

MINUTES
Council Meeting
Monday, May 23, 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 Matos, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski were present. Councilman de Stefan 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 the passing of Ed Carter and asked all in attendance to join him in a moment of silence. Ed Carter was a very active member within the Veterans organization and was completely selfless in all his actions. He was a fixture at all the Memorial Days parades; he helped develop the Veterans Park as well as having the USS Enterprise stern plate relocated to the Park.

The Mayor announced that the Memorial Day Parade is scheduled for Saturday at 10:30 and there will be (2) Grand Marshalls this year. Resident Rachel Morgan who is a Paramus Police Officer that was recently shot on duty during an altercation. P.O. Morgan will co-Marshall with resident David Ward who is a Gulf War veteran. David is very active in the community; as a member of the Planning Board, Boy Scout leader and coach.

Mayor Blundo continued his report by addressing the flooding issues in town. Our neighbors in Hillsdale and Westwood passed a resolution asking United Water to lower the water level in the reservoirs. United

water responded that they would not do it. The Mayor reported that Westwood and Hillsdale have formed a Waterway Committee. Thus far they have walked the brook and discussed the possibility of de-snagging. The Mayor explained that the only thing that will make a difference would be to lower the levels in the reservoir. He also suggested sending a uniform message to our legislature regarding the matter.

Mayor Blundo concluded that the Council will have a closed session this evening to discuss a proposed cell tower on top of the PNC building that is currently before the Zoning Board.

The Mayor asked the coaches of the Soccer teams in attendance to come forward to distribute Certificates of Recognition to their teams as follows:

**“2011 PVISL Champions”
Division 4**

Head Coach: Greg Roberts Assistant Coaches: Mike Weiss & Rich Tateossian

Joseph Barile, Alex Criscuolo, Jackson Downs, Christian Loucas, Ryan Miller, Jeff Roberts, Justin Schaumberger, Andrew Tateossian, Carson Weis

**“2011 PVISL Champions”
Division 2**

Head Coach: Gerard Walsh Assistant Coach: David Wertheim

Greg Caminneci, Ben Evans, Mike Holmes, Gavin Keenan, Daulton Moro, Nick Sunseri, Tetsu Tonegawa, Keiran Walsh, Brian Wertheim

COUNCIL COMMENTS

Councilman Matos had no comments this evening.

Councilwoman Sieg congratulated both teams recognized this evening and thanked the coaches and parents for their support.

Councilman Bromberg offered his congratulations to all the kids, coached and parents. He also reported that there is discussion of a change in protocol regarding dog bites that would require passing a resolution. Councilman Bromberg also supports the Mayor with regard to United Water and flooding issues.

Council President Jasionowski commented on Ed Carter and his contributions to the Town particularly during the Memorial Day Parade and how he made certain everyone had a flag. Council President Jasionowski also commented on the flooding and that it has gotten worse over the years; the flooding is more frequently and occurs very quickly. As a Township we cannot win this by ourselves and that we are going to keep fighting.

Business Administrator's Report

Mr. Rotella reported that the 2011 Road Program is currently out to bid and we are looking forward to favorable results. The pre-bid meeting for the Golf Course RFP was held today and 10 companies attended. Mr. Rotella also reported that there will be an informative meeting regarding Lyme Disease on Wednesday, May 25 from 7:00 to 8:30pm in the Community Center.

Mayor Blundo added that there are also Blue Acres funds available to have your home purchased. The Governing Body supports this concept and to please call Town Hall with questions.

Township Engineer's Report

Mr. Statile reported that the barrier free updates to the River Vale Country Club bathrooms are complete. And the Roberge field renovation is complete and ready to open. He also announced that the Township has been notified that it will receive a \$450,000 grant for the Golf Course from Green Acres.

Mayor Blundo thanked Chris, Holly and Gennaro on this good news. He also asked that you show your support when the Township makes its grant application presentation on June 20th to the Bergen County Open Space Committee for funds to be used toward the Golf Course acquisition.

Mr. Statile continued that the bid is out for the turf field with the plan being to award at the June 13th meeting. There has also been no response from Diamond Construction; the Bike path contractor whom the Township has asked to return and complete the project. Mr. Statile also reported that there has been no change to both the DPW underground storage tank issue and Rivervale Road Embankment Stability projects.

He concluded that the Township's HUD application for Section 202 funding is due June 1st and he gave updates on the MWD application before the Planning Board and that Bear Ban has received approval to build (8) houses on Rivervale Road.

HEARING OF THE PUBLIC

Motion by Councilman Bromberg; seconded by Councilwoman Sieg 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."

*******Councilman de Stefan arrived at 8:55pm*******

Greg Meese, Esq. – Metro PCS – commented on the cell tower issue. In 2009, Metro PCS requested to attach additional antennas to the existing cell tower. Subsequently, they then sought approval to have the tower placed on private property. Mr. Meese added that the Metro PCS would be willing to work with

the Town however; they do not want to wait until the Crown Castle lease is up. There could be more sites in the Township both north and south and the current DPW site could work if the antenna is raised to 125 feet. Councilman Matos had several questions regarding who validated the integrity of the DPW pole, the coverage and number of antennas that would be added. Mayor Blundo added that this matter will be discussed in Closed Session this evening. He thanked Mr. Meese and will let him know how the Township plans to proceed.

Rosemary Carey – 698 Alexander Court – Ms. Carey congratulated the Township on achieving Bronze level certification with Sustainable Jersey. Ms. Carey encouraged the Township to adopt a Land Use Pledge.

Councilman Bromberg commented on Mattner Court and that he and Councilman de Stefan with the assistance of Senator Cardinale's office had requested the DEP to come out look at the changes in the topography and how it has affected flooding. The DEP decided not to come out and are confident with their procedure and how things are determined.

Eddie Cook—280 River Drive – commented on the litigation between Rockland County residents and United Water. Ms. Cook asked if the Township could have more input and who is responsible for the removal of trees and debris from the river.

Frank Rosaila—260 River Drive—lives next to Ranges Field and commented that he can't believe the Water Company can be so capricious. Over the years the field has been raised diverting water onto his property. He requested that something has to be done and maybe show a commitment that the Town cares.

