

MINUTES
Regular Meeting of the Township Council
Monday, November 13, 2006
8:00 PM

CALL THE MEETING TO ORDER

Council President Menville called the meeting to order at 8:02 P.M. in the Council Chambers of the Municipal Building located at 406 Rivervale Road, River Vale, New Jersey 07675.

SALUTE TO FLAG

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

SUNSHINE LAW STATEMENT

Council President Menville 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 Blundo, Councilman de Stefan, and Council President Menville were present. Councilman Matos and Councilman Jasionowski were absent.

Also present: Mr. Robert Gallione, Business Administrator, Mr. John Carbone, Township Attorney, Roy Rossow, CFO and Karen Padva, Recording Secretary.

TOWNSHIP COMMUNICATION

Township Council Comments

Council President Menville congratulated Councilman Blundo on his campaign win and offered his help in any capacity.

Councilman Blundo thanked the voters of River Vale for a high turnout. Additionally, he thanked the other candidates on how well they ran their campaigns. Councilman Blundo asked for the continued support and involvement of the other candidates.

Councilman Blundo also thanked Mayor Paschalis for his cooperation with regard to the transition. Mayor Paschalis has also offered access to the Business Administrator and Department Heads to assist in the transition.

Councilman Blundo expressed how pleased he was with the choice of Officer Scimeca as the Township’s new Police Officer and mentioned that their families are old family friends.

Lastly, Councilman Blundo pledged his support to the Bergen Swan Organization.

Councilman de Stefan also offered congratulations to Mayor-elect Blundo and looked forward to a productive working relationship. He also pledged his help to make River Vale a better place.

HEARING OF THE PUBLIC

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

Council President Menville read the following statement into the record.

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

There being questions or comments from the public; motion by Councilman de Stefan; seconded by Councilman Blundo to close the meeting to the public.

Council President Menville requested a 10 minute break at 8:15pm. The meeting reconvened at 8:30pm.

ROLL CALL

Councilman Blundo, Councilman de Stefan, and Council President Menville were present. Councilman Matos and Councilman Jasionowski were absent.

Councilman Blundo commented on the death of resident Gennaro Buldo and offered condolences to the Buldo family.

Business Administrator, Robert Gallione, administered the Oath of Office to the Township’s newest Police Officer Anthony Scimeca.

RESOLUTIONS –

Resolution #2006-218

RESOLUTION APPROVING MINUTES – September 25, 2006 (TABLED UNTIL November 27th, 2006 Council Meeting

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the September 25, 2006 Special Meeting of the Township Council are hereby approved.

Motion by Councilman Blundo; seconded by Councilman de Stefan to approve Resolution #'s 219 through 231 on Consent Agenda, as follows:

Resolution #2006-219

RESOLUTION APPROVING MINUTES –October 12, 2006 Special Council Meeting

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the October 12, 2006 Special Meeting of the Township Council are hereby approved.

Resolution #2006-220

RESOLUTION ENDORSING THE TOWNSHIP OF RIVER VALE’S PARTICIPATION IN THE BERGEN COUNTY OPEN SPACE TRUST FUND MUNICIPAL PARK IMPROVEMENT AND LAND ACQUISITION PROGRAM

WHEREAS, a Bergen County Open Space Trust Fund application in the amount of \$ 62,500.00 has been proposed by the Township of River Vale for Municipal Park Improvements and Land Acquisition in the municipality of River Vale, and

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

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

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

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

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

Resolution #2006-221

RESOLUTION TO REJECT AND RE-ADVERTISE BIDS FOR THE RENOVATION OF THE BASEBALL DIAMOND AT THE LOWER GROVE FIELD

WHEREAS, the Township received bids for the Renovation of the Baseball Diamond at the Lower Grove Field on October 17, 2006; and

WHEREAS, it has been determined that the only bidder was a non-conforming tender with non-waivable defects and is over the budgeted amount for this project;

NOW THEREFORE BE IT RESOLVED, that the bid for the Renovation of the Baseball Diamond at the Lower Grove Field is hereby rejected.

BE IT FURTHER RESOLVED, that the Township Clerk is hereby authorized to re-advertise for the receipt of bids for the above mentioned project.

