



MINUTES
Regular Meeting
Of The Township Council
March 28, 2005
8:00 P.M.

CALL THE MEETING TO ORDER

Council President Menville called the meeting to order at 8:00 PM in the Council Chambers of the Township Hall located at 406 River Vale Road, River Vale, New Jersey 07675.

SALUTE TO FLAG

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

SUNSHINE LAW STATEMENT

Council President Menville read the following statement into the record:

"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

Township Council - Present

Councilman Joseph Blundo
Councilman Dwight deStefan , Vice President
Councilman Glen Jasionowski
Councilman Robert Menville, President

Township Council – Absent

Councilman Noel Matos

Municipal Officials Present

George Paschalis, Mayor
Bibi Stewart Garvin, Business Administrator
John M. Carbone, Township Attorney
Roy Rossow, Chief Financial Officer
Wanda A. Worner, Township Clerk
Karen Padva, Deputy Township Clerk

TOWNSHIP COMMUNICATION

Mayor's Comments -

Mayor Paschalis wished everyone a good evening. He stated that he has been working on getting the Township of River Vale it's own zip code. He stated that he met with representatives of Senator Corzine's office and Senator Lautenberg's office with regard to the matter and he will keep everyone informed of his progress.

Mayor Paschalis further thanked everyone involved with the Easter Egg Hunt. He felt it was a great success.

Mayor Paschalis further reported that at the last meeting, Council Vice President deStefan reported the condition of a portion of River Vale Road and the fact that it appeared to be sinking. He stated that he alerted the county and they will be fixing the problem.

Township Council Comments -

Councilman Jasionowski has no report this evening.

Council Vice President enquired about the possibility of re-establishing Echo Glen Lake for the centennial. He stated that it is a beautiful spot and the committee would like to see this happen. Mayor Paschalis stated that it would be looked into. Council Vice President deStefan further reported that the next Centennial Meeting is scheduled for April 7, 2005 and invited all members of the public to attend.

Councilman Blundo reported that judging by the participation of the children in town for the Easter Egg Hunt, perhaps we should budget for more eggs.

Councilman Blundo further reported that due to the request of Mr. Wilker for televised meetings that he has place calls to cablevision, but they have not been returned. He stated that he will continue to call.

Council President Menville stated that he attended a meeting with the Mayor with regard to Verizon and the installation of fiber optic cables throughout various towns. He stated, however, that River Vale was not on the list to be hooked up. At this meeting, negotiations occurred and River Vale will now be hooked up. He stated that this will give the residents of River Vale the choice between Verizon DSL and Cable hook-ups. Councilman Blundo asked the time frame of this project and Council President Menville stated that it might be as early as this summer..

Mr. Carbone had nothing to discuss at this time.

HEARING OF THE PUBLIC

Council President read the following statement and then asked for a motion to open the meeting to the public;

"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.”

Motion by Councilman Jasionowski; seconded by Council Vice President deStefan to open the meeting to the public.

Linda Wayne – 384 Sunset Road – Stated that she has lived in town for 31 years and this is the first time she is speaking at a meeting. She questioned the removal of the American Flag and the POW Flag and the placement of a Foreign Flag in it's place. Mayor Paschalis explained that there was a request to raise the Greek Flag for Greek Independence Day and it was an oversight that the American Flag and POW Flag were not replaced directly thereafter. Ms. Wayne stated that she took offense to the situation and that she would like to see that this doesn't happen again.

Henry Guidi - 701 Wilson Court – Stated that he was monitoring the radio and heard that the secretary of the DPW was asked to have the flags removed. He further stated that on Sunday afternoon the flags were still not up. He thinks that this matter should be looked into.

Nancy Fastow - 744 Westwood Avenue – Stated that she is with the Residents for a Better River Vale and they are ready to sponsor the farmers market again this year. She stated that they have obtained all the necessary permits and permissions as well as insurance requirements and they would now like to take the farmers market back. Council President Menville stated that the Council would take the matter under advisement.

Rica Fakazis - 262 River Vale Road - Stated that last year they lost one farmer and they are on notice by the other two farmers that they might withdraw their participation. Councilman Blundo asked Ms. Fakazis to explain the difference between the market that was run last year as opposed to the one before.

Councilman Jasionowski asked why the Township took over the market and what authority does that council have to give it back to them.

Mr. Carbone explained that the Residents for a Better River Vale failed to provide adequate insurance and therefore, upon recommendation of the Joint Insurance Fund – MEL, the Farmers Market had to be taken under the auspices of the Township. He further stated that there were issues with fees that were charged and there were tax implications. Councilman Blundo asked the Township Attorney about the possibility of creating an Ordinance for the Farmers Market, and Mr. Carbone stated that under this form of government that is not possible.

Antoinette Gangi – 609 Haring Farm Court – Stated that the Residents for a Better River Vale approached the School Board and received permission to use the school property for the Farmers Market. She stated that it was her belief that the council had agreed that if they met the criteria that they would get the market back.

There being no further comments from the public; motion by Council Vice President deStefan; seconded by Councilman Jasionowski to close the meeting to the public.