Council President Jasionowski added that we need to do more than just a resolution. The Mayor added that we both need and want to do more. Council President Jasionowski encouraged attendance at the next Freeholder meeting. Mayor Blundo agreed that that this is a good idea and to possibly attend with other towns. He applauds Mayor Birkners efforts however the Hackensack River is the problem for River Vale. Councilman Matos added that United Water does not want to be liable and be in the business of flood control. Councilman Bromberg added that the legislature will respond to the public and items will end up on the agenda.

Kevin Powers – 272 River Drive – commented on a meeting in 2007 with the Mayor and promises that were made of possible meetings with the DEP and de-snagging that never occurred. He commented on large trees blocking the river. Mayor Blundo responded that the residents of Clauss Lane would not allow access for the de-snagging project which needed to be started upstream.

Mr. Powers added that de-snagging is a factor and will help with mosquito control. The Mayor has seen the flooding and respectfully disagreed that de-snagging will not solve the big problem. He will look again at the access points with the Township Engineer and Business Administrator.

Debbie Landgraber– 268 River Drive – commented on the de-snagging and that psychologically they are not the same because the flooding was not a one time event. She doesn't want to see River Vale's reputation destroyed and added that this is no way to live.

Councilman Matos suggested a warning system similar to Hillsdale.

Diskin – 619 Charles Court –suggested setting up an escrow account and not paying United Water.

Jeanine Pagano – 821 Clauss Lane—commented on the letter requesting access from years back and concerns regarding property damage.

Howard Lind –804 Clauss Lane – stated that he bought a home in 2006 that was not considered to be in a flood plain. He added that it is not realistic to lower the reservoir levels by 7 feet but feels there could be a more modest level requested.

John Kalagian – 616 John Street— he does not live in the area however he supports the residents in the flood area. United Water needs to be regulated.

Betsy Diskin – 619 Charles Court – explained that she does not live on the river however everyone is affected. She is disheartened to see how the flooding affects her neighbors. Everyone has to help in the fight.

George Elefther—816 Clauss Lane—commented that the flooding issues will not lower your assessment. He questioned whether United Water could be pursued on criminal charges for negligent behavior and endangering people. Ms. Schepisi answered that we can not help or facilitate with regard to that matter.

Robert Anagnost—829 Cambridge Road – also purchased a home on the Hackensack River and did not realize there would be a flooding problem. He said there is a fiduciary responsibility to whoever sold the property to United Water. He also suggested pursuing them legally.

Joe Taormina –807 Blauvelt Street – asked the Council’s opinion regarding the Bear Ban Development. Council President Jasionowski answered that they cannot comment because of active litigation with the Developer.

Virginia Tsenebis –620 New Street—commented on the flooding and standing water in her garage.

Michelle Melconian – 264 River Drive—explained that she wants to focus on the solution to the problem.

Mayor Blundo stated that he’s waiting to hear from the other Mayors to discuss ideas on how to put pressure on the legislature. They will also discuss strategy and pass a resolution.

Mrs. Melconian asked if something could be posted on the website. Mayor answered that Gennaro will work with Joanne Allgor on this idea and he will rally support.

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.

Council President Jasionowski requested the council take a brief break at 10:15pm. The meeting reconvened at 10:20pm.

ROLL CALL

Councilman de Stefan, Councilman Matos, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski were present.

RESOLUTIONS

Motion by Councilman Matos; seconded by Councilman Bromberg to approve resolutions #2011-140 through #2011-153 with the exception of Resolution #2011-151 on Consent Agenda as follows:

Resolution #2011-140

RESOLUTION APPOINTING A TEMPORARY PURCHASING AGENT

BE IT RESOLVED by the Township Council of the Township of River Vale that the appointment of Gennaro Rotella as a Temporary Purchasing Agent is hereby confirmed.

BE IT RESOLVED, that a certified copy of this Resolution be forwarded to the Director of the Division of Local Government Services.

BE IT FURTHER RESOLVED that the term of the Temporary Purchasing Agent shall be for one (1) year effective April 1, 2011 through April 1, 2012.

Resolution #2011-141

REFUND

(Golf Course Membership)

WHEREAS, the following individual has requested a refund for a 2011 golf course membership; and

WHEREAS the Treasurer has certified the availability of funds in the Golf Course Utility Operating Fund.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that said refund is approved and the Treasurer is hereby authorized to issue a check as designated above payable to:

**Mr. Patrick Cairo
72 Heather Hill Road
Woodcliff Lake, NJ 07677**

\$4,100.00

Resolution #2011-142

REFUND

(Camp Have Some Fun)

WHEREAS, the following individuals have requested a refund for their 2011 fees paid for Camp Have Some Fun; and

WHEREAS, the Treasurer has certified the availability of funds in the Recreation Trust Fund.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that said refunds are approved and the Treasurer is hereby authorized to issue municipal checks as designated above payable to the following individuals:

Christine Liang
298 Spring Street
River Vale, NJ 07675
\$ 260.00

Vera Recca
549 Westwood Avenue
River Vale, NJ 07675
\$260.00

Anna Ellerin
95 Pine Street
River Vale, NJ 07675
\$ 260.00

Resolution #2011-143

RESOLUTION SUPPORTING S-54 RESTRICTING CHANGES ON CERTAIN COUNTY OR MUNICIPAL STREAM CLEANING ACTIVITIES

WHEREAS, flooding of local streams is a major problem for residents of low lying areas; and

WHEREAS, regular de-snagging and de-silting of our local streams would provide significant relief of flooding problems; and

WHEREAS, the permitting process required before de-snagging and de-silting may be undertaken is extremely onerous; and

WHEREAS, that permitting process is also very costly to the local governments involved; and

WHEREAS, relief from some of the requirements of that permitting process would facilitate de-snagging and de-silting operations being undertaken in a more timely manner.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of River Vale hereby urge the legislature to quickly enact, and the Governor to approve, S-54 which would relieve some of these regulatory burdens; and

IT IS HEREBY ORDERED, that a duly authenticated copy of this Resolution be transmitted to Governor Christie, Senate President Sweeney, Assembly Speaker Oliver, Senator Smith, Chairman of Senate Environmental Committee, and Assemblyman McKeon, Chairman of the Assembly Environmental Committee

Resolution #2011-144

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH THE BOARD OF EDUCATION FOR THE FIELD PROPERTY COMMONLY KNOWN AS MARK LANE

WHEREAS, the Township of River Vale is desirous of making certain significant site improvements, including the installation of a turf field on the property located at the Holdrum School Site commonly known as Mark Lane for the benefit of its residents (“Mark Lane”);

WHEREAS, Mark Lane is owned by the Board of Education of the Township of River Vale (the “Board of Education”);

WHEREAS, the Board of Education and the Township of River Vale entered into a Lease Agreement dated August, 1974 whereby the Township of River Vale rented Mark Lane for \$1.00 from the Board of Education for a five year term, with automatic renewals for like terms until notice has been given;

WHEREAS, the parties to the Lease Agreement have expressed a desire to enter into a new form of lease agreement which will further set forth each party’s rights and obligations under such new lease agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and his designees are authorized to negotiate and enter into a new lease agreement for nominal consideration with the Board of Education for Mark Lane.