Resolution #2006-222

RESOLUTION REQUESTING THE REVIEW AND APPROVAL OF THE TOWNSHIP OF RIVER VALE'S DEVELOPMENT FEE ORDINANCE OF MARCH 29, 2006

WHEREAS, the Governing Body of the Township of River Vale, Bergen County petitioned the Council on Affordable Housing (COAH) for substantive certification on July 26, 2005; and

WHEREAS, N.J.A.C. 5:94-6.1 permits a municipality to prepare and submit a development fee ordinance for review and approval by the Council on Affordable Housing that is accompanied by and includes the following:

1. A description of the types of developments that will be subject to fees consistent with N.J.A.C. 5:94-6.8; and
2. A description of the amount and nature of the fees imposed, not to exceed the limits established in N.J.A.C. 5:94-6.6 and 6.7; and

WHEREAS, the Township of River Vale has prepared a development fee ordinance that is consistent with N.J.A.C. 5:94-6.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Township of River Vale, Bergen County requests that COAH review and approve the Township of River Vale's development fee ordinance.

Resolution #2006-223

RESOLUTION APPROVING RAFFLE LICENSE FOR THE PASCACK HILLS PARENT FACULTY ASSOCIATION

BE IT HEREBY RESOLVED, that the following license to conduct a Raffle be issued to:

NAME: Pascack Hills Parent Faculty Association
255 West Grand Avenue
Montvale, NJ 07645

LOCATION OF RAFFLE: Florentine Gardens
97 Rivervale Road

River Vale, NJ 07675

DATE OF RAFFLE: April 26th 6PM – 10PM

I.D. #: 318-05-33340

RAFFLE LICENSE: RL 279

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 #2006-224

RESOLUTION APPROVING RAFFLE LICENSE FOR THE PASCACK HILLS PARENT FACULTY ASSOCIATION

BE IT HEREBY RESOLVED, that the following license to conduct a Raffle be issued to:

NAME: Pascack Hills Parent Faculty Association
255 West Grand Avenue
Montvale, NJ 07645

LOCATION OF RAFFLE: Florentine Gardens
97 Rivervale Road
River Vale, NJ 07675

DATE OF RAFFLE: April 26th 6PM – 10PM

I.D. #: 318-05-33340

RAFFLE LICENSE: RL 280

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 #2006-225

RESOLUTION AUTHORIZING THE SALE OF SURPLUS EQUIPMENT

WHEREAS, the Township of River Vale is the owner of various surplus equipment which is listed on file with the Township Clerk, which is no longer needed for public use; and

WHEREAS, the Township of River vale desires to authorize the sale of this surplus equipment at a public sale pursuant to N.J.S.A. 40A:11-36, to the highest bidder:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of River Vale, County of Bergen and state of New Jersey, as follows:

1. The Township of River Vale hereby declares that the surplus equipment is no longer needed for public use.
2. The Township of River Vale, its officers and attorney are hereby authorized and directed to take any and all steps necessary to proceed with a public sale of said surplus equipment.
3. The notice of the date, time and place of the public sale together with a description of the surplus equipment and the conditions of sale, shall be published in The Record, the official newspaper of the Township of River Vale, with the sale being held not less than seven (7) nor more than fourteen (14) days after the publication of said notice. The surplus equipment will be sold on a cash basis to the highest bidder(s).
4. No limit shall be placed on the number of surplus equipment that can be purchased by any one bidder.
5. The Township has set s minimum price for each vehicle, and reserves the right to reject any and all bids under the minimum price.
6. The resolution shall take effect immediately.

Resolution#2006-226

ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECT GRANT APPLICATION FOR BARRIER-FREE ACCESSIBILITY AND IMPROVEMENTS TO THE RIVER VALE AMPHITHEATER

BE IT RESOLVED, that the Mayor and Council of the Township of River Vale wishes to enter into a Grant Agreement with the County of Bergen for the Purpose of using \$200,000.00 in 2006-2007 Community Development Block for Barrier-Free Improvements to the River Vale Amphitheater; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Mayor George Paschalis to be a signatory to aforesaid Grant Agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes the Chief Financial Officer, Roy Rossow, to sign all county vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Township of River Vale is liable for any funds not spent in accordance with the Grant Agreement; and that the Liability of the Mayor and Council is in accordance with HUD requirements.