Council President Menville stated that before breaking for a recess, he would like the Council to entertain Resolution #73-2005, as follows:

A RESOLUTION TO AMEND THE PERSONNEL POLICY AND PROCEDURE MANUAL – MILITARY LEAVE

BE IT RESOLVED, by the Township Council that the Township of River Vale Policy and Procedure Manual is amended as follows:

1. Any full-time employee who is a member of the National Guard, Air National Guard, or a reserve component of any United States armed force who is required to engage in annual training will be granted a military leave of absence with pay for the training period as authorized by law. The paid leave will not be counted against any available vacation.

2. When an employee, after one year’s service with the Township of River Vale is called to active duty by the United States military, the employee may, upon written request and submission of a copy of the order, be granted an indefinite leave of absence for the duration of military service. To be re-instated by the Township of River Vale without loss of privileges or seniority, the employee must report to duty with the Township of River Vale within sixty (60) days following the release from active duty under honorable circumstances.

3. During the period of active military service with the United States Military, the employee shall be paid the difference between military salary and benefits and the employee’s regular salary for the duration of said employees active duty with the United States Military. This calculation shall be made by the Business Administrator and approved by the Township. Members of the State administered retirement systems (PERS and PFRS) will continue accruing service and salary credit in the system during their tour of duty.

Motion by Councilman Blundo; seconded by Council President deStefan to adopt Resolution #73-2005.

ROLL CALL VOTE: Councilman Blundo, Council Vice President deStefan, Councilman Jasionowski and Council President Menville voted yes. Councilman Matos was absent.

Council President Menville called for a five minute recess. Motion by Councilman Blundo; seconded by Council Vice President deStefan.

Following a five minute recess; all present at roll call.

ORDINANCES – 2nd and final reading and adoption

ORDINANCE #102-2005

AN ORDINANCE AMENDING SECTION 21 – 2 OF THE CODE OF THE TOWNSHIP OF RIVER VALE ENTITLED “BOARD OF HEALTH”

BE IT ORDAINED by the Township Council of the Township of River Vale that Section 21 – 2 of the Code of the Township of River Vale entitled “Board of Health” be and is hereby amended, as follows:

Section 1. Composition, appointments and terms of members.

That section 21 – 2, of the Code of the Township of River Vale, shall be amended and replaced with the following:

A. Within the Division of Health Services, there shall be an Advisory Health Board, which shall be composed of no more than five (5) members appointed by the Mayor. The members shall serve for staggered terms of four (4) years from the date of their appointment, except that, at the time of their appointment, two (2) shall be appointed for a term of one (1) year, one (1) for a term of (2) years, one (1) for a term of three (3) years and one (1) for a term of four (4) years. All members shall serve without compensation.

B. The Advisory Health Board, within the limitations of available appropriations, shall:

(1) Make recommendations to the Health Officer and Mayor concerning or relating to the operation and administration of the Division of Health Services.

(2) Make recommendations to the Council concerning or touching upon matters of policy or ordinance affecting the Division of Health Services.

Section 2. Repealer.

All other portions of the ordinance shall remain in full force and effect.

Section 3 . Effectiveness.

This ordinance shall take effect as required after publication by law.

Motion by Councilman Jasionowski to open the public hearing on Ordinance #102-2005.

There being no questions or comments from the public; motion by Council Vice President deStefan to close the public hearing on Ordinance #102-2005.

Motion by Councilman Blundo; seconded by Council Vice President deStefan to adopt Ordinance #102-2005.

ROLL CALL VOTE: Councilman Blundo, Council Vice President deStefan, Councilman Jasionowski and Council President Menville voted yes. Councilman Matos was absent.

ORDINANCE #103-2005

AN ORDINANCE AMENDING SECTION 81 OF THE CODE OF THE TOWNSHIP OF RIVER VALE ENTITLED “VEHICLES AND TRAFFIC”

BE IT ORDAINED by the Township Council of the Township of River Vale that Section 81-43 of the Code of the Township of River Vale entitled “Vehicle and Traffic” be and is hereby amended, as follows:

Section 1. No Turning Certain Hours on Certain Streets.

That section 81-43, Turning certain hours prohibited, of the Code of the Township of River Vale, shall be added and replaced with the following:

A. Lane Use Reservations.

Intersection or Location

Movement

Rivervale Road Northbound right hand of Rivervale Road reserved for through traffic only.

At Woodside Avenue Northbound center lane of Rivervale Road reserved for left turn only.

Section 2. That Section 81-24 of the Code restricting left turns into 819 Rivervale Road and 801 Rivervale Road and onto the Plaza from 8:00 AM to 9:00 PM on school days, are hereby rescinded.

Section 3. Repealer.

All other portions of the ordinance shall remain in full force and effect.

Section 3. Effectiveness.

This ordinance shall take effect as required after publication by law.

Motion by Council Vice President deStefan to open the public hearing on Ordinance #103-2005.

Ed Carter – 664 Woodside Avenue – Stated....CD

There being no further comments or questions from the public; Motion by Councilman Jasionowski to close the public hearing on Ordinance #103-2005.

Motion by Council Vice President deStefan; seconded by Councilman Blundo to adopt Ordinance #103-2005.

