

MINUTES
Council Meeting
Monday, January 14, 2008

CALL THE MEETING TO ORDER

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

SALUTE TO FLAG

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

SUNSHINE LAW STATEMENT

Council President Jasionowski read the Sunshine Statement into the record, as follows:

“In accordance with the provisions set forth in the Open Public Meetings Law, notification of this meeting has been sent to all officially appointed Township newspapers and notice is posted at the Municipal Office.”

ROLL CALL

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

Also present: Mayor Joseph Blundo, Robert J. Gallione, Jr., Business Administrator, Gennaro Rotella, CFO, Dennis Harrington, Township Engineer, Holly Schepisi, Township Attorney and Karen Padva, Acting Township Clerk.

Mayor Blundo read the oath of office for Sgt. Sean Scheidle OEM Director, Bill Peters Assistant OEM Director, Jim Miles Fire Department Representative and Nancy Miles Ambulance Corps Representative

TOWNSHIP COMMUNICATION

1. Mayor’s Comments

Mayor Blundo commented on the introduction of the 2008 Budget. The Mayor explained that uncontrollable expenses such as pensions and health insurance will increase approximately \$500,000. Despite this increase the overall spending will rise only 1.44% or approximately \$38.00 per household. The Mayor added that there is no increase in the Township operating expenses and that \$75,000 is budgeted as a down payment in capital which equates to \$1.5 million in borrowing. Mayor Blundo concluded that he’s looking forward to the start of the budget meetings which commence on Saturday, January 19th at 8:30am.

2. Council Comments

Councilman de Stefan requested that a work session be held to discuss the Mark Lane concept plans.

Councilman Matos commented on the cracks in the basketball courts at the Mark Lane Complex. Councilman Matos stated that money was retained from the contractor and he would like the Council’s support to have the courts properly repaired. Councilman Matos feels the contractor should be held accountable and would like to ensure a remedy for the courts.

Councilwoman Sieg agreed with Councilman Matos regarding the repair of the courts and feels the contractor should be held accountable. Councilwoman Sieg also commented on the success of the Junior Police Academy graduation.

Councilman Bromberg thanked Bill Peters, Sean Scheidle, Nancy and Jim Miles for volunteering to serve the Township’s OEM Department. Councilman Bromberg also thanked the Mayor for the 2008 budget.

Council President Jasionowski thanked the Fire Department, the Ambulance Corp and the Police Department with regard to the extraordinary response to a recent car accident. Council President Jasionowski announced that the first Budget meeting will held this Saturday, the 19th from 8:30 to 12:00pm.

BUSINESS ADMINISTRATOR'S REPORT

Mr. Gallione reported on the Cooperative Pricing agreement with the surrounding Pascack Valley towns. He announced that Mayor Blundo was elected to serve as Vice President with the Pascack Valley Mayors Association. The Business Administrator also announced that Council President Jasionowski was nominated to serve on the New Jersey League of Municipalities Legislative Committee. In addition, Dwight de Stefan was recognized by the New Jersey League of Municipalities Hall of Fame for serving 25 years of service.

The Business Administrator stated that he will follow up on Councilman Matos's request to pursue the contractor's bond for repair of the courts according to the engineer's recommendations. Mr. Gallione reported that the Township will be offering in-house training for both Planning and Zoning Board members in order to satisfy state certification requirements. The program will be held on February 16th at 9:30AM in the Community Center and the registration fee is \$25.00. Mayor Blundo thanked Damian Gill for doing a great job organizing this program.

In conclusion, the Business Administrator spoke about River Vale Parents of Exceptional Children becoming more a part of Township events. He also suggested that the Township may sponsor a music festival this year.

Mayor Blundo announced the appointment of Kristie Levine as the new Director of Social and Cultural Affairs. The Mayor also mentioned that a resident will be taking over the maintenance of the website and that resident Stephanie Muska will be running the food pantry.

TOWNSHIP ENGINEER'S REPORT

Mr. Harrington reported on the status of the DPW Building construction is progressing. The site work at the Community Center has been shut down for the winter; however paving will continue in the spring. He also reported that some damage has been done to the parking lot near the police and fire departments from the DPW building construction. This repair work was anticipated but not part of the construction budget plan. Mr. Harrington will provide paving estimates for the lot.

The sub-surface investigation of both Mark Lane and the basketball courts is scheduled for January 15th in order to define the situation. He also reported that the Township is going out to bid on the installation of the lights at the lower grove baseball field. In conclusion, Baylor Avenue was turned down for DOT funding and he will be presenting other candidates.

HEARING OF THE PUBLIC

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

Council President Jasionowski read the following statement into the record.

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

Jim Hanna – 381 Sunset Road - commented on the golf course ordinance in relation to the Township's COAH compliance, the setbacks, roof heights being too high, and that the demographic studies done regarding the Poplar Road development and the number of children were not correct. Mr. Hanna recommended that high priced town houses should not be located next to a soccer field.