Resolution#2006-227

ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECT GRANT APPLICATION FOR BARRIER-FREE ACCESSIBILITY AND IMPROVEMENTS TO THE RIVER VALE SENIOR/COMMUNITY CENTER

BE IT RESOLVED, that the Mayor and Council of the Township of River Vale wishes to enter into a Grant Agreement with the County of Bergen for the Purpose of using \$25,000.00 in 2006-2007 Community Development Block for Barrier-Free Improvements to the River Vale Senior/Community Center; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Mayor George Paschalis to be a signatory to aforesaid Grant Agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes the Chief Financial Officer, Roy Rossow, to sign all county vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Township of River Vale is liable for any funds not spent in accordance with the Grant Agreement; and that the Liability of the Mayor and Council is in accordance with HUD requirements.

Resolution#2006-228

RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF CHRIS WAHMANN TO THE BERGEN COUNTY OPEN SPACE COMMITTEE

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

WHEREAS, said Agreement requires that one municipal representative be appointed by the governing body of the community to be part of the Open Space Trust Municipal Park Improvement and Land Acquisition Program Regional Committee for the term of one year coinciding with the fiscal year July 1, 2006 through June 30, 2007;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council hereby confirms the Mayors appointment of Chris Wahmann as his representative to participate on the Open Space Trust Municipal Program Regional Committee.

Resolution #2006-229

RESOLUTION
(Disabled Veteran Tax Exemptions)

WHEREAS, N.J.S.A. 54:4-3.30 allows for Wives of Disabled Veterans to receive 100 % exemptions from Property Taxes, and the following individual is eligible for said exemption, and any Property Taxes paid after the date of eligibility should be refunded;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale, that the Tax Collector be authorized to cancel the following Property Taxes, and the Chief Financial Officer be authorized to issue a Township check for Property Taxes paid.

Name	Address	Eligibility Date	Year	Amount of Tax	Amount of Refund
Vincenza Genovese	655 Blue Hill Road	09/30/2004	2004	\$ 1,807.34	\$ 1,807.34
			2005	\$ 1,891.60	\$ 1,891.60

Resolution #2006-230

RESOLUTION
(Release of Performance Bond)

WHEREAS, the following individual has posted a Performance Bond, and a Performance Guarantee as requested by the Planning Board; and

WHEREAS, the Planning Board has determined that said project is completed;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale, that the Performance Bond be released, and the Chief Financial Officer be directed to issue a Township check to Baseline Associates in the amount \$ 27,152.40;

Resolution #2006-231

RESOLUTION
(TRANSFERS)

WHEREAS, there exists a need to make transfers in the 2006 Budget Appropriations, 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 2006 Budget Appropriations.

Inside CAP:
From:

Audit Services OE	20,000.00
Tax Collection S&W	2,000.00
Tax Collection OE	3,000.00
Construction Code S&W	30,000.00
Planning Board OE	10,000.00
Fire Prevention OE	22,000.00
Athletics OE	4,000.00
Social & Cultural Affairs OE	5,000.00
Street Lighting	10,000.00
Recycling OE	10,000.00
Street Sweeping	20,000.00
Total	\$ 136,000.00

Inside CAP:
To:

Administration S&W	\$ 60,000.00
Township Clerk OE	4,000.00
Zoning OE	1,000.00
Police S&W	44,000.00
DPW S&W	20,000.00
Gasoline	7,000.00
Total	\$ 136,000.00

Council Discussion:

Councilman de Stefan had several questions regarding the resolutions for the Auction #225, #229 Refund for Genovese, and # 231 Transfer of Funds. Both the Business Administrator and Roy Rossow answered his questions.

ROLL CALL VOTE: Councilman de Stefan, Councilman Blundo, and Council President Menville voted yes. Councilman Jasionowski and Councilman Matos were absent.