ROLL CALL VOTE: Councilman Blundo, Council Vice President deStefan, Councilman Jasionowski and Council President Menville voted yes. Councilman Matos was absent.

ORDINANCE #104 - 2005

AN ORDINANCE TO LIMIT DISTURBING AND UNNECESSARY NOISE AND TO SET THE HOURS OF OPERATION OF COMMERCIAL USE OF POWER TOOLS, LANDSCAPING AND YARD MAINTENANCE EQUIPMENT AND MOTORIZED CONSTRUCTION EQUIPMENT IN RESIDENTIAL AND COMMERCIAL ZONES IN ORDER TO CURTAIL NOISE TO IMPROVE THE QUALITY OF LIFE OF THE RESIDENTS OF THE TOWNSHIP OF RIVER VALE

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

Section 1. Noise

A. Hours of Operation.

Commercial use of power tools or landscaping and yard maintenance and motorized construction equipment is permitted in the Township of River Vale in all Residential and Commercial Zones, during the following times only:

1. From Monday to Friday, between the hours of 7:00 a.m. and 6:00 p.m.
2. On Saturday, between the hours of 9:00 a.m. and 5:00 p.m.; and
3. Such operation is prohibited entirely on Sundays and State and Federal designated holidays.

This ordinance shall not apply to power machinery used for ice or snow removal or residential trash removal.

B. Emergencies.

In case of urgent necessity or in the interest of public health or safety, the Superintendent of Public works or the Chief of Police may grant a permit for excavation, demolition, construction, repair or alteration work for a period not to exceed three days, by the terms of which permit such work may be carried on during otherwise prohibited hours.

Section 2. Definitions of Noise Shall be as follows:

1. DEVICE – Any mechanism which is intended to produce or which actually produces noise when operated or handled.
2. EMERGENCY VEHICLE – A motor vehicle used in response to a public calamity or to protect persons or property from imminent danger.
3. EMERGENCY WORK – Work made necessary to restore property to a safe condition following a public calamity; work to restore public utilities or work required to protect persons or property from an imminent exposure to danger.
4. MOTOR VEHICLE – Any vehicles which are propelled or drawn by mechanical equipment, such as, but not limited to, passenger cars, trucks, truck-trailers, semi-trailers, campers, motorcycles, mini-bikes, mopeds, go carts or racing vehicles.
5. MUFFLER – Any apparatus consisting of baffles, chambers or acoustical absorbing materials whose primary purpose it is to transmit liquids or gases while causing a reduction in sound emission at one (1) end.
6. NOISE – Any sound which is unwanted or which causes or tends to cause an adverse

psychological effect on human beings.

7. NOISE DISTURBANCE – Any sound which annoys, disturbs or perturbs reasonable persons with normal sensitivities; or any sound which injures or endangers the comfort, repose, health, hearing, peace or safety of other persons.
8. PERSON – Any individual, association, partnership or corporation, and includes any officer, employee, department, agency or instrumentality of the United States, a state or any political subdivision of that state.
9. POWERED MODEL VEHICLES – Any powered vehicles, either airborne, waterborne or land borne, which are designed not to carry persons or property, such as, but not limited to, model airplanes, boats, cars and rockets, and which can be propelled by mechanical means.
10. PROPERTY BOUNDARY – An imaginary line at the ground surface which separates the real property owned by one person from that owned by another person, and its vertical extension.
11. SOUND – A temporal and spatial oscillation in pressure, or other physical quantity, in a medium with internal forces that causes compression and rarefaction of that medium and which propagates at finite speed to distant points.
12. WEEKDAY – Any Monday, Tuesday, Wednesday, Thursday or Friday which is not a legal holiday.

Section 3. Prohibited Noise.

It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others or to create any unreasonably loud, disturbing and unnecessary noise of such character, intensity or duration as is detrimental to the life or health of any individual or persons within the limits of the Township of River Vale.

Section 4. Specific Prohibitions.

The following acts are declared to be loud, disturbing and unnecessary noises in violation of this chapter, but such enumeration shall not be construed to be a limitation or be deemed to be exclusive:

1. The use of a sound truck with sound amplification in operation.
2. The sounding of any horn or signaling device on any vehicle, except as a danger warning, or the sounding of any horn or signaling device for any unnecessary and unreasonable period of time in times of traffic holdups or the use of any horn, whistle or other device operated by engine exhaust.
3. The playing or operating of any radio, phonograph, television, musical instrument or other

machine or device for the production or reproduction of sound in such a manner or volume as to cause a noise disturbance to others in the vicinity.