Howard Lawrence – 607 Montview Place – questioned the status of the drainage problem on his property.

Mayor Blundo responded that the Council refuses to accept the demands of the plaintiff in this case. The Plaintiff filed a notice to sue the Township for loses and that the town is trying to settle.

Joe Massin – 68 Holiday Court - wished the Council a Happy New Year. Mr. Massin had

comments regarding the proposed town house ordinance. He suggested that residents be able to post comments on the Township's website.

Mr. Massin also questioned the status of the trees on Piermont; the Business Administrator said the County is in the process of bidding out the job.

Mike Maratea – 634 Midvale Court – Commented on the proposed town house ordinance with regard to balconies, building heights, setbacks and landscaping accountability.

Mr. Maratea also presented the Council with a petition opposing the setbacks.

John Donovan – 63 Rivervale Road – questioned the location of the proposed bus shelter, the T&M increases in threshold for the DPW Building.

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

RESOLUTIONS –

Motion by Councilman Bromberg; seconded by Councilman Matos to approve Resolution #2008-32 through #2008-33, as follows:

Resolution #2008-32

RESOLUTION APPROVING MINUTES–January 1, 2008 Sine Die Meeting

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the January 1, 2008 Sine Die Meeting of the Township Council are hereby approved.

Resolution #2008-33

RESOLUTION APPROVING MINUTES–January 1, 2008 Reorganization Meeting

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the January 1, 2008 Reorganization Meeting of the Township Council are hereby approved.

ROLL CALL VOTE

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

Motion by Councilman Matos; seconded by Councilman Bromberg to approve Resolution #2008-34 through Resolution #2008-46 excluding Resolutions # 2008-38, 40, 41,and 42, as follows:

Resolution #2008-34

AUTHORIZE THE TOWNSHIP CLERK TO ADVERTISE FOR REQUESTS FOR QUALIFICATIONS FOR TOWNSHIP PROFESSIONALS

BE IT RESOLVED that pursuant to NJSA 19:44A-20.4, et seq. that the Township Clerk is hereby authorized to advertise for the above mentioned services for the following positions:

Prosecutor
Public Defender

Resolution #2008-35

RESOLUTION AUTHORIZING VETERANS TAX DEDUCTION

WHEREAS, the Tax Assessor has allowed the following Widow of a Veteran Property Tax Deduction in the amount of \$250.00 for the year of 2007; and

WHEREAS, these deductions fall under the guidelines of the State of New Jersey, and the State of New Jersey will reimburse the Township of River Vale for this amount; and

WHEREAS, these deductions have not appeared on the 2007 Tax Bill; and

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of River Vale that \$ 250.00 be credited to the following Tax Account for the Fourth Quarter of 2007:

<u>NAME</u>	<u>BLOCK</u>	<u>LOT</u>	<u>DEDUCTION</u>	<u>AMOUNT</u>
Helen Mauro	1707	10	Veterans	\$250.00

BE IT FURTHER RESOLVED by the Township Council of the Township of River Vale that the Chief Financial Officer be authorized to issue a check to Helen Mauro in the amount of \$ 250.00.

Resolution #2008-36

RESOLUTION AUTHORIZING THE CANCELLATION OF TAX OVERPAYMENTS OR DELINQUENT AMOUNTS LESS THAN \$10.00

WHEREAS, N.J.S.A. 40A:5-17 allows for the cancellation of property tax overpayments or delinquent amounts in the amounts of less than \$10.00; and,

WHEREAS, the governing body may authorize the Tax Collector to process, without further action on their part, any cancellation of property tax overpayments or delinquencies of less than \$10.00.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Township of River Vale, County of Bergen, State of New Jersey, hereby authorize the Tax Collector to cancel said tax amounts as deemed necessary.

BE IT FURTHER RESOLVED, that a certified copy of the Resolution be forwarded to the Tax Collector, the Chief Financial Officer and the Municipal Auditor.

Resolution #2008-37

RESOLUTION APPOINTING FUND COMMISSIONER

WHEREAS, Public Law 1983, c.372 (N.J.S.A. 40A:10-36 et seq) permits municipalities to join together to form a joint insurance fund; and

WHEREAS, the Bergen County Municipal Joint Insurance Fund is duly constituted as a Municipal Self-Insurance Fund; and

WHEREAS, the Township of River Vale is a member of the Bergen County Municipal Joint Insurance Fund, and

WHEREAS, the N.J.S.A. 40A: 10-36 et seq as well as the Bylaws of the Bergen County Municipal Joint Insurance fund provide that “in the manner generally prescribed by law, each member shall appoint one (1) commissioner to the Fund. Each member shall select either a member of its governing body or one of its employees and,

WHEREAS the term of the appointment is either:

1. A commissioner, other than the special commissioner, who is a member of the appointing utility authority's governing body, shall hold office for two years or the remainder of his/her term of office as a member of the governing body, whichever shall be less.
2. Commissioners who are employees of the appointing utility authority shall hold office at the pleasure of the utility authority and can be removed by the utility at any time without cause.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Township of River Vale does hereby appoint Robert J. Gallione, Jr. to serve as Fund Commissioner to the Bergen County Municipal Joint Insurance Fund.