Motion by Councilman Blundo; seconded by Councilman de Stefan to approve Resolution #2006-232 as follows:

Resolution #2006-232

RESOLUTION FOR PAYMENT OF BILLS

BE IT RESOLVED by the Township Council of the Township of River Vale, County of Bergen, State of New Jersey, that the Business Administrator be, and hereby is authorized to pay the following claims:

RESERVE ACCOUNT claims in the amount of:	\$ 436.50
CURRENT ACCOUNT claims in the amount of:	\$ 249,788.51
CAPITAL ACCOUNT claims in the amount of:	\$ 331,080.68
PUBLIC ASST. ACCOUNT claims in the amount of:	\$ 0.00
TRUST ACCOUNT claims in the amount of:	\$ 86,571.63
DOG TRUST ACCOUNT claims in the amount of:	\$ 431.20
RECREATION TRUST ACCOUNT claims in the amount of:	\$ 781.22
PRIVATE DUTY ACCOUNT claims in the amount of:	\$ 11,620.71
HOUSING TRUST ACCOUNT claims in the amount of:	\$ 0.00

TOTAL CLAIMS TO BE PAID **\$ 680,710.45**

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:

CURRENT claims in the amount of:	\$ 2,173,399.17
PUBLIC ASSISTANCE TRUST claims in the amount of:	\$ 3,480.71
CAPITAL ACCOUNT claims in the amount of:	\$ 0.00
STATUTORY ACCOUNT claims in the amount of:	\$ 396,424.02
OPEN SPACE TRUST ACCOUNT claims in the amount of:	\$ 0.00
OTHER TRUST ACCOUNT claims in the amount of:	\$ 0.00
SNOW REMOVAL TRUST ACCOUNT	\$ 0.00
TOTAL CLAIMS PAID	<u>\$ 2,573,303.90</u>

TOTAL BILL LIST RESOLUTION **\$ 3,254,014.35**

**MANUAL DISBURSEMENTS
BILL LIST FOR NOVEMBER 13, 2006**

09/28/ 2006 – Wire Transfer	\$ 237,319.36
10/13/2006 – Wire Transfer	\$ 159,104.66

TOTAL STATUTORY ACCOUNT DISTRIBUTIONS **\$ 396,424.02**

COUNCIL DISCUSSION:

Councilman de Stefan and Councilman Blundo had several questions regarding the Bill's List which were answered by Roy Rossow.

ROLL CALL VOTE: Councilman de Stefan, Councilman Blundo, and Council President Menville voted yes. Councilman Matos and Councilman Jasionowski were absent.

ORDINANCES – 2nd Reading

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY ENTITLED “DEVELOPMENT FEE ORDINANCE”

1. Purpose

- a) In Holmdel Builder’s Association V. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985, N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on

Affordable Housing's (COAH's) adoption of rules. This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's rules. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees.

2. Basic requirements

- a) The Township of River Vale shall not spend development fees until COAH has approved a plan for spending such fees and the Township of River Vale has received third round substantive certification from COAH or a judgment of compliance.

3. Definitions

- a) The following terms, as used in this ordinance, shall have the following meanings:
 - i. "Affordable housing development" means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.
 - ii. "COAH" means the New Jersey Council on Affordable Housing.
 - iii. "Development fee" means funds paid by an individual, person, partnership, association, company or corporation for the improvement of property as permitted in COAH's rules.
 - iv. "Equalized assessed value" means the value of a property determined by the municipal tax assessor through a process designed to ensure that all property in the municipality is assessed at the same assessment ratio or ratios required by law. Estimates at the time of issuance of a building permit may be obtained utilizing estimates for construction cost. Final equalized assessed value will be determined at project completion by the municipal tax assessor.

4. Residential Development fees

- a) Within the A, A-1, B, PRD and SHD Residential Zoning Districts, residential developers shall pay a fee of 1 percent of the equalized assessed value for residential development, provided no increased density is permitted.
- b) When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a "d" variance) has been permitted, developers may be required to pay a development fee of 6 percent of the equalized assessed value for each additional unit that may be realized.

5. Non-residential Development fees

- a) Within the C, PO and EO Zoning Districts, non-residential developers shall pay a fee of 2 percent of the equalized assessed value for non-residential development.
- b) If an increase in floor area ratio is approved pursuant to N.J.S.A. 40:55D-70d(4), then the additional floor area realized (above what is permitted by right under the existing zoning) will incur a bonus development fee of 6 percent of the equalized assessed value for non-residential development. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base floor area for

the purposes of calculating the bonus development fee shall be the highest floor area permitted by right during the two-year period preceding the filing of the variance application.

6. Eligible exactions, ineligible exactions and exemptions

- a) Affordable housing developments shall be exempt from development fees. All other forms of new construction shall be subject to development fees.
- b) Developments that have received preliminary or final approval prior to the imposition of a municipal development fee shall be exempt from development fees unless the developer seeks a substantial change in the approval.

