

MINUTES
Council Meeting
Monday, April 25, 2011
8:00pm

CALL THE MEETING TO ORDER

Council President Jasionowski called the meeting to order at 8:00pm in the Council Chambers 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, Holly Schepisi, Township Attorney, Christopher Statile, Township Engineer, Gennaro Rotella, Administrator/CFO and Karen Padva, Township Clerk.

TOWNSHIP COMMUNICATION

MAYOR’S COMMENTS

Mayor Blundo reported that Chief McCann and Paul Criscuolo will be outlining the steps to implement the finger printing background checks and to have it in place for the fall sports. The Mayor explained that the first year the Kanka Foundation will pay for the checks and then subsequently the cost of \$26.50 will be paid by the applicant.

COUNCIL COMMENTS

Councilman de Stefan hoped everyone had a meaning full Passover and Easter. Otherwise he had no comments this evening.

Councilwoman Sieg had no comments this evening.

Councilman Bromberg had no comments this evening.

Council President Jasionowski had no comments this evening.

Business Administrator’s Report

Mr. Rotella announced that April 30th will be the Grand Opening of the Golf Course and from 4:00 to 6:00 Karl Nelson of the Giants will be signing autographs. The Administrator reported that there is a survey on the Township website to vote for a new restaurant name at the Country Club. The Mayor added that in about (2) weeks they will be naming an Advisory Committee for the Golf Course. Mr. Rotella concluded that the RFP for the Golf Course is complete and will be advertised by Friday.

Township Engineer’s Report

Mr. Statile reported that as soon as the Township adopts the Bond they will move forward with the Pascack Valley Cooperative Road Program. He also reported that he had PSE&G disable (2) flood lights in Edgewood Country Club parking lot that cast light into oncoming traffic on Rivervale Road. The Engineer reported restroom renovation at the golf course are near completion and should be ready by this weekend. The sod has been installed at Roberge Field and in about (2) weeks should be ready for play.

The Mayor commented on complaints he has received regarding the maintenance of Ranges Soccer field. He stated that he would put this administration’s record on investment in fields up against any other administration. He noted that the Holdrum field, Roberge and Hoffman fields had been completely redone as well as the basketball courts. The Mayor continued that a Bond is being introduced this evening for the installation of a turf field at the Mark Lane complex. Mayor Blundo stated that they have made significant contributions to the fields and anyone with complaints should be directed to him. Council President Jasionowski added that fencing was installed and drains put in at Ranges to prevent flooding problems and make the field playable.

Mr. Statile gave updates on the Open Space grants applications; he suggested that the \$20,000 originally proposed for the baci courts be redirected to the Library. The Engineer also reported that they are aggressively moving forward with awarding the turf field at the June 13th meeting. Council President Jasionowski would like to see the field fenced in for safety reasons; so it doesn’t have to constantly be disinfected and sanitized.

The Mayor commented about the flooding on Clauss Lane and that he will reach out to the other Mayors and Assemblyman Schroeder to help our cause and be certain the water company is being forthcoming. Mr. Statile concluded with updates on the MWD and Bear Ban.

HEARING OF THE PUBLIC

Motion by Councilman Bromberg; seconded by Councilman de Stefan 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.”

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

Council President Jasionowski announced that an advisory board for the golf course will be appointed at the next meeting. The board will be comprised of the Mayor, one Council member, the Business Administrator, two Council appointments and two Mayoral appointments.

RESOLUTIONS

Motion by Councilman Bromberg; seconded by Councilman Matos to approve resolutions #2011-129 through #2011-132 on Consent Agenda follows:

Resolution #2011-129

RESOLUTION APPROVING MINUTES–APRIL 11, 2011 REGULAR COUNCIL MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the April 11, 2011 Regular Council Meeting of the Township Council are hereby approved.