Resolution #2008-39

RESOLUTION AUTHORIZING NEW JERSEY TRANSIT TO INSTALL A BUS SHELTER ON RIVERVALE ROAD

WHEREAS, NJ Transit has funds for the purchase of bus shelters throughout the State of New Jersey; and

WHEREAS, the governing body of a municipality in New Jersey or the Board of Chosen Freeholders of a County may apply to the New Jersey Transit Corporation for the purchase and installation of bus shelters at legally designated bus stops; and

WHEREAS, the Township of River Vale, in the interest of promoting public transportation, conservation of energy, traffic safety and for the convenience of the public, endorses the concept of providing bus shelters with in its jurisdiction.

NOW, THEREFORE, be it resolved, that the application is hereby made by the Township of River Vale to the New Jersey Transit Corporation for the purchase and installation of one (1) bus shelter as set forth in Exhibit A, made a part hereof.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk be authorized to execute an agreement or agreements with NJ Transit to arrange for the purchase and installation of the shelters.

Resolution #2008-43

RESOLUTION AUTHORIZING THE TOWNSHIP TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Borough of Westwood, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on January 14, 2008 the governing body of the Township of River Vale, County of Bergen, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows this resolution shall be known and cited as the Cooperative Pricing Resolution of the Township of River Vale. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) and all other provisions of the revised statutes of the Sate of New Jersey.

Resolution #2008-44

RESOLUTION
(TRANSFERS)

WHEREAS, there exists a need to make transfers in the 2007 Budget Appropriation Reserves, and there exists balances from which to make said transfers,

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the Chief Financial Officer hereby be authorized to make the following transfers to the 2007 Budget Appropriation Reserves.

Inside CAP:
From:

Group Health Insurance	\$5,000.00
TOTAL	\$5,000.00

Inside CAP:
To:

Old Tappan Gas	\$5,000.00
TOTAL	\$5,000.00

Resolution #2008-45

RESOLUTION AUTHORIZING NOT TO EXCEED LIMITATIONS FOR T & M ASSOCIATES – LOWER GROVE SPORTS LIGHTING PROJECTS

BE IT RESOLVED, by the Township Council of the Township of River Vale that limitations in an amount not to exceed \$19,500.00 be authorized for services to the Engineering Firm of T & M Associates in connection with the Lower Grove Sports Lighting Project.

Resolution #2008-46

RESOLUTION APPROVING AN INCREASE IN THRESHOLD FOR T & M ASSOCIATES FOR DPW CONSTRUCTION PHASE SERVICES

BE IT RESOLVED by the Township Council of the Township of River Vale that the threshold shall be increased from \$50,000 not to exceed \$72,000, to the Firm of T & M Associates for engineering services in connection with the DPW construction phase services.

ROLL CALL VOTE: Councilman de Stefan, Councilman Matos, Councilwoman Sieg, Council Vice President Bromberg and Council President Jasionowski voted yes.

Motion by Councilman Matos; seconded by Councilwoman Sieg to approve Resolution #2008-38 as follows:

Resolution #2008-38

A RESOLUTION TO AUTHORIZE PARTICIPATION IN THE NEW JERSEY STATE HEALTH BENEFITS PROGRAM ACT OF THE STATE OF NEW JERSEY FOR SHBP DENTAL PLAN COVERAGE

BE IT RESOLVED:

1. The Township of River Vale a participating employer in the State Health Benefits Program, hereby elects to participate in the SHBP Employee Dental Plans provided by the New Jersey Health Benefits Act of the State of New Jersey (N.J.S.A. 52:14-17.25 et seq) and to authorize coverage for all the employees and their dependents there under in accordance with the statute and regulations adopted by the State Health Benefits Commission.
2. As a participating employer we will remit to the State Treasury all charges due on account of employee and dependent coverage and periodic charges in accordance with the requirements of the statute and the rules and regulations duly promulgated there under.
3. As the employer I understand that the employer is responsible for at least 50% of the dental premium.
4. We hereby appoint the Chief Financial Officer to act as Certifying Officer in the administration of the plan
5. This resolution shall take effect immediately and coverage shall be effective as of January 14, 2008 or as soon thereafter as it may be effectuated pursuant to the statues and regulations.

ROLL CALL VOTE: Councilman de Stefan, Councilman Matos, and Council President Jasionowski voted yes. Councilman Bromberg abstained

Motion by Councilman de Stefan; seconded by Councilwoman Sieg to table resolutions #2008-40 through #2008-42, as follows:

Resolution #2008-40

RESOLUTION CONFIRMING COUNCIL APPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT

BE IT RESOLVED by the Township Council of the Township of River Vale that XXXXXXXX be appointed to the Zoning Board of Adjustment for a four (4) year term expiring on December 31, 2011 is hereby confirmed.