7. Collection of fees

- a) Fifty percent of the development fee will be collected at the time of issuance of the building permit. The remaining portion will be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.

8. Contested fees

- a) Imposed and collected development fees that are challenged shall be placed in an interest bearing escrow account by the Township of River Vale. If all or a portion of the contested fees are returned to the developer, the accrued interest on the returned amount shall also be returned.

9. Affordable Housing trust fund

- a) There is hereby created a separate, interest-bearing housing trust fund in Commerce Bank for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls. All development fees paid by developers pursuant to this ordinance shall be deposited into this fund.
- b) Within seven days from the opening of the trust fund account, the Township of River Vale shall provide COAH with written authorization, in the form of a three-party escrow agreement between the municipality, Commerce Bank, and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:94-6.16(b).
- c) No funds shall be expended from the affordable housing trust fund unless the expenditure conforms to a spending plan approved by COAH. All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

10. Use of funds

- a) Funds deposited in the housing trust fund may be used for any activity approved by COAH to address the municipal fair share. Such activities include, but are not limited to: rehabilitation, new construction, RCAs subject to the provisions of N.J.A.C. 5:94-4.4(d), ECHO housing, purchase of land for affordable housing, improvement of land to be used for affordable housing, purchase of housing, extensions or improvements of

roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, or administration necessary for implementation of the Housing Element and Fair Share Plan. The expenditure of all funds shall conform to a spending plan approved by COAH.

- b) Funds shall not be expended to reimburse the Township of River Vale for past housing activities.
- c) After subtracting development fees collected to finance an RCA, a rehabilitation program or a new construction project that are necessary to address the Township of River Vale affordable housing obligation, at least 30 percent of the balance remaining shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.
 - i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, and rental assistance.
 - ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the third round municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income. The use of development fees in this manner shall entitle River Vale to bonus credits pursuant to N.J.A.C. 5:94-4.22.
 - iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- d) The Township of River Vale may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:94-7.
- e) No more than 20 percent of the revenues collected from development fees each year, exclusive of the fees used to fund an RCA, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Development fee administrative costs are calculated and may be expended at the end of each year or upon receipt of the fees.

11. Monitoring

- a) The Township of River Vale shall complete and return to COAH all monitoring forms included in the annual monitoring report related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, and funds from the sale of units with extinguished controls, and the expenditure of revenues and implementation of the plan certified by

COAH. All monitoring reports shall be completed on forms designed by COAH.

12. Ongoing collection of fees

- a) The ability for the Township of River Vale to impose, collect and expend development fees shall expire with its substantive certification on July 26, 2015 unless the Township of River Vale has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned for substantive certification, and has received COAH's approval of its development fee ordinance. If the Township of River Vale fails to renew its ability to impose and collect development fees prior to July 26, 2015, it may resume the imposition and collection of development fees only by complying with the requirements of N.J.A.C. 5:94-6. The Township of River Vale shall not impose a development fee on a development that receives preliminary or final approval after the expiration of its substantive certification on July 26, 2015, nor will the Township of River Vale retroactively impose a development fee on such a development. The Township of River Vale will not expend development fees after the expiration of its substantive certification on July 26, 2015.

Motion: Councilman Blundo
Seconded: Councilman de Stefan

Open Public Hearing –

Motion by Councilman Blundo; seconded by Councilman de Stefan to open the public hearing on Ordinance #167-2006.

Close Public Hearing –

Motion by Councilman de Stefan; seconded by Councilman Blundo to close the public hearing on Ordinance #167-2006.

ROLL CALL VOTE: Councilman de Stefan, Councilman Blundo, and Council President Menville voted yes. Councilman Matos and Councilman Jasionowski were absent.

HEARING OF THE PUBLIC

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

Council President Menville 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 members of the public are expected to conduct themselves in a proper manner. Any derogatory, abusive or threatening statements will not be permitted. The Chair will immediately rule such conduct out of order and terminate any further comments.

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

ADJOURNMENT –

There being no further questions or comments to come before the Council at this time; motion by Councilman Blundo; seconded by Councilman de Stefan to adjourn the meeting at 8:25 pm.

ROBERT A. MENVILLE
Council President

ATTEST:
Karen Padva
Recording Secretary

Approved: _____