Resolution #2011-145

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 2 TO DEVELOPER’S AGREEMENT BY AND BETWEEN THE HOUSING DEVELOPMENT CORPORATION AND THE TOWNSHIP OF RIVER VALE AND TO ENTER INTO A DEVELOPERS AGREEMENT BY AND BETWEEN DOMUS AND THE TOWNSHIP OF RIVER VALE

WHEREAS, the Housing Development Corporation and the Township of River Vale are parties to a Developers Agreement dated May 12th, 2010 pursuant to which the Developer agreed to offer assistance to the Township in complying with the Township’s COAH affordable housing obligations as submitted in a Petition for Substantive Certification approved by the Township Council on December 15, 2008 and submitted to COAH for review on December 15, 2008, specifically as it relates to plans to develop a portion of the properties commonly known as the Mesker Site on Rivervale Road and the Kirk Properties located at 426, 432 and 436 Cedar Lane (hereinafter the “Property”) consistent with the Petition for Substantive Certification.

WHEREAS the Housing Development Corporation and the Township of River Vale entered into an Amendment to Developer’s Agreement dated June 3, 2010, incorporating certain changes requested by COAH;

WHEREAS, the Housing Development Corporation has assisted the Township of River Vale in locating a non-profit housing developer, Domus, as a funding source and developer for the properties commonly known as the Kirk Properties;

WHEREAS, Domus is seeking grant funding through the Federal HUD Section 202 program which will enable it to develop the Kirk Properties in accordance with the Township's Petition for Substantive Certification;

WHEREAS, under the terms of the grant application, Domus must be named the Developers of the Kirk Property and the Housing Development Corporation has agreed to the termination of its obligations as Developer of the Kirk Property;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is authorized to execute Amendment No. 2 to the Developer's Agreement with the Housing Development Corp. which will provide that the Housing Development Corporation shall no longer be the Developer of the Kirk Properties only;

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Mayor is authorized to enter into a new Developers Agreement with Domus for the Kirk Properties only, in substantially similar form to the Developer's Agreement entered into by and between the Township, with such modifications as necessary.

Resolution #2011-146

RESOLUTION ESTABLISHING AN ADVISORY COMMITTEE FOR THE RIVER VALE COUNTRY CLUB

WHEREAS, the Township of River Vale wishes to establish an Advisory Committee for the River Vale Country Club; and

WHEREAS, the Advisory Committee of the River Vale Country Club will be comprised of up to eight (8) members as follows;

- Mayor
- Business Administrator
- One (1) Council member
- Two (2) Mayor Appointments
- Two (2) Council Appointments
- One (1) Designee made by the Membership Committee of the River Vale Country Club

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale that the Advisory Committee for the River Vale Country is hereby established.

Resolution #2011-147

RESOLUTION ESTABLISHING PETTY CASH FUND FOR THE RIVER VALE COUNTRY CLUB

BE IT RESOLVED, by the Township Council of the Township of River Vale that a Petty Cash Fund be established for the remainder of 2011 for the River Vale Country in the amount of \$ 500.00 and the custodian of said fund shall be the Golf Course Manager.

BE IT FURTHER RESOLVED, that the Treasurer draw a check from the Golf Course Operating Account for the establishment of said Petty Cash Fund.

Resolution #2011-148

RESOLUTION
REFUND OF TAX OVERPAYMENTS

WHEREAS, tax overpayments for the 2nd quarter have been received and the property owners have requested refund of said tax overpayment;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale, that the Treasurer is hereby authorized to issue a municipal checks as follows:

(LIST ATTACHED)

Resolution #2011-149

RESOLUTION
TAX LIEN REDEMPTION

WHEREAS, the property located at 556 Whitenack Road (Block 408, Lot 1) has been redeemed and the Tax Collector has received one (1) check in the amount of \$ 45,590.38 for payment of the lien (Certificate No. 09-02) held by U.S. Bank Corporate Trust Services

WHEREAS, the Township is holding a \$26,000.00 premium in a trust account regarding the above mentioned lien; and

WHEREAS, the Treasurer has deposited said check in the Township's Current Account.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of River Vale that the Treasurer is hereby authorized to issue two (2) municipal checks in the amounts of \$ 45,941.38 and \$26,000.00 respectively payable to as follows:

**U.S. Bank Corporate Trust Services
Tax Lien Services Group
2 Liberty Pl
50 South 16th Street, Suite 1950
Philadelphia, PA 19102**

Resolution #2011-150

RESOLUTION APPROVING THE RAFFLE LICENSE FOR CENTER FOR FOOD ACTION IN NJ (OFF PREMISES)

BE IT HEREBY RESOLVED, that the following license to conduct an off premises raffle license be issued to:

NAME: Center for Food Action in NJ Inc.
192 West Demarest Avenue
Englewood, New Jersey 07631

LOCATION OF RAFFLE: Edgewood Country Club
449 Rivervale Road
River Vale, NJ 07675

DATE OF RAFFLE: September 19, 2011

I.D. #: 132-4-31449

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

Resolution #2011-152

**RESOLUTION SUPPORTING THE *CLICK IT OR TICKET IT*
SEAT BELT MOBILIZATION**

WHEREAS, there were 554 motor vehicle fatalities in New Jersey in 2010; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 23rd – June 5th 2011 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 93.73% to 100%; and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways;

THEREFORE BE IT RESOLVED that Township of River Vale along declares it's support for the *Click It of Ticket* seat belt mobilization both locally and nationally from May 23 – June 5, 2011 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

