOLVED**, that the governing body of the Township of River Vale pursuant to N.J.A.C. 5:30-5.5 (b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer.

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**Resolution #2009-152**

**RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BERNITA DRIVE ROAD IMPROVEMENT PROJECT**

**WHEREAS**, the Township of River Vale desires to receive \$228,700.00 in funds from the New Jersey Department of Transportation Trust Fund for the purpose of making improvements to Bernita Drive along its entire length; and

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Township of River Vale, formally approves the grant application for the above stated project

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized to submit an electronic grant application identified as NJDOT SAGE #00556 to the New Jersey Department of Transportation on behalf of the Township of River Vale.

**BE IT FURTHER RESOLVED** that the Mayor and Township 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 condition of the grant agreement and approves execution of the grant agreement.

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**Resolution #2009-153**

**RESOLUTION APPROVING THE APPOINTMENT OF COAH MEDIATION REPRESENTATIVES**

**WHEREAS**, Township of River Vale, County of Bergen, State of New Jersey, has petitioned the Council on Affordable Housing (COAH) for substantive certification of its adopted Housing Element and Fair Share Plan; and

**WHEREAS**, N.J.A.C. 5:96-3.6 requires a 45-day period of public review of the petition and Housing Element and Fair Share Plan and all supporting documentation; and

**WHEREAS**, one (1) objection(s) to the Township of River Vale's Housing Element and Fair Share Plan were filed, consistent with N.J.A.C. 5:96-4.1(a); and

**WHEREAS**, N.J.A.C. 5:96-8.1 requires that COAH meet with representatives of the municipality and the objectors and attempt to mediate a resolution of the objections; and

**WHEREAS**, the Township of River Vale is further required by N.J.A.C. 5:96-8.2(d) 2 to adopt a resolution designating representatives to act on its behalf concerning such mediation.

**NOW, THEREFORE BE IT RESOLVED** that the following persons shall constitute the representatives of the Township of River Vale, County of Bergen, State of New Jersey, and are authorized to act on its behalf and to attend, as deemed necessary and prudent, the mediation sessions:

1. Holly Schepisi, Township Attorney
2. Michael Kauker, Jr. Township COAH Planner
3. Joseph Blundo, Mayor
4. George Shalhoub, Planning Board Member  
[NOTE: N.J.A.C. 5:96-8.2(c) states "A municipality shall have a mediation team comprised of two representatives in addition to a member of the municipal planning board and a member of the municipal governing body (who shall not be the same individual)."]

**BE IT FURTHER RESOLVED** that these individuals are authorized to negotiate on behalf the Township of River Vale; and

**BE IT FURTHER RESOLVED**, that Holly Schepisi, Township Attorney, Michael Kauker, Jr., Township COAH Planner, Joseph Blundo, Mayor, and George Shalhoub, Planning Board Member are authorized to execute any written agreement reached during the mediation on behalf of the Township of River Vale; and

**BE IT FURTHER RESOLVED**, that in the event that any representative; hereunder, is unable to participate or is deemed not qualified to participate in the mediation the Council specifically authorizes the Mayor to appoint a replacement and the Mayor shall immediately submit to COAH in the writing the name of such replacement member;

**BE IT FURTHER RESOLVED**, that at any mediation session those representatives that are present shall collectively have full authority to act.

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**Resolution #2009-154**

**RESOLUTION AWARDING THE 2009 WHEEL LOADER BACKHOE**

**WHEREAS**, the Township received several bids for the for the 2009 Wheel Loader Backhoe; and

**WHEREAS**, one bid was received the from Trico Equipment Services LLC, 551 N. Harding Highway, Vineland, New Jersey 08360 and said bid has been reviewed and approved and is hereby accepted as the lowest bidder at the price of

**Base Bid: \$ 77,000.00**

**WHEREAS**, the Chief Financial Officer has certified that funds are available in an amount not to exceed \$ 77,000.00 in the Capital Account;

**NOW THEREFORE BE IT RESOLVED THAT** the bid of Trico Equipment Services LLC is accepted as the lowest responsible bidder. The Mayor and Township Clerk are here by authorized and requested to execute a Contract on behalf of the Township of River Vale for the purchase of a 2009 Wheel Loader Backhoe as described in the Bid Specifications.