4. Playing or operating any of the aforementioned devices between the hours of 10:00 p.m. and 8:00 a.m. the following day in such a manner as to be plainly audible across real property boundaries or through partitions common to two (2) parties within a building or plainly audible at fifty (50) feet from such device when operated within a motor vehicle parked on a public right-of-way or on a public space.
5. The use, or permission to use, on the public streets of the township any loudspeaker, amplifier, radio, phonograph or other machine or device for the purpose of commercial advertising or attracting the attention of the public, nor shall a loudspeaker or mechanical device in a fixed or movable position, exterior to any building, or mounted upon any motor vehicle such that sound transmission there from is plainly audible at or beyond the property boundary of the source be permitted or used.
6. Yelling, shouting, hooting, whistling or singing in the public streets, particularly between the hours of 11:00 p.m. and 8:00 a.m. the following day, so as to annoy and disturb the quiet, comfort or repose of persons in any office, dwelling, business or other type of residence or of any persons in the vicinity.
7. The discharge into open air of the exhaust of any stationary internal combustion engine, motor vehicle engine, except through a muffler or other device which will effectively prevent loud or explosive noises there from.
8. The use of any automobile, motorcycle or vehicle so out of repair, so loaded in such a manner as to create loud and unnecessary grating, grinding, rattling or other noise.
9. The creation of a noise disturbance in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.
10. Operating any recreation vehicles including, but not limited to quads, dirt bikes, mini-bikes, snowmobiles, mopeds, or go-karts in or near a residential district in such a manner as to cause a noise disturbance.
11. Operating or permitting the operation of powered model vehicles between the hours of 8:00 p.m. and 8:00 a.m. the next day.
12. The sounding or permitting the sounding of any exterior burglar alarm on any building or motor vehicle unless such burglar alarm shall terminate its operation within fifteen (15) minutes of its being activated.
13. Operating, or permitting to be operated, any powered saw sander, drill, grinder, garden equipment or tools of like nature, used primarily for domestic purposes, outdoors in residential districts between the hours of 8:00 p.m. and 7:00 a.m. Monday through Friday; from 8:00 p.m. Friday to 8:00 a.m. Saturday; to 9:00 a.m. Sunday and from 5:00 p.m. Sunday to 7:00 a.m. Monday, except for emergency snow removal.

14. The idling or standing of any motor vehicle, refrigeration trailer or other mobile compressor for the purpose of picking up or delivering goods for resale with the Township of River Vale between the hours of 11:00 p.m. and 6:00 a.m.

Section 5. Exception for Emergencies.

Noise caused in the performance of emergency work for the immediate safety, health or welfare of the community to restore property to a safe condition following a public calamity shall not be subject to the provisions of this chapter. Nothing in this section shall be construed to permit law enforcement, ambulance, fire or other emergency personnel to make excessive noise in the performance of their duties when such noise is clearly unnecessary.

Section 6. Enforcement.

It shall be the duty and responsibility of the Police Department of the Township of River Vale to enforce the provisions of this chapter.

Section 7. Violations and penalties.

Any person, as defined in this chapter, who shall be found guilty of violating any provision of this chapter shall, for each offense, be fined a sum of not more than five hundred dollars (\$500) or be imprisoned for a period not exceeding ninety (90) days, or both, in the discretion of the court hearing the complaint. Each day of such violation's continuance shall be considered a separate offense and shall be separately punishable.

Section 8. Other Remedies – Abatement.

The operation or maintenance of any source in violation of any provision of this chapter shall be deemed and is declared to be a public nuisance and may be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction or in any manner available for the abatement of public nuisances.

Section 9. Repealer.

All ordinances or part of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 10. Effectiveness.

This ordinance shall take effect immediately upon passage and publication according to law.

Council Vice President deStefan stated that on behalf of Councilman Matos, he would like to see this Ordinance tabled. Councilman Matos stated that he would like to be present for the public hearing on this Ordinance to express his concerns.

Mr. Carbone stated that the Council should have the public hearing on the Ordinance rather than table it, as the public is here now and should be able to comment on it.

Council President Menville read the following letter from Mr. and Mrs. Fornatale into the record:

“We are unable to attend tonight’s council meeting, but this is an issue of interest to use and we have a suggestion.

Limiting power tool use to certain hours of the day is a step in the right direction, but it doesn’t address the real problem: the actual quantity of noise generated. Any fair and useful ordinance needs to take this into consideration. If the amount of noise coming into your home from outside is so extreme as to cause severe distress, make conversation literally impossible, or prevent you from enjoying the use of your own home, then it hardly matter what time of day it is.

For example: landscaping crews nowadays, when clearing fallen leaves of debris from a client’s property, will typically utilize three or even four commercial blowers at once to save time. This happens right across the street from us; and even in our basement, with the very small windows closed, the noise is unbearable.

Tree services will sometimes use their large commercial chippers at the same time as two or three blowers as well.

Perhaps the answer is to consider limiting the number of pieces of power-equipment that can be utilized at once in a given location. Or, with the purchase of a digital decibel meter (around \$60) the township could set and enforce a “volume level” that must be adhered to, as is done by most major cities in the area where late night entertainment venues exist in residential areas.

In short, the hours in which you permit noisy power tools are not as important to the quality of life as the sheer amount of noise.”

Mike and Wendy Fornatale
234 Rockland Avenue
River Vale, New Jersey 07675

Motion by Councilman Blundo to open the public hearing on Ordinance #104-2005.

Ron Tucci – 58 Holiday Court – Stated that he would like to see a constitutional ordinance drafted that would hold up in court. He stated that if contractors are limited that residents should also be limited.