Resolution #2011-153

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:

| | |
|--|---------------|
| CURRENT ACCOUNT claims in the amount of: | \$ 130,887.02 |
| GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of: | \$ 87,317.59 |
| ANIMAL TRUST ACCOUNT claims in the amount of: | \$ 43.20 |
| RESERVE CURRENT ACCOUNT claims in the amount of: | \$ 5,576.00 |
| OPEN SPACE TRUST ACCOUNT claims in the amount of: | \$ 2,309.43 |
| RECREATION TRUST ACCOUNT claims in the amount of: | \$ 4,200.00 |
| SNOW REMOVAL TRUST ACCOUNT claims in the amount of: | \$ 0.00 |
| APPROPRIATION RESERVE ACCOUNT claims in the amount of: | \$ 1,519.99 |
| PRIVATE DUTY ESCROW ACCOUNT claims in the amount of: | \$ 14,034.90 |
| HOUSING TRUST ACCOUNT claims in the amount of: | \$ 1,507.30 |
| GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of: | \$ 44,358.00 |
| RESERVE RECREATION TRUST ACCOUNT claims in the amount of: | \$ 0.00 |
| RESERVE GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of: | \$ 7,000.00 |
| CAPITAL ACCOUNT claims in the amount of: | \$ 98,299.62 |
| PLANNING BOARD TRUST ACCOUNT claims in the amount of: | \$ 1,866.60 |
| SPECIAL TRUST ACCOUNT claims in the amount of: | \$ 866.85 |
| ZONING BOARD TRUST ACCOUNT claims in the amount of: | \$ 1,374.94 |

TOTAL CLAIMS TO BE PAID **\$ 401,161.64**

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: | \$ 3,610,494.49 |
| 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: | \$ 123,174.75 |
| ZONING TRUST ACCOUNT claims in the amount of: | \$ 0.00 |
| BOND ESCROW TRUST ACCOUNT claims in the amount of: | \$ 0.00 |
| UNEMPLOYMENT TRUST ACCOUNT claims in the amount of: | \$ 0.00 |
| STATUTORY ACCOUNT claims in the amount of: | \$ 391,516.37 |
| HOUSING TRUST ACCOUNT claims in the amount of: | \$ 0.00 |
| GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of: | \$ 2,863.00 |

TOTAL CLAIMS PAID **\$ 4,128,048.61**
TOTAL BILL LIST RESOLUTION **\$ 4,529,210.05**

**MANUAL DISBURSEMENTS
BILL LIST FOR MAY 23, 2011**

| | |
|--|-----------------------------|
| 04/30/2011 – Transfer Payroll | \$ 195,778.03 |
| 05/15/2011 – Transfer Payroll | \$ 195,738.34 |
| TOTAL STATUTORY ACCOUNT DISTRIBUTIONS | <u>\$ 391,516.37</u> |

ROLL CALL VOTE

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

Motion by Councilman Bromberg; seconded by Councilwoman Sieg to approve Resolution #2011-151 as follows:

Resolution #2011-151

RESOLUTION APPROVING MINUTES–APRIL 25, 2011 REGULAR COUNCIL MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the April 25, 2011 Regular Council Meeting of the Township Council are hereby approved.

ROLL CALL VOTE

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

ORDINANCES 1st READING

There were no Ordinances for 1st Reading this evening.

ORDINANCES 2nd READING

Ordinance #249-2011

Motion by Councilman Bromberg; seconded by Councilman Matos to open the public hearing on Ordinance #249-2011:

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

Motion to Adopt: Councilman de Stefan

Second: Councilman Matos

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT
CHAPTER 142 OF THE CODE OF THE TOWNSHIP OF RIVER VALE,
CREATING A NEW ZONE, ENTITLED AH-1 AFFORDABLE HOUSING (AH-1 Zone).**

WHEREAS, N.J.S. 40:55D-2(l) lists the encouragement of senior citizen community housing construction as a purpose of zoning,

WHEREAS, the Township of River Vale adopted a Housing Element and Fair Share Plan on December 15, 2008,

WHEREAS, the Housing Element and Fair Share Plan is consistent with the goals and objectives of the Township of River Vale’s master planning documents,

WHEREAS, the Township of River Vale Housing Element and Fair Share Plan identifies the tract known as the “Kirk Property” for affordable age-restricted rental dwelling units,

WHEREAS, the New Jersey Council on Affordable Housing (COAH) granted the Township of River Vale Substantive Certification on March 10, 2010,

BE IT ORDAINED by the Mayor and Council of the Township of River Vale that Chapter 142 entitled “Land Use” of the River Vale Code is hereby amended as follows:

Section I: Section 142-221 of the Code of the Township of River Vale entitled “Zoning Districts and Map” is hereby amended to include the following additional zone: Affordable Housing-1 (AH -1 Zone).

Section II: The Zoning Code and Zoning Map of the Township of River Vale are hereby amended to designate Lots 38, 39 & 40 where shown on the Zoning Map, in Block 1301 on the Tax Map of the Township of River Vale as included in its entirety in the newly created AH-1 Affordable Housing Zone.

Section III: Section 142-3, Definitions, of the Township of River Vale Land Use Code is hereby amended to add the following definitions:

AGE RESTRICTED MULTI-FAMILY DEVELOPMENT — A multi-family residential development intended and specifically designed to provide well-constructed and adequate housing for persons 62 years of age or older. Each dwelling unit shall consist of complete living accommodations, including cooking facilities, sleeping accommodations and individual bathroom facilities. The age-restricted multi-family development contains dwelling units that are designated for permanent occupancy by households composed of at least one permanent resident, who is a head of the household and has attained an age of 62 years. Occupancy and use are confined accordingly and consistent with all federal and state standards, laws, rules and regulations.

OPEN SPACE — Any parcel or area of land or water essentially unimproved and approved by the Township to be set aside, dedicated, designated or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space, provided that such areas may be improved with only those buildings, structures, streets and off-street parking and other improvements that are designed to be incidental to the natural openness of the land. It may include common recreation areas, fields, woodland areas, parks, playgrounds, golf courses, tennis, squash and similar courts, skiing and skating facilities, nature trails, lakes and swimming pools, and other similar open space, including walkways and sidewalks.

PLAN — The written and graphic provisions for development of a development, including a plat of a subdivision; all covenants relating to use, location and bulk of buildings and other structures; intensity of use or density of development; public and private streets, ways and parking facilities; common open space; and public facilities. The phrase "provisions of the plan," when used in this section, shall mean the written and graphic materials referred to in this definition, the developer's agreement, the minutes and resolutions of the Planning Board, the application and the plan itself.