Resolution #2011-130

RESOLUTION CONFIRMING THE APPOINTMENT OF PROBATIONARY MEMBER TO THE RIVER VALE VOLUNTEER FIRE DEPARTMENT

BE IT RESOLVED, by the Township Council of the Township of River Vale that the appointment of Garrett V. Vesta as a Probationary member of the River Vale Volunteer Fire Department is hereby confirmed.

Resolution #2011-131

RESOLUTION AUTHORIZING ADDITIONAL NOT TO EXCEED LIMITATIONS FOR MASER CONSULTING–PVCPS 2009 ROAD RESURFACING PROJECT

WHEREAS, on April 27, 2009 the Township Council on the Township of River Vale approved a resolution for not to exceed limitations of \$ 13,174.00 to the engineering firm of Maser Consulting for the services with regard the PVCPS 2009 NJDOT Brookside Avenue Resurfacing project; and

WHEREAS, the Brookside Avenue Resurfacing project has been completed.

NOW THEREFOR BE IT RESOLVED, by the Township Council of the Township of River Vale that additional limitations in an amount not to exceed \$ 1,980.00 be authorized for engineering services of Maser Consulting for the extended construction oversight and monitoring services that were necessary during the completion of the Brookside Avenue Resurfacing project.

Resolution #2011-132

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:

CURRENT ACCOUNT claims in the amount of:	\$ 316,027.46
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$ 72,140.56
ANIMAL TRUST ACCOUNT claims in the amount of:	\$ 47.40
RESERVE CURRENT ACCOUNT claims in the amount of:	\$ 6,654.57
OPEN SPACE TRUST ACCOUNT claims in the amount of:	\$ 7,668.00
RECREATION TRUST ACCOUNT claims in the amount of:	\$ 1,010.00
SNOW REMOVAL TRUST ACCOUNT claims in the amount of:	\$ 3,185.07
APPROPRIATION RESERVE ACCOUNT claims in the amount of:	\$ 2,055.00
PRIVATE DUTY ESCROW ACCOUNT claims in the amount of:	\$ 2,028.68
HOUSING TRUST ACCOUNT claims in the amount of:	\$ 0.00
GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of:	\$ 83,902.25
RESERVE RECREATION TRUST ACCOUNT claims in the amount of:	\$ 0.00
RESERVE GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$ 0.00
CAPITAL ACCOUNT claims in the amount of:	\$ 88,056.80
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$ 1,669.90
SPECIAL TRUST ACCOUNT claims in the amount of:	\$ 931.25
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$ 168.78
TOTAL CLAIMS TO BE PAID	<u>\$ 585,545.72</u>

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:

APPROPRIATED RESERVE ACCOUNT claims in the amount of:	\$ 0.00
CURRENT claims in the amount of:	\$ 17,237.77
CAPITAL ACCOUNT claims in the amount of:	\$ 0.00
RESERVE TRUST ACCOUNT claims in the amount of:	\$ 0.00
RECREATION TRUST ACCOUNT claims in the amount of:	\$ 0.00
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$ 76,242.25
ZONING TRUST ACCOUNT claims in the amount of:	\$ 0.00
BOND ESCROW TRUST ACCOUNT claims in the amount of:	\$ 18,200.00
UNEMPLOYMENT TRUST ACCOUNT claims in the amount of:	\$ 0.00
STATUTORY ACCOUNT claims in the amount of:	\$ 213,360.22
HOUSING TRUST ACCOUNT claims in the amount of:	\$ 0.00
GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of:	\$ 0.00
TOTAL CLAIMS PAID	<u>\$ 325,040.24</u>
TOTAL BILL LIST RESOLUTION	<u>\$ 910,585.96</u>

**MANUAL DISBURSEMENTS
BILL LIST FOR APRIL 25, 2011**

03/30/2011 – Transfer Payroll	\$ 228,866.11
04/15/2011 – Transfer Payroll	\$ 192,621.35
TOTAL STATUTORY ACCOUNT DISTRIBUTIONS	<u>\$ 213,360.22</u>

ROLL CALL VOTE

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

Motion by Councilman Bromberg; seconded by Councilwoman Sieg to approve resolution #2011-133 as amended as follows:

Resolution #2011-133

RESOLUTION AUTHORIZING FOR ENVIRONMENTAL TECHNOLOGIES GROUP, INC. TO PERFORM A PHASE I ENVIRONMENTAL SURVERY AS REQUIRED FOR THE SECTION 202 GRANT APPLICATION AND IF NECESSARY A PHASE II ENVIRONEMTNAL SURVEY

WHEREAS, as part of the Section 202 grant application process the Township is required to perform a Phase I Environmental Survey and if necessary immediately after commence a Phase II environmental survey of the Kirk properties listed below; and

Block 1301, Lot 38, 39 & 40

NOW THREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale that Environmental Technologies Group, Inc. is hereby authorized to perform the Phase I Environmental survey work and only if necessary a Phase II environmental survey of the Kirk Properties.

ROLL CALL VOTE

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

Motion by Councilman de Stefan; seconded by Councilwoman Sieg to approve Resolutions #2011-134, as follows:

Resolution #2011-134

RESOLUTION AUTHORIZING FOR AN APPRAISAL OF THE KIRK PROPERTIES AS REQUIRED FOR THE SECTION 202 GRANT APPLICATION

BE IT RESOLVED, by the Township Council of the Township of River Vale that the services of an Appraiser be engaged to perform an appraisal of the Kirk Properties (Block 1301, Lot 38, 39 & 40) is hereby confirmed.

ROLL CALL VOTE

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

Council Discussion Resolutions #2011-135 through #2011-136

Councilman de Stefan is intrigued and supports the long term lease arrangement. Councilwoman Sieg also supports the long term lease arrangement. Councilman Bromberg questioned the differences between donating the land and the long term lease. The Township Attorney explained the two different options and the Mayor added that we can reapply next year if we lose.

Council President Jasionowski tabled Resolution #2011-135

Motion by Councilman de Stefan; seconded by Councilwoman Sieg to approve resolution #2011-136 as follows:

Resolution #2011-136

RESOLUTION AUTHORIZING THE TOWNSHIP OF RIVER VALE TO ENTER INTO A LEASE AGREEMENT WITH DOMUS

BE IT RESOLVED, by the Township Council that the Township of River Vale is hereby authorized to enter into a seventy-five (75) year lease agreement with Domus for the Kirk Property;

BE IT FURTHER RESOLVED, by the Township Council that a forty (40) year renewal of the above lease agreement at the cost of \$1.00 is hereby approved.

ROLL CALL VOTE

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

Motion by Councilman de Stefan; seconded by Councilman Bromberg to approve resolution #2011-137 as follows:

Resolution #2011-137

RESOLUTION AUTHORIZING NOT TO EXCEED LIMITATIONS FOR CHRISTOPHER P. STATILE, P.A. FOR COST ESTIMATING SERVICES REGARDING THE CONSTRUCTION PROJECT OF THE KIRK PROPERTY AS REQUIRED FOR THE SECTION 202 GRANT APPLICATION

WHEREAS, as part of the Section 202 grant application process the Township is required to engage the services of a cost estimator for the construction portion of the Kirk property project; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in the COAH Trust Fund Account.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale that limitations in an amount not to exceed \$11,000 for Christopher P. Statile, P.A. for Cost Estimating services with regard to the construction project of the Kirk Property are hereby confirmed.

ROLL CALL VOTE

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

Motion by Councilman Bromberg; seconded by Councilwoman Bromberg to approve resolution #2011-138 as follows:

Resolution #2011-138

RESOLUTION ESTABLISHING AN ADVISORY BOARD FOR SENIOR HOUSING

WHEREAS, the Township of River Vale wishes to establish an Advisory Board for Senior Housing as required for the Section 202 Federal Grant Application process; and

WHEREAS, the Advisory Board for Senior Housing will be comprised of up to twelve (12) members; and

WHEREAS, the Advisory Board for Senior Housing members shall be appointed by the Mayor upon consultation with the Council President.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale that the creation of an Advisory Board for Senior Housing is hereby confirmed.