**ROLL CALL VOTE**

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

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

**Ordinance #214-2009**

**Motion to Introduce:** Councilman de Stefan

**Seconded:** Councilwoman Sieg

**AN ORDINANCE TO RESCIND ORDINANCE #207-2009 OF THE TOWNSHIP OF RIVER VALE ENTITLED AN ORDINANCE OF TOWNSHIP OF RIVER VALE AMENDING CHAPTER 142 OF THE CODE ENTITLED “LAND USE”**

**BE IT ORDAINED** by the Township Council of the Township of River Vale that Ordinance #207-2009 is hereby rescinded and vacated.

**ROLL CALL VOTE**

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

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**Ordinance #215-2009**

**Motion to Introduce:** Councilwoman Sieg

**Seconded:** Councilman de Stefan

**AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE AMENDING CHAPTER 142 OF THE CODE ENTITLED LAND USE**

§ 142-262. Word usage; terms defined.

FRONT YARD — The open unoccupied space on the same lot with a main building, situated between any street line of the lot and the nearest projection of the main building, and extending to the side lines of the lot. {REMOVE} Any provision hereof to the contrary notwithstanding, in all districts the width of the front yard shall be measured at the street line, and all lots shall have a front yard width and required street frontage of not less than 75 feet. In cases of corner lots, the shorter street frontage shall equal 60% or more of the longer frontage. [Amended 3-12-1970]

CORNER LOT – A parcel of land at the junction of, and fronting on two intersecting streets. (ADD) In the case of a corner lot, the shorter street frontage shall equal 60% or more of the longer frontage and the rear lot line may be elected by the lot owner provided that it be indicated on any plans filed with the construction or zoning official, or land use board.

REAR LOT LINE – The lot line opposite the street line. (ADD) or in the case of a corner lot, the rear lot line may be elected by the owner, provided that it be indicated on the plans filed with the Building Inspector.

**Insert Bulk Requirements For Lot Frontage and Decks:**

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§ 142-263. A Residence District.

B. (3) Lot Frontage: Front Yard 120 feet. Lots with frontage completely within the curved portions of a bulb end of a cul-de-sac right-of-way may reduce the required lot frontage to 75 feet.

§ 142-264. A-1 Residence District.

B. (3) Lot Frontage: Front Yard 150 feet. Lots with frontage completely within the curved portions of a bulb end of a cul-de-sac right-of-way may reduce the required lot frontage to 75 feet.

F. Decks which are no higher than four feet above the highest point of the underlying ground surface shall be located not less than 20 feet from the rear property line. Decks

higher than four feet above the ground surface shall be located a distance of not less than 30 feet from the rear property line.

§ 142-265. B Residence District

B. (3) Lot Frontage: Front Yard 75 feet.

H. Decks which are no higher than four feet above the highest point of the underlying ground shall be located not less than 20 feet from the rear property line. Decks higher than four feet above the ground surface shall be located a distance of not less than 30 feet from the rear property line.

**Conflicting Definitions to be Changed to Match Existing Definitions:**

§ 142-3. Definitions.

BUILDING HEIGHT -- The total vertical dimension from the corner point of the curbline to the highest point of the building, excluding chimneys, antennas, mechanical equipment and parapet walls not exceeding four feet in height. For corner properties, the lower elevation curb center point shall govern. For sites whose existing (preconstruction) grade at the building footprint is lower than the governing curbline elevation, the former shall replace the latter in the calculation.

Building height shall be measured from the average elevation of the existing grade measured at ten-foot intervals around the outer perimeter of the proposed building footprint, beginning at the low point.

[Added 2-4-1972 by Ord. No. 0-2-72; 7-22-2004 by Ord. No. 0-6-04; 12-13-2004 by Ord. No. 0-18-04]

§ 142-3. Definitions.

MINOR SUBDIVISION — Any subdivision containing not more than six lots having a depth of not more than 200 feet, fronting on an existing improved street, not involving any new street or road or the extension of public facilities and not adversely affecting the development of the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Master Plan; Official Map, Part 9, Zoning, or this Part 8. Conflicts with the provisions or portions of the Master Plan, Official Map, or Zoning Ordinance, may be determined through submission of a sketch plat of the proposed development or lot layout to the reviewing land use board for review.

§ 142-262. Word Usage; terms defined.