Section IV: Under Article LII of the Code of the Township of River Vale, entitled “Use of Buildings and Permits” is hereby amended to include a new subsection entitled “AH-1 Affordable Housing Zone.” Said new section shall read as follows:

Affordable Housing Zone (AH-1).

A. **Purpose:** The purpose of this district is to provide for the production of rental age-restricted low and moderate income housing in conformance with the latest procedural and substantive rules of the New Jersey Council on Affordable Housing (COAH) and as part of a comprehensive plan. The comprehensive plan will permit the affordable housing development in conjunction with the subdivision of an additional two residential lots, which will facilitate the development of the affordable housing. The rental age-restricted affordable housing development will be located on the northern area of the property. The two residential lots to be subdivided will be located on the southern section of the total tract.

B. Permitted Principle Uses: Within the AH-1 Zone, the following uses are permitted:

1. **Age Restricted Multi-Family Affordable Housing Development** - One/more building containing rental residential apartment units that are affordable pursuant to the rules and regulations of the New Jersey Council on Affordable Housing (COAH). The building(s) shall contain a one-bedroom apartment and office space for a Building Supervisor. The Building Supervisor's apartment shall neither be affordable nor age-restricted. Except for the Building Supervisor's apartment, all units shall be affordable and age restricted dwelling units for to households aged 62 and under as defined herein. Also known as an "Affordable Housing Development."
2. **Single Family Detached Dwellings:** for two future lots to be subdivided.

C. Permitted Accessory Uses for Age Restricted Multi-Family Affordable Housing Development in the AH-1 Affordable Housing Zone :

1. Attached common garage structures and indoor and/or outdoor areas devoted to off-street parking.
2. One double-faced ground-type sign identifying the development may be located at each entrance to said development provided such sign meets all the requirements of Article LIII of this code, with the following exception:
 - a. Any such sign located within the AH-1 is limited to eighteen (18) square feet in area on each side and is mounted no greater than four (4) feet above finished grade on a freestanding wall or a structure not exceeding six (6) feet in height above the ground level. The design, location and landscaping of such sign shall be as approved by the Planning Board.
 - b. Sign shall only be externally illuminated, but illumination shall not spill onto, or the light source be visible from, adjacent dwellings.

D. Requirements for Age Restricted Multi-Family Affordable Housing Development in the AH-1 Affordable Housing Zone

1. Use and Occupancy Restrictions:

- a. All units within the Age Restricted Multi-Family Affordable Housing Development located in the AH-1 shall be age restricted units as defined in Section 142-3 and affordable pursuant to New Jersey Council on Affordable Housing (COAH) rules.
- b. Federal Fair Housing Act. The Age Restricted Multi-Family Affordable Housing Development in the AH-1 Zone shall comply with all applicable requirements of the Federal Fair Housing Act and all amendments thereto, except as noted above, and all applicable rules and regulations of the U.S. Department of Housing and Urban Development (HUD) regarding such use, ownership and occupancy and shall further comply with all applicable HUD rules and regulations for self-certification of compliance with the Act and with HUD's rules and regulations.
- c. Affordable Housing Official. The Township may appoint an Affordable Housing Official who will be responsible for monitoring and implementing the provisions of this article and assuring that the affordable units remain affordable to affordable households. No Certificate of Occupancy shall be issued for an affordable unit without the written approval of the Township or the Affordable Housing Official. Such approval shall be denied unless the unit is subject to an individual or master deed containing a covenant running with the land which assures that the unit will remain affordable to affordable households for a period of at least the minimum required by COAH.
- d. Rentals & Sales. No affordable unit shall be rented or re-rented without the written approval of the Township or the Affordable Housing Official. In order to obtain such approval, the seller or lessor shall be required to demonstrate that the proposed sale or lease complies in all respects with the provisions of this article and COAH Obligations.

Rents or sale prices of affordable units shall be established in accordance with the Uniform Affordability Controls set forth in N.J.A.C. 5:80-26.

In establishing prices and rents, the Uniform Housing Affordability Controls rely on the regional income limits determined as follows:

- i. Median income by household size shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the estimated households within the county. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households in each housing region. This quotient represents the regional weighted average of median income for a household of four. This regional weighted average is adjusted by household size based on multipliers used by HUD to adjust median income

by household size.

- ii. The price and rent of low- and moderate-income units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the United States. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low income tax credit regulations shall be indexed pursuant to the regulations governing low income tax credits.

- e. Affirmative Marketing Program. Every approved Age Restricted Multi-Family Affordable Housing Development subject to the requirements of this article shall be affirmatively marketed in conformance with the Township of River Vale's Affirmative Marketing Plan approved by COAH. Every approved Age Restricted Multi-Family Affordable Housing Development subject to the requirements of this article shall submit an affirmative marketing program designed to disseminate information regarding the availability of affordable income units. The affirmative marketing process for available affordable units shall begin at least four months prior to expected occupancy. Advertising and outreach shall take place during the first week of the marketing program and each month thereafter until all available units have been leased or sold. The program shall include at least the following:

One advertisement will be published in at least the following newspapers, and any other newspapers deemed necessary by the Township of general circulation or at the within the housing region:

- i. The Record
- ii. Community Life

The advertisement will include the following:

- i. The location of the units;
- ii. Directions to the housing units;
- iii. A range of prices for the housing units;
- iv. The size, as measured in bedrooms, of the housing units;
- v. The maximum income permitted to qualify for the housing units;
- vi. The business hours when interested households may obtain an application for a housing unit; and
- vii. Application fees, if any.

One advertisement will be broadcasted on the following regional radio and/or cable television station and any other such station deemed necessary by the Township:

- i. Cablevision of New Jersey

Additionally, all newspaper articles, announcements and requests for applications for low- and moderate-income housing will appear in at least the

following and any other such newspapers deemed necessary by the Township:

- ii. The Record
- iii. Community Life

Applications will be mailed to prospective applicants upon request.

The following is the location of applications, brochure(s), sign(s), and/or poster(s) currently used as part of the affirmative marketing program:

- i. The county administrative building and/or the county library for each county within the housing region;
- ii. The municipal administrative building(s) and the municipal library;
- iii. The developer's sales/rental office.