Tom Russo – 272 Ford Avenue – Stated that he volunteers his time for various sports programs and therefore, the only time that might have to mow his lawn, might violate the Ordinance. He further stated that he has a neighbor that complains all the time about noise from his home and another resident from 550 Roosevelt Avenue stated that he also has the same neighbor that this would give this neighbor the ammunition to complain more. They felt that it was unfair to restrict residents.

Council President Menville stated that he would bring these concerns back to the committee that drafted the Ordinance and he will try to separate commercial from residential. He invited all those concerned to the meeting.

Motion by Council Vice President deStefan to close the public hearing on Ordinance #104-2005.

Council President Menville stated that this Ordinance will be held until the April 11, 2005 meeting.

ORDINANCE #105-2005

AN ORDINANCE AMENDING AND SUPPLEMENTING THE SIGN ORDINANCE

ARTICLE I

Section 1. General

A. Purpose.

The purpose of these sign regulations is to preserve the public health, welfare and/or safety within the Township of River Vale by the following:

(1) Promotion of safety on the Township's highways and roadways:

(a) Establishment of a clear and orderly pattern of signs that are appropriately designed to be compatible and not competitive with other signs;

(b) Reduction of obstructions, distractions and other conditions which cause confusion or otherwise threaten to compromise pedestrian and vehicular safety;

(c) Promotion of ready identification of governmental and institutional sites and events;

(d) Coordination of signs with prevailing speed limits and roadway conditions.

(2) Promotion and protection of the Township's visual resources by:

(a) Creation of a pleasing streetscape;

(b) Encouragement of artistic, creative, expressive and distinctive signage of appeal and quality appropriate to the respective environs;

(c) Encouragement of signage compatible and reflective of desirable architectural buildings and features;

(d) Eradication and prevention of visual clutter caused by the competitive proliferation of signs, disorderly placement, excessive height, size and illumination and redundancy.

(3) Promotion of commerce in River Vale by:

(a) Affording each Township profession, business, industry and service a fair and protected opportunity to communicate, identify and safely and effectively direct traffic to its site by means which are expressive of identity and appropriate to the nature of the enterprise and the surroundings;

(b) Creating a distinctive commercial environment which attracts business because of a heightened visual quality and image.

Article II

Section 1. Definitions

A. Definitions.

For the purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section.

AWNING - A roof like cover made of nylon, canvas, or other such material or fabric that is attached to and projects from the wall of a building, which may also be for the purpose of shielding a doorway or window from the elements.

BANNER - A temporary paper, plastic, or cloth device hung to attract attention to a business or special event.

BILLBOARD SIGN EXTENSION (a.k.a. CUT-OUT) - *A billboard advertising copy design element that protrudes beyond the confines of a billboard sign face area.*

BUILDING INSPECTOR - The Building Inspector of the Township or his/her designee.

CONSTRUCTION OFFICIAL - The Construction Official of the Township or his/her designee or other authorized agency.

ELECTRONIC MESSAGE CENTERS - A sign whose alphabetic, graphic, or symbolic informational content can be changed or altered on a fixed display surface, composed of electrically illuminated or mechanically-driven changeable segments either by means of preprogramming or by computer-driven electronic impulses.

ERECT - To build, construct, reconstruct, attach, hang, re-hang, alter, place, affix, enlarge, move or relocate.

FLAG. - Any fabric or bunting containing distinctive colors, patterns or symbols.

FLAG, OFFICIAL - Any flag of the United States, the State of New Jersey, the County of Bergen, the Township of River Vale, or any other governmental unit or recognized non-profit organization.

FLAG, TRADEMARK - Any flag that displays only a registered trademark, logo, corporate name or any combination of the former three. No other wording or display of any kind shall be considered a trademark flag.

FRONTAGE - The side of a lot abutting a street; the front lot line. On lots with multiple street fronts, the frontage shall include the length of the lot abutting all such streets.

GARAGE SALE - The offering for sale of multiple items of personal property on property designed, used or intended as a residence.

GASOLINE SERVICE STATION - Any business that dispenses, or is designed, used, or intended to dispense,

gasoline and oil for use in motor vehicles and boats.

GASOLINE SERVICE STATION CANOPY - A freestanding structure located on the same premises as a gasoline service station affording protection from the elements to persons or property there under.

PLINTH - A monument sign base that rests directly on the ground designed as a support unit, architectural unit, or decorative design element.

SIGN - Any object, device, display or structure or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images, but excluding the American flag or other governmental flags, athletic scoreboards on school premises, or official announcements and signs of government.

SIGN, ABANDONED - A sign that, after a period of thirty (30) days, no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, project or activity conducted or product available on the premises where such sign is displayed.

SIGN, ADVERTISING - A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the same lot on which the sign is located.

SIGN, ANIMATED - Any sign that includes action or motion, or any changes in physical position of its whole or parts or a change in light intensity by rotation or movement.

SIGN, AWNING - A sign that is painted, mounted or otherwise permanently affixed to an awning.

SIGN, BUSINESS - A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered upon the premises where the sign is located.

SIGN, CHANGEABLE COPY - Any sign designed to allow the sign copy to be changed or altered without undertaking a physical alteration to the sign (such as changing sign panels or repainting the sign), i.e. through the use of movable letters, electronic displays, interchangeable parts, or other means. Changeable copy does not include copy pertaining to the business, occupation, or tenant advertised or identified.