REAR LOT LINE — Any lot line that is not considered a front lot line or a side lot line.

**Change Definitions to the Following:**

§ 142-3. Definitions

LOT LINE, FRONT — The line of a street on which a lot fronts or abuts the street line. In the case of a through lot, the longest lot line abutting a street will be considered the front lot line.

§ 142-3. Definitions.

LOT LINE, REAR — Any lot line that is not considered a front lot line or a side lot line.

§ 142-3. Definitions

LOT LINE, SIDE — The lot boundary line that connects a front lot line with a rear lot line. A lot may only have 2 side lot lines.

**Add Definitions to the Following to Match Existing Definitions:**

§ 142-194. Definitions

LOT LINE, FRONT — The line of a street on which a lot fronts or abuts the street line. In the case of a through lot, the longest lot line abutting a street will be considered the front lot line.

§ 142-194. Definitions.

LOT LINE, REAR — Any lot line that is not considered a front lot line or a side lot line.

§ 142-194. Definitions

LOT LINE, SIDE — The lot boundary line that connects a front lot line with a rear lot line. A lot may only have 2 side lot lines.

**Adopt Zoning Regulations Bulk Table By Changing:**

§ 142-222. Limiting schedule adopted.

“There is hereby established and declared to be part of this Part 9, Zoning, the adopted “Township of River Vale Bulk Requirements Schedule,” which is made part of these regulations. The Township of River Vale Bulk Requirements Schedule provides the permissible height and bulk of buildings, and establishes the minimum sizes of lots and buildings, families per building, mandatory open spaces, minimum yard sizes, and other limitations. Regulations as to the use of land, buildings and premises applying to the several districts are set forth hereinafter in Article LII (142-223 et. seq.). The Bulk Requirements Schedule shall not replace any information contained in Article LII.”

<b>Township of River Vale Bulk Requirements Schedule</b>		
(See River Vale Land Use Ordinances 142-266, 142-273)		
Adopted: _____		
<b>ZONING REQUIREMENTS</b>	<b>C Zone</b>	<b>Comments</b>
Use of Buildings	see 142-227	
<b>STRUCTURE</b>		
Min. Lot Area	None	
Min. Lot Width	None	
Min. Lot Frontage	None	
Front Yard Setback	0'	on streets 80' or more in width
	40' from center line	on streets less than 80' in width
Side Yard Setback		12' aggregate of two sides
	min. 0' per side	
Rear Yard Setback	50'	
Max. BLD. Height	35'	
Max. Stories	2	
Max. BLD. Coverage	40%	
<b>PARKING REQUIREMENTS</b>		
<b>Type of Business</b>	<b>Number of Spaces</b>	
1) Retail store, shop, bank or similar establishment	1 per 150 sf of gross floor area	
2) Offices, other than medical/dental offices or clinics	1 per 200 sf of gross floor area	
3) Restaurants, taverns, bars, lounges and similar establishments (greater of the two requirements)	1 per 2.5 seats and one parking space per employee; or 1 per 50 sf of gross floor area and one parking space per employee.	
4) Nursing home, hospital or sanitarium	1 for two patients (maximum capacity) plus 1 for each staff doctor plus 1 for each employee on the largest shift	
5) Places of public assembly, public buildings, including including churches, theaters	for fixed seats: 1 for each 3 seats for non-fixed seats: 1 per 100 sf of the floor area utilized for public assembly	
6) Hotels, motels, tourist homes and rooming houses	1 per unit and 1 per employee.	
7) Schools, public and private	1 per employee/teacher, plus 10% of this number	
8) Funeral parlor, etc	1 for each 50 sf of assembly area, but not less than seven spaces	
9) Industrial or manufacturing establishment, laboratory or warehouse	1 for each 400 sf gross floor area or 1 for each 2 employees on the major shift, whichever is greater	
10) Medical/dental offices, clinics or similar facilities	1 per 150 sf of gross floor area plus 7 per each doctor plus 1 per employee plus any other parking required for residential space	

**ROLL CALL VOTE**

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

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**HEARING OF THE PUBLIC**

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

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

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**ADJOURNMENT**

Motion by Councilman de Stefan; seconded by Councilwoman Sieg to adjourn the meeting at 9:00 pm.

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Council Vice President  
Mark Bromberg

ATTEST:  
Karen Padva  
Township Clerk