The following is a current list of community and regional organizations that will aid in soliciting low- and moderate-income applicants:

- i. Religious Groups
- ii. Tenant Organizations
- iii. Civic Organizations

The following is a description of the random selection method that will be used to select occupants of low- and moderate-income housing:

- i. Each applicant upon submission of an application will be designated a number. Two categories will be created: one for low-income households and one for moderate-income households. A blind drawing will be undertaken: one each for low- and moderate-income households who are eligible for the specific affordable units.
- ii. A waiting list of all eligible candidates will be maintained in accordance with the provisions contained in N.J.A.C. 5:80-26 et. seq.
- iii. Households who live or work in Housing Region 1 shall be given preference for sales and rental units constructed within this Housing Region. Applicants living outside this Housing Region will have an equal opportunity for units after regional applicants have been initially serviced.

2. Age Restricted Multi-Family Affordable Housing Development Use and Occupancy Restrictions:

- a. All age-restricted multi-family affordable residential units within the AH-1 Zone shall be specifically designed and intended for and limited to occupancy by households composed of at least one (1) permanent resident sixty-two (62) years of age or older and with children under the age of 19 being expressly prohibited.
- b. Through its corporation, association or owners, the land and buildings for

the affordable housing development shall be restricted, by bylaws, rules, regulations and restrictions of record, to permanent use and occupancy by persons of sixty-two (62) years of age or older, subject to the following exceptions, consistent with the requirements of the Federal Fair Housing Act, as amended, all units shall meet the age requirements herein.

- c. A spouse or other person under the age of sixty-two (62) years who is residing with a person who is sixty-two (62) years of age or over and qualified to reside in the unit may reside in the age restricted housing unit.
- d. An adult under sixty-two (62) years of age may reside in a unit in the age restricted housing if it is established that the presence of such person is essential to the physical care of one or more of the occupants of the same unit who are qualified to reside in the unit. A certified letter from a licensed medical doctor must be provided indicating the necessity of such care.
- e. Children over the age of nineteen (19) shall be permitted to reside in the same unit with a parent if the parent is sixty-two (62) years of age or over and qualified to reside in the age restricted housing unit.
- f. The age restricted housing shall comply with all applicable requirements of the Federal Fair Housing Act and all amendments thereto, except as noted above, and all applicable rules and regulations of the U.S. Department of Housing and Urban Development (HUD) regarding such use, ownership and occupancy and shall further comply with all applicable HUD rules and regulations for self-certification of compliance with the Act and with HUD's rules and regulations. The residency restriction applicable to the development may be reviewed by the Township Attorney for compliance with the Federal Fair Housing Act.

E. Age Restricted Multi-Family Affordable Housing Development Area and Density Requirements. The following requirements shall apply to any affordable housing development proposed for AH-1. Zone :

- 1. Minimum Tract Area. There shall be a minimum tract area of three acres.
- 2. Maximum Density and Number of Units. There shall be no more than twelve (12) dwelling units per gross lot acre within the AH-1 Zone.
- 3. Maximum Building Coverage. 10% of gross lot area, including any road widening or utility easements.
- 4. Maximum Impervious Coverage. 30% of gross lot area, including any road widening or utility easements.

F. Age Restricted Multi-Family Affordable Housing Development Setback and Height Requirements. The following setback and height requirements shall apply to any affordable

housing development proposed for AH-1 Zone :

1. Limiting Schedule

| | |
|----------------------------------|--|
| Minimum front setback (feet) | 60feet |
| Minimum side yard setback (feet) | 25 feet |
| Minimum rear yard setback (feet) | 40 feet |
| Maximum building height | 2½ stories or 35 feet (whichever is less) within 225 ft. of front lot line 3½ stories or 45 feet (whichever is less) for balance of lot |

2. Lot Depth: The minimum lot depth shall be two hundred feet taken parallel to the side lot lines.

3. Lot Width & Frontage: 100 ft.

G. **Single Family Dwelling: Area, bulk, setback and yard requirements:** Same as the “A” Residential Zone, except that a minimum Lot Width and Frontage of 100 ft. shall be permitted.

H. **Age Restricted Multi-Family Affordable Housing Development Amenities.**

1. Age Restricted Multi-Family Affordable Housing Development in the AH-1 Zone may include indoor and outdoor common areas, recreational areas and community facilities provided for the exclusive use of its residents.
2. Areas intended for recreational purposes shall include facilities for active and passive recreation particularly suitable for residents.
3. Any multipurpose facility shall be designed and equipped to meet the social and recreational needs of the anticipated residents of the AH-1 Zone. This may include exercise rooms, hobby and craft rooms, lounge areas, meeting rooms, card rooms, rooms providing support facilities for outdoor recreational facilities or other similar facilities, all as required meeting the needs of the residents.
4. Elevators shall be provided as required by the Uniform Construction Code.

I. Age Restricted Multi-Family Affordable Housing Development Roadways and Parking Standards.

1. All requirements of the River Vale Land Development Ordinance relating to parking lot design, shall be applicable to an Age Restricted Multi-Family Affordable Housing Development in the AH -1 Zone.
2. No parking of recreational or commercially registered or used vehicles, mobile homes, trailers or boats, shall be permitted on the site.
3. There shall be a minimum of one parking space for every two residential units, as well as five guest parking spaces for the entire affordable housing development.
4. Landscaping in parking areas shall be provided as follows:
 - i. Landscaped strips of a minimum four feet in width shall be provided between all parking lots and property lines, and a minimum 10 foot landscaped strip shall be provided between all buildings and property lines.
 - ii. Landscaped areas should be located in protected areas such as along walkways, in center islands, or at the end of parking bays and shall be distributed throughout the parking area to mitigate the view of the parked vehicles without interfering with adequate sight distance for vehicles or pedestrians. The landscaping shall consist of hardy, low maintenance varieties of trees, and shrub plantings, as well as trees of a minimum 8 feet in height.
 - iii. One shade tree with a minimum diameter of three inches measured three feet above the ground, shall be provided for every five parking spaces. Trees shall be staggered and/or spaced so as not to interfere with driver vision and shall have branches no lower than six feet.
 - iv. All landscaping and plantings shall be maintained continually in accordance with provisions of the site plan approval for the development. Plantings which do not live shall be replaced within six months, but no longer than the next growing season. Notwithstanding this provision, all applicants must continually meet the provisions of site plan approval with respect to the maintenance of landscape plans.