ROLL CALL VOTE

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

Motion by Councilwoman Sieg; seconded by Councilman de Stefan to approve resolution #2011-139 as follows:

Resolution #2011-139

Attached

ROLL CALL VOTE

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

ORDINANCES 1st READING

Motion to Introduce: Councilman Bromberg

Second: Councilwoman Sieg

Ordinance #251-2011

AN ORDINANCE AMENDING ORDINANCE #0-10-04 ADJUSTING AND DETERMINING MUNICIPAL CLASS POSITION TITLES AND SALARY RANGES FOR OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF RIVER VALE

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY, as follows, until a subsequent salary ordinance is adopted:

Section 1. The salary ranges per annum for the following officers and employees of the Township of River Vale in the Classified Service (staff) shall be as follows:

Accounts Payable/Tax Assessor Admin Assist.	\$30,000 - \$39,914
Office Manager	\$26,000 - \$35,000
Assistant Deputy OEM Director	\$500
Associate Director of Social & Cultural	\$3,000

Affairs	
Bookkeeper (Library)	\$38,500 - \$41,600
Building Inspector	\$5,500 - \$10,990
Business Administrator	\$15,000
CCO Inspections (per inspection)	\$10.00
Chief Financial Officer	\$95,000 - \$105,000
Chief of Police	\$120,000 - \$156,555
Children's Services (Library)	\$43,500 - \$46,500
Circulation Clerk Library (hourly rate)	\$11.00 - \$20.00
Code Enforcement Officer (hourly rate)	\$15.00 - \$22.00
Construction Code Official	\$35,000 - \$44,348
Council Members	\$3,000
Deputy OEM Director	\$500
Director of Athletics	\$3,500
Director of Emergency Management	\$3,000
Director of Law	\$3,100
Director of Public Works	\$75,000 - \$91,468
Director of Social & Cultural Affairs	\$5,000
Drug Alliance Coordinators (PV)	\$2,000 - \$10,000
Electrical Sub-Code Official	\$7,500 - \$13,617
Farmers Market Coordinator	\$1.00
Fire Inspector	\$2,000 - \$2,853
Fire Official	\$5,000 - \$7,621
Fire Sub-Code Official	\$3,000 - \$5,328
Health Services Division Nurse	\$20.00 - \$30.00
Joint Insurance Fund Coordinator	\$1.00
Land Use Administrator	\$20,000 - \$44,186
Land Use Administrator (hourly)	\$15.00 - \$20.00
Library Director	\$74,000 - \$77,200
Library Page (hourly rate)	\$7.60 - \$10.00
Library Programming Assistant (hourly rate)	\$10.00 - \$12.50
Mayor	\$4,000
Municipal Bond Counsel	\$100.00 - \$143.00
Municipal Court Administrator	\$40,000 - \$47,362
Municipal Court Bailiff	\$14.00 - \$20.00
Municipal Court Clerk (hourly rate)	\$14.00 - \$25.00
Municipal Court Interpreter (hourly rate)	\$30.00 - \$60.00
Municipal Court Judge	\$15,000 - \$17,644
Municipal Court Prosecutor	\$7,000 - \$8,565
Municipal Planner (hourly rate)	\$100.00 - \$119.00
Municipal Public Defender (rate per case)	\$75.00 - \$150.00
Municipal Tax Appeal Attorney (hourly rate)	\$100.00 - \$119.00
Municipal Tax Assessor	\$15,000 - \$17,500
Municipal Tax Collector	\$5,543