Resolution #2008-41

RESOLUTION CONFIRMING COUNCIL APPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT

BE IT RESOLVED by the Township Council of the Township of River Vale that XXXXXXXXXXXX be appointed to the Zoning Board of Adjustment for a four (4) year term expiring on December 31, 2011 is hereby confirmed.

Resolution #2008-42

RESOLUTION CONFIRMING COUNCIL APPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT

BE IT RESOLVED by the Township Council of the Township of River Vale that XXXXXXXXXXXX be appointed to the Zoning Board of Adjustment for a one (1) year term expiring on December 31, 2008 is hereby confirmed.

ROLL CALL VOTE: Councilman de Stefan, Councilman Matos, Councilwoman Sieg, Council Vice President Bromberg, and Council President Jasionowski voted yes.

ORDINANCES 1st Reading

Motion by Councilman Matos; seconded by Councilman de Stefan to table Ordinance #192-2008

AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 142 OF THE CODE OF THE TOWNSHIP OF RIVER VALE, CREATING A NEW ZONE, ENTITLED TH-1 TOWN HOME ZONE (T.H. Zone).

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: TH-1 Town Home Zone (T.H. Zone).

Section II: The Zoning Code and Zoning Map of the Township of River Vale are hereby amended to designate Lots 5, 5.01, 5.02, 7, 8, a portion of 6 and a portion of 9 where shown on the Zoning Map, in Block 701 on the Tax Map of the Township of River Vale as included in its entirety in the newly created TH-1 Town Home Zone (T.H. Zone).

Section III: 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 “TH-1 Town Home Zone.” Said new section shall read as follows:

***** TH-1 Town Home Zone (T.H. Zone).**

1. Definitions: Definitions shall be in accordance with Part I, Article I “General Provisions” of Chapter 142 of the Township of River Vale Land Use Ordinance and the following additional definitions shall apply with respect to the additional terms set forth in this section:

AGE RESTRICTED DWELLING OR UNIT — A Townhouse as hereinafter defined, designated for permanent occupancy by households composed of at least one (1) permanent resident, whom is a head of the household and has attained the age of 55 years and in which actual occupancy and use are confined accordingly, consistent with all federal and state standards, laws, rules and regulations.

COMMON RECREATION AREAS — One or more parcels of land and/or water within a development site, designed and intended primarily for the use and enjoyment of the residents therein. Such areas may contain such complementary structures and improvements for active or passive recreational pursuits as are necessary and appropriate for the benefit and enjoyment of the residents of the development.

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, camping facilities 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.

TOWNHOUSE — A building or structure designed for or occupied by no more than one family or household and attached to other similar buildings or structures by not more than two party walls (which shall be of masonry or other approved fire-rated construction) extending from the foundation to the underside of the roof and providing two direct means of access from the outside. Furthermore, each such dwelling unit shall be provided with cooking, sleeping and sanitary facilities for the use of each family or household of the townhouse.

2. Uses: In the TH-1 Town Home Zone (T.H. Zone), only the following uses are permitted:

- A. Townhouses
- B. COAH Units, as set forth below
- C. Age Restricted Units

D. When incidental to a primary use within a TH-1, indoor and outdoor common areas, recreational areas, and community facilities provided for the exclusive use of its residents, and subject to the following regulations:

1) Common areas intended for recreational purposes shall include facilities for active and passive recreation particularly suitable for residents.

2) Any multipurpose facility shall be designed and equipped to meet the social and recreational needs of the anticipated residents of the TH-1. 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 to meet the needs of the residents.

3) Attached common garage structures and indoor and/or outdoor areas devoted to off-street parking.

4) 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 TH-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.

- E. Open Space.

3. Requirements for TH-1 Town Home Zone (T.H. Zone).

A. Use and Occupancy Restrictions:

1. Principal Permitted Uses. Except as otherwise set forth below in Section 4 COAH Obligations and Section 5 Age Restricted Housing Obligations, principal Permitted Uses in a T.H. Zone shall include one (1) or more multi-family residential buildings with said dwelling units specifically designed and intended for and limited to occupancy for residential purposes only.

2. Bedroom Distribution for Fair Market Units.

Except with respect to affordable housing units as set forth below in Section 5 and age restricted housing units as set forth in Section 6, every development in the T.H. Zone shall establish a distribution for the number of bedrooms such that: (a) a minimum of 40% shall be one-bedroom units; (b) up to 60% may contain two-bedrooms and (c) no more than two units shall be three-bedroom units. Except with respect to affordable housing units as set forth in Section 5 and age restricted housing units as set forth in Section 6, through its corporation, association or owners, the land and buildings in any T.H. Zone shall be restricted, by bylaws, rules, regulations and restrictions of record, to the preceding restrictions on bedroom distribution.