SIGN, CONSTRUCTION INFORMATION - A temporary sign used during the construction of new buildings or reconstruction of or additions to existing buildings, which identifies the project or future use of a site and provides information denoting the owner, architect, engineer, contractor, financing institutions or similar individuals or firms having a role or interest in the project.

SIGN COPY - The wording or graphics on a sign surface.

SIGN, DAILY ADVERTISING - A freestanding sign (e.g., A-frame, sandwich boards) that is displayed during hours in which a business is open and removed during hours in which a business is closed.

SIGN, DIRECTIONAL - A sign that is limited to directional messages principally for vehicular or pedestrian traffic or other movement.

SIGN, DIRECTORY - A sign listing the tenants or occupants of a building or group of buildings that may indicate their respective professions or business activities, and containing two (2) or more names within a single

sign.

SIGN, DRIVE-THRU MENU BOARD - A sign displaying food, beverages or other services, offered for sale at a business with drive-thru service, and located adjacent to the drive-thru lane on the premises upon which such service is offered.

SIGN, EXTERNALLY ILLUMINATED - Any sign lighted by or exposed to artificial lighting by lights outside such sign.

SIGN, FLASHING - Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source. Automatic changing signs such as public service time, temperature and date signs or electronically controlled message centers are not defined as “flashing signs.”

SIGN, FLUTTERING - A sign which flutters or is made of flexible materials which moves with the wind or by some other artificial means, including, but not limited to, pennants, banners, balloons, spinning devices, streamers, and flags other than official and trademark flags.

SIGN, FREESTANDING - Any sign supported by structures or supports that is placed on, or anchored in, the ground and that is independent from any building or other structure, but excluding monument signs.

SIGN, GARAGE SALE - A sign posted on a residential lot on which the garage sale is to be held.

SIGN, GASOLINE SERVICE STATION PRICE - A sign containing thereon the price per gallon of gasoline or diesel fuel sold at said station.

SIGN, HELP WANTED - A sign advertising the employment opportunities of a business.

SIGN, ILLUMINATED - Any sign that is illuminated by light source mounted on or in the sign or at some other location.

SIGN, INFORMATION - A sign that gives parking, building address, fire protection, traffic flow (other than directional signs), height clearance, pedestrian or other similar information, and that does not advertise a business or use located on the lot or parcel.

SIGN, INSTITUTIONAL - A sign that identifies or describes the services or functions of premises or facilities used, maintained, or owned by any not for profit educational institution, church, religious society, fraternal organization, public utility, hospital or any other similar organization.

SIGN, INTERNALLY ILLUMINATED - Any sign lighted by or exposed to artificial lighting by lights within such sign.

SIGN, MEMORIAL OR TABLET - The permanent part of a building that denotes the name of the building, date of erection, historical significance, dedication, or other similar information.

SIGN, MONUMENT OR GROUND SIGN - Any detached sign on the same lot or parcel as the use it advertises which has its bottom portion attached to a proportionate base or plinth, integrated ground planter box, or structural frame.

SIGN, NEON - An illuminated sign, typically constructed of a glass discharge tube that has been shaped to form letters or symbols, and which contains a gas or vapor (typically neon or mercury) that emits light when voltage is applied across electrodes at either end of the tube.

SIGN, OCCUPATIONAL/IDENTIFICATION - A wall sign identifying the name of a person occupying a building and mounted adjacent to the main entrance of the building.

SIGN, POLITICAL - A temporary sign advocating or opposing any political proposition or candidate for public office.

SIGN, PORTABLE - A sign that is not permanently affixed to a building or structure, or the ground, and that may be readily moved or relocated.

SIGN, PROFESSIONAL - A sign directing attention to the office of a recognized profession located on the same lot.

SIGN, PROJECTED LIGHTING - Any sign which is created or displayed by the projection of lights or illuminating sources through a screen, transparency, filter or otherwise that projects onto a surface.

SIGN, PROJECTING - Any sign that is wholly or partly dependent upon a building for support and projects more than fourteen (14) inches from such building.

SIGN, ROOF - Any sign erected on or above a roof, excluding wall signs. The generally vertical plane of a mansard-type roof shall be interpreted as the same as a wall of a building.

SIGN, TEMPORARY - Any sign intended for a limited or intermittent period of display.

SIGN, WALL - Any painted sign, letter, word, model, device or representation that may be affixed to the front, side or rear wall of any building and in the same plane as the face of the wall, and which does not project more than twelve (12) inches from that wall.

SIGN, WINDOW - A sign internally or externally affixed on a window or glass door, or located inside the window which is designed or intended to be visible from the exterior of the building.

SIGN AREA - The total sign area shall be measured as below.

SIGN FACE - See "SIGN AREA."

SPECIAL DISPLAYS - Signs or an assemblage of materials used for holidays or promotion of civil welfare or charitable purposes.

STREET FRONTAGE - See "Frontage."

TOWNSHIP - The Township of River Vale.

Article III

Section 1. Non-Conforming Signs.