Municipal Tax Collector Assistant	\$30,000 - \$38,826
Planning Board Attorney	\$2,200
Planning Board Attorney (hourly)	\$100.00 - \$119.00
Planning Board Engineer	\$1,200
Planning Board Engineer (hourly)	\$100.00 - \$119.00
Plumbing Sub-Code Official	\$4,000 - \$5,000
Police Captain	\$105,000 - \$151,043
Police Department Secretary	\$24,000 - \$29,141
Police Dispatcher	\$25,000 - \$43,965
Public Works Secretary	\$24,000 - \$29,120
Public Works Secretary	\$15.00 - \$20.00
Public Works Sewer Inspector	\$5,000
Reference Librarian	\$49,000 - \$52,600
Reference Librarian (hourly rate)	\$21.00 - \$29.50
Registrar Vital Statistics	\$5,938
School Crossing Guard (hourly rate)	\$14.00 - \$17.43
Secretary (hourly rate)	\$12.00 - \$25.00
Senior Circulation Clerk (Library)	\$30,000 - \$36,500
Special Legal Council (hourly rate)	\$130.00 - \$150.00
Social Services Coordinator	\$5,000 - \$7,000
Summer Camp Directors	\$200 - \$4,200
Technical Assistant	\$25,000 - \$35,522
Township Attorney (hourly rate)	\$100.00 - \$120.00
Township Clerk	\$40,000 - \$45,997
Township Engineer (hourly rate)	\$100.00 - \$119.00
Township Van Driver (hourly rate)	\$11.00 - \$12.92
Township Webmaster	\$14.00 - \$16.60
Transcriptionist (hourly rate)	\$15.00 - \$30.00
Treasurer	\$35,000 - \$44,186
Zoning Board Attorney (hourly)	\$100.00-\$119.00
Zoning Board of Adj. Engineer (hourly)	\$100.00 - \$125.00
Zoning Board of Adjustment Attorney	\$2,200
Zoning Official	\$2,000 - \$3,000

Section 2. The Mayor or his designee is hereby authorized to determine the salary of each employee within each salary range annually, such determination and salary to be effective the first day of each calendar year beginning 2011.

Section 3. All employees shall be paid on the 15th and 30th of every month as stipulated in the Township Personnel Manual except for changes required on account of calendar year requirements.

Section 4. All parts or ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistent parts, but nothing herein contained shall be construed to authorize

any salary decrease. This ordinance shall take effect after passage in the manner provided by law, except that any and all such salary increases shall in all respects be subject to any provisions of law.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ROLL CALL VOTE

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

Motion to Introduce: Councilman de Stefan

Second: Councilwoman Sieg

Ordinance #252-2011

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF RIVER VALE AUTHORIZING REAL PROPERTY TAX EXEMPTION AND PAYMENTS IN LIEU OF TAXES FOR PROPERTY KNOWN AS BLOCK 1301 LOTS 38, 39 & 40 PURSUANT TO THE LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1, *ET SEQ.*

WHEREAS, the Township of River Vale, River Vale, N.J. owns the properties known as Block 1301, Lots 39, 39 & 40 in the Township of River Vale, Bergen County, New Jersey and plans to sell, or enter into a long term lease, for a portion of that Lot (the “Property”) to a nonprofit, single-asset corporation to be created for the purpose of constructing on the Property a low income senior citizen housing complex which will meet in part the Township’s obligation to provide low and moderate income housing in the Township; and

WHEREAS, Domus and the Housing Development Corp. (collectively the “Sponsors”) are applying for a federal grant through the Office of the United States Department of Housing and Urban Development for the purpose of funding the real property acquisition and construction of the low income senior citizen housing development thereon; and

WHEREAS, the Sponsors will form a nonprofit single-asset corporation (the “Owner”) under laws of the State of New Jersey for the purpose of proceeding with the real property acquisition and construction of the senior citizen housing development thereon; and

WHEREAS, the proposed development will be subject to the rules and regulations of the United States Department of Housing and Urban Development; and

WHEREAS, the Long Term Tax Exemption Law of New Jersey, N.J.S.A. 40A:20-1, *et seq.* permits a municipality to enter into a financial agreement exempting real property from tax assessment and accepting payments in lieu of taxes where the property is a qualified subsidized housing project for low and moderate income rental housing for senior citizens under the aforesaid statute; and