3. Federal Fair Housing Act. The T.H. 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.

4. COAH Obligations. Notwithstanding anything herein to the contrary, any development consisting of more than five units in the T.H. Zone shall comply with the standards and procedures set forth below relating to affordable housing requirements of N.J.A.C. 5:94 and 5:95 and N.J.A.C. 5:80-26, which contain COAH's Round 3 substantive and procedural rules, as amended and/or revised ("COAH Obligations"). All residential developers in T.H. Zone building more than five units must meet the requirements of the affordable housing obligation set forth below. No division, site plan approval or building permit shall be granted to a developer having an affordable housing obligation pursuant to this section unless the developer participates in the production of affordable housing pursuant to this article:

a. Minimum Phasing Schedule. Any developments consisting of more than five units in the T.H. Zone shall contain a minimum percentage of twenty percent (20%) of affordable housing units on the property. By way of example, in the event a developer was to construct a total of 59 housing units on the property, 12 such housing units must be affordable housing. All affordable housing units shall be distributed throughout the T.H. Zone in a spatially even manner.

b. Certificates of Occupancy. Certificate of occupancy for the remaining free-market units shall not be issued unless the developer has obtained certificates of occupancy for the affordable units in compliance with the above schedule.

c. Cash Contribution Alternatives. No cash contribution alternative will be accepted in lieu of construction of the required affordable housing.

d. 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.

e. Sales, etc. No affordable unit shall be sold or resold, 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.

f. Pricing of Units. Every development subject to the requirements of

this article shall contain a number of low- and moderate-income units consistent with COAH Obligations. All units subject to the requirement of this Section shall be subject to price stratifications as set forth in the COAH Obligations. Pricing of units shall be stratified to insure that there are a variety of sales prices or, as the case may be, rental rates pursuant to N.J.A.C. 5:80-26, as amended or revised.

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

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

(a) 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.

(b) 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.

g. Bedroom distribution. Every development subject to the requirements of this article shall establish a distribution for the number of bedrooms in the affordable units in accordance with the Uniform Affordability Controls set forth in N.J.A.C. 5:80-26, as amended or revised.

h. Affirmative marketing program. Every 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:

(a) One advertisement will be published in at least the following newspaper(s) (and any other newspaper(s) deemed necessary by the Township) of general circulation (or at the within the housing region:

The Record
Community Life

(b) The advertisement will include the following:
(1) The location of the units;
(2) Directions to the housing units;
(3) A range of prices for the housing units;
(4) The size, as measured in bedrooms, of the housing units;
(5) The maximum income permitted to qualify for the housing units;

(6) The business hours when interested households may obtain an application for a housing unit; and

(7) Application fees, if any.

(c) One advertisement will be broadcasted on the following regional radio and/or cable television station(s) (and any other such station deemed necessary by

the Township):

Cablevision of New Jersey

(d) 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):

The Record
Community Life

(e) Applications will be mailed to prospective applicants upon request.

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

(1) The county administrative building and/or the county library for each county within the housing region;

(2) The municipal administrative building(s) and the municipal library;

(3) The developer's sales/rental office.

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

Religious Groups
Tenant Organizations
Civic Organizations

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

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.

(i) 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.

(j) 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.

5. Age Restricted Housing Obligations. Notwithstanding anything herein to the contrary, any development consisting of more than five units in the T.H. Zone shall comply with the standards and procedures set forth below relating to age restricted housing obligations. All residential developers in T.H. Zone building more than five units must meet the requirements of the age restricted housing obligation set forth below. No division, site plan approval or building permit shall be granted to a developer having an affordable housing obligation pursuant to this section unless the developer participates in the production of age restricted housing pursuant to this article:

a. Minimum Phasing Schedule. Any developments consisting of more than five units in the T.H. Zone shall contain a minimum percentage of sixteen percent (16%) of age restricted housing units on the property. By way of example, in the event a developer was to construct a total of 59 housing units on the property, 10 such housing units must be age restricted housing. All age restricted housing units shall be placed together as a separate unit within the T.H. Zone.

b. Use and Occupancy Restrictions Applicable to Age Restricted Housing:

1. Principal permitted uses for the age restricted housing units shall include one (1) or more multi-family residential buildings with said dwelling units specifically designed and intended for and limited to occupancy by households composed of at least one (1) permanent resident fifty-five (55) years of age or older and with children under the age of 19 being expressly prohibited.

2. Through its corporation, association or owners, the land and buildings for the age restricted housing units shall be restricted, by bylaws, rules, regulations and restrictions of record, to permanent use and occupancy by persons of fifty-five (55) 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.

(a) A spouse or other person under the age of fifty-five (55) years who is residing with a person who is fifty-five (55) years of age or over and qualified to reside in the unit may reside in the age restricted housing.

(b) An adult under fifty-five (55) 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 medical doctor must be provided indicating the necessity of such care.

(c) Children over the age of nineteen (19) shall be permitted to reside in the same unit with a parent if the parent is fifty-five (55) years of age or over and qualified to reside in the age restricted housing unit.

3. 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.