J. Age Restricted Multi-Family Affordable Housing Development Utilities.

1. All utilities within the affordable housing development shall be placed underground from the service point locations surrounding the site.

K. Age Restricted Multi-Family Affordable Housing Development Other Improvements and Design Standards.

1. The development plan for the site, its developed facilities and the interior of

residential units in the AH-1 Zone must be specifically designed in accordance with all applicable building codes of the State of New Jersey.

2. Lighting plans for the entire development shall be submitted with the site application. Artificial lighting shall be provided along all walks and interior roads and driveways and in all off-street parking areas, depending upon anticipated nighttime use, with sufficient illumination for the safety and convenience of the residents. The source of lighting shall be directed downward, away from buildings and adjoining streets and property lines. Lighting fixtures shall be so arranged that the direct source of light is not visible from any adjacent residential area.
3. Light fixtures shall not be greater in height than fifteen feet and shall be aimed and shielded in a manner that shall not direct illumination on adjacent lands. Fixtures should be of the cut-off type to prevent glare from normal viewing angles and represent an architectural “period” or theme consistent with building exteriors. Maintained illumination levels shall average not more than one footcandle over the site, and at no point shall they exceed three and one half footcandles. Lighting shall provide a minimum Uniformity Ratio of 20:1 (Maximum: Minimum) on all paved surfaces used for motor vehicles.
4. Lighting plans shall include photometric data, Color Rendering Index (CRI) of all lamps, and other descriptive information on the fixtures, and if applicable or required, designation as Illuminating Engineering Society of North America (IESNA) “cut-off” fixtures.
5. Computer generated photometric grid showing footcandle readings every 10 feet within the property or site, and 10 feet beyond the property lines at a scale consistent with site plans. Iso-footcandle contour line style plans are also acceptable.
6. Fixtures used to accent architectural features, materials, colors, style of buildings, or art shall be located, aimed and shielded so that light is directed only on those features. Such fixtures shall be aimed or shielded so as to minimize light spill into the dark night sky. The maximum illumination of any vertical surface or angular roof surface in dark surroundings shall not exceed three footcandles.
7. Flags of the United States or New Jersey State may be illuminated from below provided such lighting is focused primarily on the individual flag or flags so as to limit light trespass and spill into the dark night sky.

L. Age Restricted Multi-Family Affordable Housing Development Ownership and Management of Common Areas, Elements and Open Space.

1. If any open space, easements or common areas on the tract are dedicated to and accepted by the Township, the area of such portions of the tract shall nonetheless be included in calculating the permitted density of the development.

M. Age Restricted Multi-Family Affordable Housing Development Conditions of

Preliminary Approval.

- 1. As a condition of preliminary approval of the plan, the Board may provide for final approval of the plan and construction of the project in whole or in one or more sections or stages.

Section IV. All ordinances or portions of ordinances, which are inconsistent with this Ordinance, shall be repealed as to their inconsistencies only.

Section V. If any provision or paragraph of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions or paragraphs of this Ordinance, except so far as the provision or paragraph so declared invalid shall be separable from the remainder or any portion thereof.

Section VI. This Ordinance shall take effect, after final passage, twenty (20) days following action or inaction by the Mayor as provided by law or an override of a mayoral veto by the council, whichever is applicable and publication in accordance with law, unless a resolution is adopted, pursuant to N.J.S.A. 40:69A-181 (b), declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

Section VII: This ordinance amends various portions of the Code of the Township of River Vale. All parts of this section and other parts of the Code shall remain in full force and effect unless specifically amended by this Ordinance.

Section VIII: This ordinance shall become effective immediately upon passage and publication in accordance with law.

ROLL CALL VOTE

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

Ordinance #250-2011

Motion by Councilman de Stefan; seconded by Councilman Bromberg to open the public hearing on Ordinance #250-2011:

There being no questions or comments from the public. Motion by Councilman Bromberg; seconded by Councilman Matos to close the public hearing.

Motion to Adopt: Councilwoman Sieg

Second: Councilman Matos

**AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE,
IN THE COUNTY OF BERGEN, NEW JERSEY,
PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS
AND OTHER RELATED EXPENSES IN AND FOR THE
TOWNSHIP OF RIVER VALE AND APPROPRIATING
\$1,125,678 THEREFOR, AND PROVIDING FOR THE
ISSUANCE OF \$1,069,378 IN GENERAL IMPROVEMENT
BONDS OR NOTES OF THE TOWNSHIP OF RIVER VALE
TO FINANCE THE SAME**

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

Section 1. The several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of River Vale, in the County of Bergen, New Jersey (the "Township"), as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement or purpose, such sums amounting in the aggregate to \$1,125,678, including the aggregate sum of \$56,300 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,069,378 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

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

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| <u>Appropriation and Estimated Cost:</u> | \$16,500.00 |
| <u>Maximum Amount of Bonds or Notes:</u> | \$15,675.00 |
| <u>Period or Average Period of Usefulness:</u> | 15 years |
| <u>Amount of Down Payment:</u> | \$825.00 |

- (b) Purpose: Demolition of Cedar Lane Township properties, including all work and materials necessary therefor or incidental thereto.

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| <u>Appropriation and Estimated Cost:</u> | \$110,000.00 |
| <u>Maximum Amount of Bonds or Notes:</u> | \$104,500.00 |
| <u>Period or Average Period of Usefulness:</u> | 40 years |
| <u>Amount of Down Payment:</u> | \$5,500.00 |

- (c) Purpose: Acquisition of breathing apparatus for Fire Marshall and turn-out coat for Fire Marshall and Inspector, including all work and materials necessary therefor or incidental thereto.

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| <u>Appropriation and Estimated Cost:</u> | \$7,700.00 |
| <u>Maximum Amount of Bonds or Notes:</u> | \$7,315.00 |
| <u>Period or Average Period of Usefulness:</u> | 15 years |
| <u>Amount of Down Payment:</u> | \$385.00 |

- (d) Purpose: Acquisition of outdoor storage shed, washer/dryer, transfer equipment, flag pole with footings and meeting room furniture for the Township's Volunteer Ambulance Corps, including all work and materials necessary therefor or incidental thereto.