WHEREAS, it is necessary for the Sponsors to file with the United States Department of Housing and Urban Development in support and as part of its obligations to obtain the aforementioned funding for the acquisition and construction of the senior citizen development a copy of the financial agreement between the aforementioned nonprofit corporation and the municipality providing for payment in lieu of real property taxes;

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

1. The Township Council of the Township of River Vale finds that the proposed development will meet an existing housing need pursuant to the provisions of the Section 202 of the Federal Housing Act of 1959 and that the development will be an improvement made for the purpose of providing low income rental housing to the senior citizens of the Township and will serve to meet in part the Township’s obligation to provide low and moderate income housing under its fair share obligations with the New Jersey Council on Affordable Housing.

2. The Township Council makes such determination and findings by virtue of and pursuant to and in conformity with the Long Term Tax Exemption Law of the State of New Jersey, N.J.S.A. 40:20-1, *et seq.*

3. The land and the proposed development and improvements, after acquisition by the Owner and construction of the low and moderate income housing project thereon, shall be exempt from real property taxation as provided in N.J.S.A. 40A:20-1, *et seq.*

4. The Clerk of the Township shall deliver a certified copy of this Ordinance approving the tax exemption and financial agreement to the Tax Assessor.

5. Upon adoption of the financial agreement, a certified copy of this Ordinance and the financial agreement shall be transmitted to the Director of the Division of Local Government Services.

6. In lieu of real property taxes, the Owner shall make payment to the Township of River Vale of an annual service charge for municipal services supplied to the housing development in an amount equal to fifteen (15) percent of the annual gross rents derived from such housing development, provided that gross rents shall be defined to mean that portion of the rent payable by the tenants, exclusive of any government subsidies to the Owner, said payments to commence upon the initial occupancy of the development.

7. The tax exemption from real property taxation hereby granted shall commence on the date that the Township of River Vale transfers title to Owner or, as the case may be, enters into a long term leasehold with Owner and shall continue for the earlier to occur of (a) the passage of forty (40) years from the completion of the development, (b) the failure of Owner to receive funding necessary to build the housing development within two years of the date hereof,

(c) the failure of Owner to use the property solely for senior low and moderate income housing as set forth in the Township of River Vale's affordable housing plan or (d) a determination by the Owner and the Township that the development is no longer useful.

8. Township of River Vale shall require of the Owner the following:
 - a. A copy of its Certificate of Incorporation be filed with the Township Clerk.
 - b. The Owner shall submit annually, within ninety (90) days after the close of its fiscal year, its auditor's reports to the Mayor and Township Council of the Township and to the Director of the Division of Local Government Services in the NJ Department of Community Affairs.
 - c. The Owner shall, upon request of the Township, permit inspection of the property, equipment, buildings and other facilities of the entity, and also permit examination and audit of its books, contracts, records, documents, and papers by authorized representatives of the Township of the State.
 - d. Proof shall be provided to the Township of adherence to the provisions of any federal regulatory agreement or other federal regulations serving to regulate the operation of the development.
 - e. Owner shall comply with all requirements of COAH to ensure that the project receives full credit for 31 senior low and moderate income housing units.

9. The United States Department of Housing and Urban Development may rely upon this Ordinance for the approval of the Section 202 application by the Sponsors and funding of the development.

10. The appropriate Township officials are hereby authorized and directed to execute a Tax Abatement Agreement reflecting the aforesaid annual service charge in lieu of taxes.

11. One copy of this Ordinance shall be placed on file with the Township Clerk and with the Tax Assessor of the Township of River Vale.

12. Notice of the adoption of this Ordinance shall be published in a newspaper of general circulation in the Township of River Vale and a newspaper of general circulation in Bergen County.