B. Area and Density Requirements. The following requirements shall apply to any tract proposed for T.H. Zone development:

1. Minimum Tract Area. There shall be a minimum tract area of five (5) acres having a minimum road frontage of Two Hundred (200) feet.

2. Maximum Density and Number of Units. There shall be no more than fifteen (15) dwelling units per gross lot acre within the T.H. Zone and a maximum of fifty-nine (59) dwelling units per development.

3. Maximum Building Coverage. The total ground floor area of all buildings, including accessory buildings and common garages shall not exceed forty (40%) percent of the gross tract area.

4. Maximum Impervious Coverage. The total coverage of the tract by all buildings, paved or other hard surfaces (including brick pavers and/or loose-placed stone patios) and parking areas, but excluding drainage structures and detention and retention basins, shall not exceed sixty-five percent of the gross tract area (such calculation to include all Open Space included in the proposed Site Plan).

C. Setback and Height Requirements. The following setback and height requirements shall apply to the development of the T.H. Zone:

1. Limiting Schedule

Minimum front setback (feet)	10; or 30 feet if adjacent to a County Road
Minimum side yard setback (feet)	10; or 30 feet if adjacent to a County Road
Minimum rear yard setback (feet)	10; or 30 feet if adjacent to a County Road
Minimum distance between buildings:	10 feet, subject to public safety issues as determined in good faith by the Planning Board
Maximum building height	3 stories or 35 feet (whichever is less)
Minimum buffers	
To adjacent single-family lot (feet)	25 feet
To adjacent commercial lot (feet)	25 feet

2. Intentionally Deleted.

3. Lot Depth: The minimum lot depth shall be two hundred (200) feet.

4. Balcony Projections into Required Yard. Only one (1) balcony per unit located either in the rear yard or side yard in the T.H. Zone shall be permitted. No balcony shall project greater than five (5) feet into the minimum rear yard or side yard.

D. Amenities.

1. The T.H. 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 T.H. 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 to meet the needs of the residents.

4. Elevators shall be provided as required by the Uniform Construction Code, although one elevator may service more than one building where buildings are separated by fire walls but are otherwise interconnected.

E. Roadways and Parking Standards.

1. The requirements of the Residential Site Improvement Standards (RSIS) shall apply to the development of the T.H. Zone

2. Private streets and roadways shall be permitted within the T.H. Zone and shall be designed and constructed in accordance with the River Vale Development Ordinance and the RSIS standards, where applicable.

3. All requirements of the River Vale Land Development Ordinance relating to parking lot design, except as otherwise regulated herein or superseded by the RSIS, shall be applicable to the T.H. Zone. All driveways for each Unit shall be a minimum in length to accommodate an oversized vehicle (i.e., a van or SUV) to ensure there is no blocking/compromising of any sidewalks and/or road system, while leaving at least two feet between the front of the vehicle and the garage for such unit.

4. No parking of recreational or commercially registered or used vehicles, mobile homes, trailers or boats, shall be permitted on the site.

5. Garaged parking spaces shall be a minimum of nine (9) feet wide and eighteen (18) feet long.

6. Parking spaces or driveways serving individual dwelling units shall not be entered directly from any street. This shall not preclude driveways and parking spaces being accessed from interior development streets within the T.H. Zone tract. Parallel parking along interior development streets within the T.H. Zone tract shall be permitted consistent with the River Vale Land Development Ordinance and as set forth below; if such is silent, then such shall be permitted consistent with the RSIS and local emergency services recommendations.

7. There shall be a minimum of one and three quarter (1.75) parking spaces for each residential unit containing one bedroom, a minimum of two (2.0) parking spaces for each residential unit containing two or three bedrooms and a minimum of .5 guest parking spaces for each residential unit.

8. Width of Right-of Way (if provided). All width of right-of way access roads which give access to the subject site shall have a width of not less than forty (40) feet if there is no curbside parking. In the event of one-side parking, right-of way access roads shall have a width of not less than forty-five (45) feet. In the event of two-side parking, right-of way access roads shall have a width of not less than fifty (50) feet.

9. Interior access roads. All Interior access roads which give access to the subject site shall have a width of not less than twenty four (24) feet if there is no curbside parking. In the event of one-side parking, Interior access roads shall have a width of not less than thirty (30) feet. In the event of two-side parking, Interior access roads shall have a width of not less than thirty six (36) feet.

F. Buffer and landscaping.

1. Tree restitution and reforestation shall be in accordance with Part 6, Article XXXVII of the Township of River Vale Land Use Ordinance. Shade trees and other landscaping shall be provided in all site plans where deemed appropriate by the planning board. All shade trees shall have a minimum diameter of three (3.0) inches measured three (3) feet above the ground and with all landscaped plants shall be of various species approved by the approving authority. Trees shall be planted not less than thirty (30) to fifty (50) feet apart and parallel to, but no more than ten (10) feet from, the curb line and shall be balled and burlapped, nursery grown, free from insects and disease and true species and variety. Stripping trees from a lot or filling around tree drip lines on a lot shall not be permitted unless it can be shown that grading requirements necessitate removal of trees, in which case those lots shall be replanted with trees to reestablish the character of the area and to conform to adjacent lots. Dead or dying trees shall be replaced by the developer during the next recommended planting season. Parking lots shall be planted as required below.

