

MINUTES
Regular Meeting of the Township Council
Monday, February 12, 2007
7:30 PM

CALL THE MEETING TO ORDER

Council President Jasionowski called the meeting to order at 7:30 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 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 Bromberg, Councilman de Stefan, Councilman Matos, Councilwoman Sieg, and Council President Jasionowski were present.

Also present: Mayor Joseph Blundo, Robert Gallione, Business Administrator, Holly Schepisi, Township Attorney, and Karen Padva, Township Deputy Clerk.

Motion by Councilman Matos; seconded by Councilman Bromberg to enter into closed session.

Motion by Councilman Bromberg; seconded by Councilman Matos to re-open the meeting out of closed session (8:15pm).

TOWNSHIP COMMUNICATION

1. Mayor’s Comments

Mayor Blundo remarked about his meeting with the recreation department their proposal for field improvement. He also stated that the Council will be presented with a resolution asking for a settlement with the prior owner of Bergen Hills Golf Course. The Township would drop the condemnation proceedings and in exchange the former owner would drop the counter suit.

The Mayor also remarked that Sergeant Ryan has recommended extending the no parking restrictions on Interglen Avenue. The Business Administrator gave an update on the status of the North Firehouse and the progress with the interior work. He also said the site plan for the area is still being worked out. Mr. Gallione also stated that that he has had meetings with the Hillsdale Business Administrator regarding summer camp and notice will be posted soon regarding the full and half day camps.

Mayor Blundo announced that he is not appointing a Director to the Social and Cultural Affairs. Helene Blumenthal will work with the Business Administrator and Town hall staff.

The Business Administrator informed the Council about Eleanor Alexander, a nurse who was killed in the Vietnam War. There is a softball field at Mark Lane named after her and Mr. Gallione suggested that perhaps we could incorporate this into this year's Memorial Day Activities.

Lastly, the Business Administrator updated the Council that the Post Stroke meets every Tuesday morning in the Council Chambers. Mr. Gallione gave a brief description of the group's activities and suggested acknowledging them in our next news letter.

2. Council Comments

Councilman de Stefan remarked about how pleased he is with the legal representation that Holly Schepisi is providing the Township with regard to Bergen Hills. He is looking forward to good faith negotiations with the new owners. Councilman de Stefan had additional comments regarding the renovations to the North Firehouse; promising that the building would be completed properly and have a sprinkler system.

Councilman Matos amplified Mayor Blundo's remarks about how impressed he was with the sports budget presentation. He added that he's looking forward to both better communication and cooperation.

Councilwoman Sieg echoed Councilman Matos statement and added that she enjoyed the sense of community she felt from the sports presentation.

Councilman Bromberg remarked about how impressed he was with the emergency services budget presentations. Both the police and fire department gave very detailed and concise budgets. However, any possible problems with the budget and taxes may occur because of shortfalls with major projects that were significantly under funded. Councilman Bromberg added that we are obligated to determine the best way to complete both the North Firehouse and Community Center.

Council President Jasionowski added his compliments to all the department heads for their budget presentations.

HEARING OF THE PUBLIC

Motion by Councilman de Stefan; seconded by Councilman Matos 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."

Gina Susek – 549 Roosevelt Avenue – remarked about the change order for Triend Construction. Mrs. Susek suggested posting parking signs for the cemetery on Cedar Lane and had additional questions about homes with wood burning furnaces.

Jim Hanna – 381 Sunset Road – Mr. Hanna remarked that there are no fire alarms in the DPW building. Mr. Hanna provided the Council a document that Abram Holdrum kept recording the coldest temperature in New Jersey. The temperature in River Vale on January 1904, was record at -34F.

Joe Massin – 68 Holiday Court – expressed his concerns about the exposed roots of the trees that line Piermont Avenue. The Business Administrator answered that Piermont is a County road and he would look into the matter. Mr. Massin also spoke about River Vale history and old photos of the Township. Mayor Blundo added that he plans looking into reassembling the Historic Preservation Commission.

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

RESOLUTIONS –

Council Discussion

Councilman de Stefan had questions regarding the appropriation transfer resolution and the Centennial Trust and Planning Board.

Councilman Bromberg requested the January 22nd minutes be amended to reflect his comments "...that he was honored and humbled to be sitting on this side of public discussion..." Additionally, Councilman Bromberg had questions regarding the change order for the Firehouse. He requested the architect's explanation of why certain obvious items were over looked in the plans.

Council President Jasionowski asked Chief Marsh and Former Chief Tobin to come forward and answer any questions as to the status of the North Firehouse. Chief Marsh stated that their meeting with the architect focused on moving forward and completing the project. Councilman Bromberg thanked both Chief Marsh and Tobin along with the building committee for all their hard work

Council President Jasionowski stated that it is the Council unanimous decision to request a complete audit of the North Firehouse project. Councilman de Stefan added that there needs to be accountability and the audit should also include the Community Center project which is experiencing the same problems.