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| <u>Appropriation and Estimated Cost:</u> | \$13,530.00 |
| <u>Maximum Amount of Bonds or Notes:</u> | \$12,850.00 |

Period or Average Period of Usefulness: 15 years
Amount of Down Payment: \$680.00

- (e) Purpose: Acquisition of turnout gear, hose and nozzle replacement, air exhaust system (South Fire House) and fire hydrant markers for the Township's Volunteer Fire Department, including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$65,433.00
Maximum Amount of Bonds or Notes: \$62,158.00
Period or Average Period of Usefulness: 15 years
Amount of Down Payment: \$3,275.00

- (f) Purpose: Acquisition of replacement pagers for the Township's Volunteer Fire Department and camera/laptop vehicle installation and photo evidence pro software for the Township's Police Department, including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$20,593.00
Maximum Amount of Bonds or Notes: \$19,563.00
Period or Average Period of Usefulness: 5 years
Amount of Down Payment: \$1,030.00

- (g) Purpose: Acquisition of 3-season coats with patches (ANSI compliant) and ANSI vests for the Township's Office of Emergency Management Department, including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$3,575.00
Maximum Amount of Bonds or Notes: \$3,395.00
Period or Average Period of Usefulness: 15 years
Amount of Down Payment: \$180.00

- (h) Purpose: Acquisition of three (3) defibtech lifeline AED package with 5-year battery pack, dress blouse uniforms for 21 officers and door pass through evidence locker for the Township's Police Department, including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$24,844.00
Maximum Amount of Bonds or Notes: \$23,599.00
Period or Average Period of Usefulness: 15 years
Amount of Down Payment: \$1,245.00

- (i) Purpose: Resurfacing of various streets and roads in the Township to Class A standards, as provided in the Local Bond Law, as identified on a list on file in the office of the Township Clerk, including all work and materials necessary therefor or incidental thereto.

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| <u>Appropriation and Estimated Cost:</u> | \$514,803.00 |
| <u>Maximum Amount of Bonds or Notes:</u> | \$489,058.00 |
| <u>Period or Average Period of Usefulness:</u> | 20 years |
| <u>Amount of Down Payment:</u> | \$25,745.00 |

- (j) Purpose: Improvements to EMS Park and renovations to various fields, as identified on a list on file in the office of the Township Clerk, including all work and materials necessary therefor or incidental thereto.

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| <u>Appropriation and Estimated Cost:</u> | \$110,000.00 |
| <u>Maximum Amount of Bonds or Notes:</u> | \$104,500.00 |
| <u>Period or Average Period of Usefulness:</u> | 15 years |
| <u>Amount of Down Payment:</u> | \$5,500.00 |

- (k) Purpose: Replacement of Town Hall roof and acquisition of compressor with generator and brine tank for the Department of Public Works, including all work and materials necessary therefor or incidental thereto.

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| <u>Appropriation and Estimated Cost:</u> | \$57,200.00 |
| <u>Maximum Amount of Bonds or Notes:</u> | \$54,340.00 |
| <u>Period or Average Period of Usefulness:</u> | 15 years |
| <u>Amount of Down Payment:</u> | \$2,860.00 |

- (l) Purpose: Acquisition of roll off container truck with plow for the Department of Public Works, including all work and materials necessary therefor or incidental thereto.

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| <u>Appropriation and Estimated Cost:</u> | \$137,500.00 |
| <u>Maximum Amount of Bonds or Notes:</u> | \$130,625.00 |
| <u>Period or Average Period of Usefulness:</u> | 5 years |
| <u>Amount of Down Payment:</u> | \$6,875.00 |

- (m) Purpose: Construction and reconstruction of various sidewalks as identified on a list on file in the office of the Township Clerk, including all work and materials necessary therefor or incidental thereto.

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| <u>Appropriation and Estimated Cost:</u> | \$44,000.00 |
| <u>Maximum Amount of Bonds or Notes:</u> | \$41,800.00 |
| <u>Period or Average Period of Usefulness:</u> | 10 years |
| <u>Amount of Down Payment:</u> | \$2,200.00 |

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

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget, as applicable, of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent

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

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

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

(b) The period of usefulness of the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 18.12 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,069,378, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$102,337 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

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

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Township hereby covenants to take any action necessary or refrain from taking such action in order to preserve the exclusion from gross income of interest on the bonds and notes authorized hereunder which are issued as tax-exempt bonds as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated

thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

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

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

ROLL CALL VOTE

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

Ordinance #251-2011

Motion by Councilman de Stefan; seconded by Councilman Bromberg to open the public hearing on Ordinance #251-2011:

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

Motion to Adopt: Councilman de Stefan

Second: Councilman Bromberg

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:

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|---|-----------------------|
| 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 Affairs | \$3,000 |
| 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 |

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|---|-----------------------|
| 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 |
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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 Matos, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes.

Ordinance #252-2011

Motion by Councilman Bromberg; seconded by Councilwoman Sieg to open the public hearing on Ordinance #252-2011:

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

Motion to Adopt: Councilman Bromberg

Second: Councilman Matos

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 (the "Sponsor") is 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 Sponsor 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 Sponsor 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 Matos, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes.

Ordinance #253-2011

Motion by Councilwoman Sieg; seconded by Councilman Bromberg to open the public hearing on Ordinance #253-2011:

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

Motion to Adopt: Councilman de Stefan

Second: Councilman Bromberg

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

Ordinance #254-2011

Motion by Councilman Bromberg; seconded by Councilman Matos to open the public hearing on Ordinance #254-2011:

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

Motion to Adopt: Councilwoman Sieg

Second: Councilman Matos

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

RESOLUTION

Motion by Councilman Bromberg; seconded by Councilman Matos to approve Resolution #2011-154 as follows:

RESOLUTION AUTHORIZING THE COUNCIL TO ENTER INTO CLOSED SESSION

BE IT RESOLVED by the Township Council of the Township of River Vale that the Council is authorized to enter into Closed Session to discuss a settlement proposal pertaining to a personnel litigation matter and cell tower negotiations is hereby confirmed.

ROLL CALL VOTE

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

Motion by Councilman Matos seconded by Councilwoman Sieg to reconvene the meeting from Closed Session.

ADJOURNMENT

Motion by Councilman Bromberg; seconded by Councilwoman Sieg to adjourn the meeting at 10:50pm.

Council President
Glen Jasionowski

ATTEST:
Karen Padva
Township Clerk