2. With respect to any subject site in the T.H. Zone which has a property line bordering a County Road, a soil berm of at least four (4) feet high and fifteen (15) feet wide shall be installed within the setback area along the length of the property line bordering such County Road and parallel to, but no more than ten (10) feet from the curb line or such reasonable alternatives as determined by the Planning Board. A staggered row of coniferous trees (or reasonable alternatives as determined by the Planning Board) having a height of at least ten (10) feet (measured from the base of each tree) shall be installed on such berm. Such trees shall be located to create an unbroken visual screen and to otherwise maximize the visual screening of the development on the subject site from any County Road.

3. A landscape plan prepared by a certified landscape architect, certified by the New Jersey Board of Landscape Architects, or other qualified individual, shall be submitted with each site plan application for approval by the Planning Board, in its reasonable discretion. Landscaping shall be provided to promote a desirable visual environment, screen parking and loading areas, provide windbreaks for winter winds and summer cooling for buildings, streets and parking, and to mitigate adverse visual impacts. Landscaping shall include a “year-round” visual screening landscape buffer

4. Landscaping in parking areas shall be provided as follows:

(a) 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.

(b) 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.

(c) One shade tree with a minimum diameter of three (3) inches measured three (3) feet above the ground, shall be provided for every five (5) 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 (6) feet.

(d) 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.

G. Utilities.

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

H. Other Improvements and Design Standards. The development plan for the site, its developed facilities and the interior of residential units in the T.H. Zone must be specifically designed in accordance with all applicable building codes of the State of New Jersey.

1. Each development in the T.H. Zone shall have an architectural theme with variations in design to provide harmonious, theme-related earth tone colors in the style and architectural character commonly referred to as Early Colonial, New England Colonial Georgian, Federal, Queen Anne or Jeffersonian. Landscape plantings, building orientation on the lot, topography, natural features and building design shall all be considered for the total T.H. Zone development. Staggering unit setbacks, utilizing different exterior materials, changing rooflines and roof designs, altering building heights and types of windows, shutters, doors and façade orientation, and other creative design techniques are encouraged and will be considered by the Planning Board during its review process. The applicant shall provide building elevation renderings to show that a minimum of 30% of the exterior of each building is comprised of a brick, stone material, or a differential material composition than the balance of the building.

2. Each dwelling unit shall be equipped with central heating and air-conditioning systems with independent controls for each.

3. Each dwelling unit shall contain plumbing and gas or electric connections for a clothes washer and dryer.

4. Each dwelling unit shall contain sprinkler systems for fire prevention and risk reduction. Smoke alarms shall be installed in each dwelling unit in the T.H. Zone in accordance with the requirements of the Uniform Construction Code (N.J.S.A. 52:27D-119).

5. Each occupant shall be responsible for the disposal of household garbage, recyclable materials and refuse as required in other residential districts, provided, however, that a Homeowners' Association may assume the responsibility to arrange for the disposal of the solid waste and recyclables produced within the T.H. Zone

in accordance with applicable municipal codes.

6. A safe and convenient system of walkways accessible to all occupants shall be provided within the development, and along all public roadways and publicly owned driveways. The site plan shall show the locations of all pedestrian walkways and sidewalks (which call be continuous throughout the development per the RSIS), and be in accordance with the RSIS.

7. 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.

Light fixtures shall not be greater in height than twenty (20) 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. Illumination levels shall average not more than one footcandle over the site, and at no point shall they exceed three and one half (3.5) footcandles. Lighting shall provide a minimum Uniformity Ratio of 20:1 (Maximun: Minimum) on all paved surfaces used for motor vehicles.

Lighting plans shall include photometric data, Color Rendering Index (CRI) of all lamps (bulbs), and other descriptive information on the fixtures, and if applicable or required, designation as Illuminating Engineering Society of North America (IESNA) "cut-off" fixtures.

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.

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.

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.

8. On-site security and maintenance service systems may be provided in the T.H. Zone.

I. Ownership and Management of Common Areas, Elements and Open Space.

1. A Homeowner's Association or Condominium Association shall be established to provide and maintain all common areas, elements and open space for the benefit of residents of the development. Such organization shall not be dissolved and shall not dispose of any open space, by sale or otherwise (except to an organization conceived and established to own and maintain the open spaces for the benefit of such development), without first offering to dedicate the same to the Township of River Vale or other government agency.

2. The regulations of N.J.S.A. 40:55D-43 b. and c. shall be applicable to the maintenance of the open space.

3. 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.