Mayor Blundo agreed and offered his support. Council President Jasionowski suggested forming a sub-committee to look over bills and specs for both projects. Mayor Blundo added that he would participate and does not want to incur any costs.

Councilman Bromberg one additional question regarding resolution #56. The Township Attorney responded that the Township has a contract with a cap of fees with DeCotiis Fitzpatrick for litigation with Bergen Hills. The 2006 bills are deemed legitimate expenses and the additional cost is \$25,000.00. Mayor Blundo added that the Council authorized the former Mayor to spend \$50,000 to research possibly condemning the property to protect the Township from potential development. The former Mayor exceeded the authorized amount however; the action is canceled tonight.

Mayor Blundo stated that both Business Administrator and CFO should never exceed any cap that the Council sets. The Township Attorney said other bills will be addressed in closed session this evening. No additional legal fees will be incurred regarding this issue due to the resolution approving the stipulation of dismissal.

Motion by Councilman de Stefan; seconded by Councilman Matos to approve Resolutions 45-58 on Consent Agenda, as follows:

Resolution #2007-45

RESOLUTION APPROVING MINUTES – January 22, 2007

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the January 22, 2007 Regular Meeting of the Township Council are hereby approved.

Resolution #2007-46

RESOLUTION APPROVING RAFFLE LICENSE FOR THE PARENTS ASSOCIATION COMMUNITY SCHOOL, INC

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

NAME: Parents Association Community School, Inc.
1135 Teaneck Road
Teaneck, NJ 07666

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

DATE OF RAFFLE: March 22, 2007 6:00pm

I.D. #: 490-5-35330

RAFFLE LICENSE: RL 281

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 #2007-47

RESOLUTION APPROVING RAFFLE LICENSE FOR THE PARENTS ASSOCIATION COMMUNITY SCHOOL, INC

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

NAME: Parents Association Community School, Inc.
1135 Teaneck Road
Teaneck, NJ 07666

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

DATE OF RAFFLE: March 22, 2007 6:00pm

I.D. #: 490-5-35330

RAFFLE LICENSE: RL 284

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 #2007-48

RESOLUTION APPROVING RAFFLE LICENSE FOR THE PARENTS ASSOCIATION COMMUNITY SCHOOL, INC

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

NAME: Parents Association Community School, Inc.
1135 Teaneck Road
Teaneck, NJ 07666

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

DATE OF RAFFLE: March 22, 2007 6:00pm

I.D. #: 490-5-35330

RAFFLE LICENSE: RL 285

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 #2007-49

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 Parklane Construction in the amount of \$ 5,803.80;

BE IT FURTHER RESOLVED, by the Township Council of the Township of River Vale, that the Performance Guarantee in the amount of \$ 52,234.20 be released.

Resolution #2007-50

ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECT GRANT APPLICATION FOR 2007-2008 SENIOR SERVICES

WHEREAS, as Bergen County Community Development grant of \$3,000 has been proposed by Township of River Vale for Senior Citizen Activities in the municipality of the Township of River Vale, and

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

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

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of aforesaid CD funds.

NOW, THEREFOR, BE IT RESOLVED that the Governing Body of the Township of River Vale hereby confirms endorsement of the aforesaid project, and

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

Resolution #2007-51

APPROVE CHANGE ORDER FOR CEDAR LANE SECTIOS 1 & 2 IMPROVEMENT PROJECT

WHEREAS, there were various changes necessary during the Cedar Lane Improvement Program in the Township of River; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that change Order #1 for the above mentioned project be approved as follows:

INCREASES

Various items as outlined in change order approved by the Township Engineer on November 21, 2006; a copy of which is on file in the Clerk's office:

\$ 45,452.05

DECREASES

Various items as outlined in change order approved by the Township Engineer on November 21, 2006; a copy of which is on file in the Clerk's office:

	\$ 9,714.38
Original Contract Sum was	\$243,982.03
Net Change by Previous Orders	
Contract Sum Increased	\$ 35,737.67
New Contract Sum	\$279,719.70

Resolution #2007-52

RESOLUTION
(TRANSFERS)

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

Inside CAP:

From:

Police S & W	7,500.00
Streets & Roads S&W	3,310.00
Buildings & Grounds OE	1,500.00
Social & Cultural Affairs OE	13,000.00
Social Security	610.00
Municipal Court OE	200.00
Public Defender OE	150.00

Total \$ 26,270.00

Inside CAP:

To:

Planning Board OE	\$ 15,510.00
Legal OE	4,000.00
DPW OE	10.00
Streets & Roads OE	850.00
Recycling OE	5,030.00
Electricity	30.00
Street Lighting	200.00
Telephone	640.00

Total \$ 26,270.00

Resolution #2007-53

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR A MUNICIPAL AUDITOR

WHEREAS, the Township of River Vale has a need to acquire auditing services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, the Business Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Lerch, Vinci & Higgins, LLP submitted a proposal on December 26, 2006 indicating they will provide certain auditing and accounting services for the calendar year 2007; and

WHEREAS, Lerch, Vinci & Higgins, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Lerch, Vinci & Higgins, LLP has not made any reportable contributions to a political or candidate committee in the Township of River Vale in the previous one year, and that the contract will prohibit Lerch, Vinci & Higgins, LLP from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified the availability of funds required for this contract
N.J.A.C. 5:30-5.4.