ROLL CALL VOTE

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

Motion to Introduce: Councilman de Stefan

Second: Councilman Bromberg

Ordinance #253-2011

ORDINANCE OF THE TOWNSHIP OF RIVER VALE AUTHORIZING THE TOWNSHIP OF RIVER VALE TO ENTER INTO A LONG TERM LEASE AGREEMENT WITH DOMUS FOR REAL PROPERTY

WHEREAS, the Township of River Vale is the title owner of real properties commonly known as 426 Cedar Lane, River Vale, NJ, being Block 1301, Lot 38, 432 Cedar Lane, River Vale, NJ, being Block 1301, Lot 39 and 436 Cedar Lane, River Vale, NJ, being Block 1301, Lot 40 on the tax map of the Township of River Vale (hereinafter “the Properties”); and

WHEREAS, a portion of the Properties were acquired for purposes of providing senior low and moderate income housing to comply with the Township’s affordable housing plan; and

WHEREAS, the Township of River Vale has no need for a portion of the Properties for municipal purposes and is in fact prohibited from using a portion of the Properties for use other than to comply with the Township's affordable housing plan; and

WHEREAS, the Township will be submitting an application to the Township Planning Board to approve a minor subdivision of the Properties;

WHEREAS, upon approval of the minor subdivision, the Township intends to enter into a seventy-five (75) year lease agreement with a forty (40) year renewal term with Domus to build affordable senior housing that will count towards the Township's COAH obligation; and

WHEREAS, NJSA 40A:12-21 provides, in pertinent part, when the governing body of municipality determines that all or part of a tract of land owned by the municipality is not needed for municipal purposes, said governing body may authorize a private sale and conveyance, or enter into a long term lease, of the same for a consideration, which may be nominal and containing a limitation that such lands shall be used for only purposes of such organization; and

WHEREAS, NJSA 40A:12-21 (l) provides, in pertinent part, that a municipality may convey land to a duly incorporated nonprofit housing corporation or any limited-dividend housing corporation or housing association for the purpose of constructing housing or low or moderate income persons or families or handicapped persons;

NOW, THEREFORE BE IT ORDAINED by the Township Council of the Township of River Vale in the County of Bergen and State of New Jersey declares as follows:

1. That the Mayor is hereby authorized to enter into a long term agreement for seventy-five (75) years with a renewal for a forty (40) year extension with Domus for the nominal consideration of One Dollar (\$1.00) and any and all necessary or advisable documentation to effectuate such transfer consistent with the within Ordinance pursuant to N.J.S.A. 40A:12-21(1); and

2. That such agreements shall require the construction of senior low and moderate income housing that complies with the Township COAH obligations within forty (40) months or in accordance with N.J.S.A. 40A:12-21(1) the properties may revert back to the Township of River Vale; and

3. That the residential structure must be designed to meet the mix of the surrounding homes and the neighborhood aesthetics. The aesthetic design of the residential structure shall be subject to the prior approval of the Council of the Township of River Vale; and

4. That such Properties shall comport with all COAH requirements necessary for such properties to be counted toward the Township of River Vale's low and moderate housing requirements.

ROLL CALL VOTE

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

Motion to Introduce: Councilman de Stefan

Second: Councilwoman Sieg

Ordinance #254-2011

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE CONSTRUCTION OF AN ARTIFICIAL TURF FIELD IN AND FOR THE TOWNSHIP AND APPROPRIATING \$1,500,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,425,000 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 \$1,500,000 including the sum of \$75,000 as the down payment for the improvement or purpose pursuant to the Local Bond Law. The down payment has been made available by virtue of the provision in the capital improvement fund in one or more previously adopted budgets.

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 \$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. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued for the construction of an artificial turf field at the Holdrum Middle School in the Township, including, but not limited to, the installation of synthetic turf, drainage improvements and other recreation field and park improvements, and including all other 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 15 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 \$1,425,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$250,000 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 Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes. Councilman Matos was absent.

ORDINANCES 2nd READING

Council President Jasionowski tabled Ordinance #250-2011 to the next Council meeting

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 de Stefan; seconded by Councilman Bromberg to adjourn the meeting.

Council President
Glen Jasionowski

ATTEST:
Karen Padva
Township Clerk