4. As a condition of the approval of a proposed development, the Planning Board shall require of the organization established or to be established town and/or maintain common open space, any other common areas or elements or the structures located within the development that it adopt certain binding rules and regulations or bylaws with respect to ensuring the objectives and purposes of reasonable maintenance. If, as a condition of Planning Board approval, certain provisions are required to be included within the rules and regulations or bylaws, such provisions shall not be changed without the prior approval of the Planning Board.

5. A Homeowner’s Association or Condominium Association shall be established to provide and maintain the continual operation of all storm water management devices and systems within the development.

J. Conditions of Preliminary Approval.

As a condition of preliminary approval of the development, 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.

COUNCIL DISCUSSION

The Township Attorney had various changes to the ordinance. The Council agreed that they would defer introducing Ordinance 192-2008 to allow changes to be made.

ROLL CALL VOTE: Councilman de Stefan, Councilman Matos, Councilwoman Sieg, Council Vice President Bromberg, and Council President Jasionowski voted yes.

HEARING OF THE PUBLIC

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

Joe Massin – 68 Holiday Court – Questioned the status of the money received from FEMA for Storm damage done in April 2007. Mr. Massin remarked on residents concerns on what to do in the event of an emergency due to Pascack Valley Hospital being closed.

Ron Tucci – 58 Holiday Court – expressed his concern over the open Zoning Board appointments

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

Mayor Blundo announced that there is an opening on the Planning Board for a 2nd Alternate for any interested parties. He also commented that the Pascack Valley Mayor's Association is taking a very active roll in the possible reopening of the Pascack Valley Hospital as an Acute Care facility. The Mayor also gave a brief update on the FAA flight route and that the DEP is filing a brief on the environmental impact on the area.

CLOSED SESSION

Motion by Councilman Matos; seconded by Councilman Bromberg to adjourn the meeting to closed session to discuss litigation at 9:45pm. Action will be taken.

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

ROLL CALL

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

Motion by Councilman de Stefan; seconded by Councilman Matos to approve resolution #2008-47, as follows:

Resolution #2008-47

RESOLUTION APPROVING SETTLEMENT OF J.P.E. CONTRACTORS, AND JOHN PATERNO v. PLANNING BOARD OF THE TOWNSHIP OF RIVER VALE, A DULY CONSTITUTED BOARD UNDER THE PROVISIONS OF THE STATE OF NEW JERSEY MUNICIPAL LAND USE ACT AND TOWNSHIP OF RIVER VALE, A MUNICIPAL CORPORATION OF THE STATE OF NEW JERSEY.

WHEREAS, the Township of River Vale has been party to a litigation titled J.P.E. Contractors, and John Paterno v. Planning Board of the Township of River Vale, a duly constituted Board under the provisions of the State of New Jersey Municipal Land Use Act and Township of River Vale, a Municipal Corporation of the State of New Jersey, Docket No. BER-L-2526-06;

WHEREAS, the trial date for such litigation is set for Monday, January 28, 2008;

WHEREAS, an opportunity exists to settle such litigation prior to commencement of the trial subject to the approval of the proposed settlement by the Planning Board of the Township of River Vale and the Council believes it is in the best interests of the Municipality to enter into such a settlement;

WHEREAS, pursuant to the terms of the proposed settlement, J.P.E. Contractors and John Paterno, as Plaintiff/Applicant, would amend its site plan in such a manner as to ensure that the adjacent property at Block 1510, Lot 23, is made conforming before the proposed settlement becomes effective;

WHEREAS, it is recognized that the amended site plan may create the additional need for a variance or variances in the Plaintiff/Applicant's application and pursuant to the terms of the proposed settlement, the Planning Board would agree that the granting of that variance or variances shall be part of the final Resolution;

WHEREAS, the proposed settlement is contingent upon the Planning Board adopting a resolution giving Plaintiff/Applicant Final Major Subdivision approval to the project as amended in the aforementioned site plan, subject to the regular and normal requirements of the Township of River Vale and the Municipal Land Use Law;

WHEREAS, the Parties seek to resolve and settle in full any and all disputes and claims between them amicably on the terms and conditions set forth in the proposed Settlement Agreement and General Release;

BE IT HEREBY RESOLVED, by the Township Council of the Township of River Vale, that the Mayor and the Township Attorney are authorized to finalize the terms of the Settlement Agreement and General Release and the Mayor shall execute a form of Settlement Agreement and General Release with the terms outlined to the Council; and

BE IT FURTHER RESOLVED, by the Township Council of the Township of River Vale, that the Mayor, on behalf of the Township of River Vale shall execute any and all stipulations and/or other instruments (the “Stipulation to Dismiss”) required to dismiss the action with prejudice.

ROLL CALL VOTE: Councilman de Stefan, Councilman Matos, Councilwoman Sieg, Council Vice President Bromberg, and Council President Jasionowski voted yes.

ADJOURNMENT

Motion by Councilman Bromberg; seconded by Councilman Matos to adjourn meeting at 10:00pm

Glen Jasionowski
Council President

ATTEST:
Karen Padva
Acting Township Clerk