(1) Any sign which lawfully existed on the effective date of this ordinance or an amendment thereto which renders such sign non-conforming because it does not conform to all of the standards and regulations of the adopted or amended ordinance shall be considered a legally non-conforming sign.

(2) Any sign which was erected unlawfully prior to the adoption of this ordinance or amendment thereto, or which is erected hereafter in contravention of the standards or regulations of this ordinance without obtaining the required permits or variances, shall be considered an illegal non-conforming sign.

(3) Loss of legally non-conforming status. A legally non-conforming sign shall immediately lose its legal non-conforming status if:

(a) The sign is altered in any way in structure which tends to or makes the sign less in compliance with the requirement of this Chapter than it was before the alteration; or

(b) The sign structure is relocated to a position making it less in compliance with the requirements of this Chapter, except that any such sign which is hereafter required to be moved by a governmental body for the purpose of construction, relocation, widening, or improvement of a street, highway, or other public purpose, may be relocated once on the same lot and allowed to be maintained and used as before. Such a sign, once relocated, is still considered a legally non-conforming sign and bound by this section.

(c) The sign (except for copy on a changeable copy sign) is replaced.

(d) Should any non-conforming sign be damaged by any means, other than vandalism, to the extent of over sixty (60) percent of its surface area or structure, it shall not be reconstructed, except in conformance with the requirements of this code. Nonconforming signs which are damaged by vandalism to the extent of over sixty (60) percent of their physical value shall be restored within sixty (60) days or removed or brought into compliance with the provisions of this chapter.

(e) On the occurrence of any one of (a) thru (d) above, the sign shall be immediately brought into compliance with this code with a new permit secured therefore, or shall be removed.

(4) If any existing sign is repainted or the sign panels are replaced for the purpose of changing the business, occupation, or tenant advertised or identified, it shall be considered a new sign, and shall be brought into compliance with this Chapter. Ordinary maintenance or repair of an existing sign to a safe condition shall not be cause to classify the sign as a new sign.

Article IV

Section1. Sign Permits Required and Violations

A. Unless specifically exempted by the provisions of this Chapter, all signs shall obtain a permit from the Construction Official.

B. Inspections. Following the erection of a sign or signs for which a permit was required and obtained, the Construction Official shall inspect a sign or signs after erection is completed for compliance with

this Chapter. All other necessary permits, such as electrical permits, shall be obtained and inspections shall be performed as applicable.

C. Sign Removal.

(1) Except for signs which are legally non-conforming or which are exempt from obtaining a permit, the Construction Official may take the necessary steps to remove those signs which:

(a) Are determined not to be a legally non-conforming sign and do not have the required permit or have an expired permit.

(b) Constitute a public nuisance as defined by ordinance, or are unsafe or hazardous, and represent an immediate threat to the health and safety of the Township.

(2) If any sign is deemed to require removal under the provisions of this Chapter, the Construction Official shall order it removed, and the owner or operator of the signage or of the establishment the signage is serving shall be notified of the violation and be given thirty (30) days in which to correct the violation. If the order is not complied with, the Construction Official shall have it removed at the expense of the person responsible for the erection or maintenance of the sign, and in the event that all costs associated with the Township having such sign removed is not recovered from the responsible party, said cost shall become an assessment and a lien on the property; such lien to be certified by the tax assessor of the Township of River Vale.

(3) The Construction Official is authorized to go upon any premises in the Township for purposes of removing signs under the provisions of this Section. Signs removed by the Construction Official shall be retained for the owner's account for a period of sixty (60) days and shall be returned to the owner upon payment of the expenses of removal. If not claimed within that time, they shall become the property of the Township and may be destroyed or sold for the payment of the expense of removal. If sold, any excess from the proceeds of the sale shall be returned to the owner. In addition, the Township shall in no way be held financially responsible for any damages that may be incurred as a result of said removal.

D. Violations; Penalty.

Any person violating this Chapter or any of its provisions, shall upon conviction be subject to a fine of not more than Five Hundred Dollars (\$500) dollars, or imprisonment of not more than five days, or both. Each day and instance of violation shall constitute a separate offense and at the discretion of the Construction Official a summons may be issued for each separate offense.

Article V

Section 1. Permits & Fees

A. Permit Required.

Unless otherwise provided for, it shall be unlawful for any person to erect any sign without first obtaining a permit from the Construction Official and making payment of the fee as herein required.

(1) Application for a permit for a permitted sign conforming to the regulations set forth herein shall be made in writing to the Construction Official. Such application shall be sufficient to describe the site and location in which the sign is to be affixed and shall include at a minimum the following:

- (a) The name and address of the applicant;
- (b) The name and address of the owner of the premises;
- (c) A statement including the consent of the owner, if the applicant is other than the owner;

(2) Applications for permits shall be submitted and accompanied by two (2) sets of plans showing proposed copy of sign with location, sign area, construction details, materials and illumination details, and existing sign locations and sizes, if any. In addition, plans for monument signs shall include the length of street frontage (and street facings if applicable), in linear feet, and plans for wall signs shall include building elevation with height and width dimensions shown for the face of the building that the sign is proposed to be installed upon.

(3) All illuminated signs shall be subject to the provisions of the Electric Code and permit fees required there under.