NOW THEREFORE, BE IT RESOLVED that the Township Council of the Township of River Vale authorizes the Business Administrator to enter into a contract with Lerch, Vinci & Higgins, LLP as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to cause a copy of this resolution to be published as required by law.

Resolution #2007-54

RESOLUTION APPROVING RELEASE OF MAINTENNACE BOND FOR FOUR CORNERS RECONSTRUCTION PROJECT—ZUCCARO & SONS

BE IT RESOLVED by the Township Council of the Township of River Vale that the Maintenance Bond for the above mentioned project by released.

Resolution #2007-55

APPROVE CHANGE ORDER FOR THE NORTH FIREHOUSE ADDITION—LKL CONSTRUCTION

WHEREAS, there were various changes necessary during the North Firehouse Addition project in the Township of River Vale; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that change Order #1 for the above mentioned project be approved as follows:

INCREASES

Various items as outlined in change order approved by the Township Engineer on February 9, 2007; a copy of which is on file in the Clerk’s office:

	\$ 10,417.00
Original Contract Sum was	\$219,900.00
Net Change by Previous Orders	
Contract Sum Increased	\$ 10,417.00
New Contract Sum	\$230,317.00

Resolution #2007-56

RESOLUTION APPROVING AN INCREASE IN THRESHOLD FOR CERTAIN LEGAL SERVICES

BE IT RESOLVED by the Township Council of the Township of River Vale that the threshold shall be increased from \$50,000.00 not to exceed \$75,000.00, to the law firm of DeCotiis, Fitzpatrick, Cole & Wisler, LLP for legal services in connection with the acquisition and/or condemnation proceedings of the Bergen Hills Golf Course, River Vale, New Jersey.

Resolution #2007-57

RESOLUTION AUTHORIZING MAYOR TO SIGN AM CONSULTANTS AGREEMENT

WHEREAS, the Township of River Vale is desirous of conducting a fixed asset inventory; and

WHEREAS, the consulting firm of AM Consultants has submitted as proposal in an amount not to exceed \$3,450.00;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of River Vale that the Mayor is authorized to sign an agreement with the above mentioned.

Resolution #2007-58

RESOLUTION APPROVING STIPULATION OF DISMISSAL WITH PREJUDICE AND MUTUAL GENERAL RELEASE

BE IT RESOLVED by the Township Council of the Township of River Vale that the Mayor and the President of the Council are each authorized to execute the Stipulation of Dismissal with Prejudice in the action captioned Rivervale Development Partners, LLC v. The Township of River Vale; The Mayor of the Township of River Vale; and The Council of the Township of River Vale, Docket No. BER-L-6927-05, the Stipulation of Dismissal with Prejudice in the appeal captioned Rivervale Development Partners, LLC, Plaintiff-Appellant v. The Township of River Vale; the Mayor of the Township of River Vale; and the Council of the Township of River Vale, Defendants-Respondent, Docket No. A-005863-05T3, and the Mutual General Release made by and among Rivervale Development Partners, LLC and Rivervale Development Partners II, LLC, on the one hand, and The Township of River Vale, The Mayor of the Township of River Vale and The Council of the Township of River Vale, on the other hand.

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

Ordinances 2nd reading

ORDINANCE #175-2007

AN ORDINANCE AMENDING ORDINANCE #167-2006 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. **If the zoning on a site has changed during the two-year period preceding the filing of the “d” variance application, the base density for the purpose of calculating the bonus developments fee shall be the highest density permitted by right during the two-year period filing of the “d” variance application.**

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 de Stefan

Second: Councilman Matos

Open Public Hearing –

Motion by Councilman de Stefan; seconded by Councilman Matos to open the public hearing on Ordinance #175-2007:

Close Public Hearing –

There being no comments from the public motion by Councilman Matos; seconded by Councilman Bromberg to close the public hearing on Ordinance #175-2007.

Council Discussion:

Councilman de Stefan agreed with the greater density and increasing the fees.

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

HEARING OF THE PUBLIC

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

Joe Massin – 68 Holiday Court – remarked about appropriations and encumbrances for funding projects.

Gina Susek – 549 Roosevelt Avenue – had remarks about Eleanor Alexander. The Mayor added his comments that the residents should be properly informed about the relevance of the people the Township's fields are named after. He suggested that perhaps the website could provide this information. Mrs. Susek had additional comments regarding when trash can be placed out for pick-up.

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

Motion by Councilman Matos; seconded by Councilman de Stefan to go into closed session to discuss litigation and outstanding bills. Council President Jasionowski announced that no action will be taken after closed session.

ADJOURNMENT –

Motion by Councilman de Stefan; seconded by Councilman Bromberg to adjourn from closed session at 10:15pm.

Glen Jasionowski
Council President

ATTEST:
Karen Padva, Deputy Clerk