(4) Any permit issued will expire in six (6) months if construction is not completed or an extension has not been granted.

(5) Application for a permit for a sign which does not comply with the provisions of this Article shall be submitted to the Board of Adjustment, unless the sign is part of a development for which a site plan is required, in which case the application shall be submitted to the Planning Board. Such application shall be in writing, and where a noticed public hearing is required by law, shall be submitted at least ten (10) days before the succeeding public meeting date of the Board, together with a filing fee required by the Township. Such application shall be in triplicate and accompanied by no less than fifteen (15) copies of the sign design which shall be drawn to scale. In addition, on such drawing or separate sheet, the information set forth herein shall be provided, as normally required by the Board.

(6) Issuance of Permit.

(a) A permit shall be issued by the Construction Official upon the favorable action of the approving authority, subject to any other applicable governmental regulations, or as otherwise provided herein.

(b) A permit for the replacement of an existing sign may be issued by the Construction Official without the necessity of Board approval only upon satisfaction of all of the following conditions:

(i) There is no physical alteration or expansion to the existing sign beyond the limit permitted herein and previously approved;

(ii) The sign conforms in all respects to the ordinance provisions specified herein or was previously the recipient of a variance approval;

(iii) No other signage is proposed to be added to the premises beyond that which is permitted herein.

(iv) The applicant shall notify the Construction Official for a final inspection within five (5) days of completion of the installation of the sign.

B. Right of Appeal.

Anyone denied a permit for a sign under the provisions of this Chapter, or who has been ordered by the Township to remove any existing sign, may appeal to the Board of Adjustment. Owners or operators of signage under appeal are not exempt from being issued violation citations.

C. Fees.

A flat fee of Fifty Dollars (\$50.00) per sign permit will be charged and collected by the Construction Official upon filing of the application.

D. Exemptions.

(1) The following signs shall be exempt from permits and fees:

(a) Signs relative to the sale, lease or rental of property erected on the offered property as follows:

(i) Residential zones: A maximum of one (1), not exceeding six (6) square feet in outline area per facing for single-family residences or twelve (12) square feet in outline area per facing for other uses and providing sign does not exceed six (6) feet in height from grade to the highest point on the sign.

(ii) Commercial zones: A maximum of one (1) per street frontage, provided each sign has a maximum of ten (10) square feet in outline area per facing, and providing such signs do not exceed six (6) feet in height from the surrounding grade to the highest point on the sign.

(b) Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials.

(c) Signs erected inside a building not visible through windows.

(d) Trespassing or privacy signs. Signs which prohibit trespassing, or indicate privacy of premises, driveways, or streets, not exceeding two (2) feet in size per side nor a height of six (6) feet from grade.

(e) Help wanted signs. One (1) sign advertising employment opportunities, located on the lot or parcel of the business advertising employment opportunities and not larger than one (1) square foot.

(f) Open/Closed signs and signs indicating business hours. Such signs shall not

exceed one (1) square foot and shall contain no other information than that necessary to highlight business hours and the open/closed status of a business.

(g) Customary holiday decorations displayed for a normal duration.

(h) Residential nameplates.

(i) Traffic control signs, the face of which meets the standards of the Department of Transportation and which contains no commercial message.

(j) Directional and informational signs for non-residential uses, provided the area of such sign is not more than 3 square feet, and provided the number of such signs on-site is limited to that which is reasonably necessary and appropriate for safety, circulation, information or other non-commercial purposes. Such directional or informational signs shall not contain advertising, logo, symbols, business identification or other non-directional copy.

(k) Signs for official governmental or quasi-governmental business, including signs or banners advertising public or quasi-public events that are posted or displayed with the permission of the governing body or its designee(s).

(l) Flags of the United States, State of New Jersey, the Township of River Vale, and foreign., provided that no such flag shall exceed sixty (60) square feet in area, nor shall any such flag be flown from a pole in excess of thirty-five (35) feet in height. The flag's area shall be in reasonable proportion to the height of the pole from which it is displayed. Not more than three (3) flags may be flown from any one (1) pole. Statutory requirements associated with flags and the generally accepted standards of flag display protocol shall be observed.

(m) Flags honoring and remembering military and service men and women of the United States.

(n) Public safety signs.

(o) Identification signs displayed by houses of worship.

(p) Any public notice or warning or safety sign required by a valid and applicable federal, state or local law, regulation or ordinance.

(q) Pump-mounted fuel price informational signs subject to the following:

(i) Only one fuel price informational sign shall be permitted per fuel pump; each such sign shall be limited in size to an area of two hundred and sixty (260) square inches; each such sign shall be affixed directly and firmly to a fuel pump, and shall be stationary.

(r) Regulation mailboxes of the U.S. Postal Service.

(2) The following signs shall be exempt from fees. Sign permits shall be required.

(a) Banners or signs of the United States, the State of New Jersey, the County of

Bergen, the River Vale School District, the River Vale Volunteer Fire Department or any other governmental unit affixed to utility poles, provided approvals are received from the utilities and governmental units having jurisdiction over the poles and adjacent rights-of-way respectively.

(b) Building construction information signs, identifying the architect, engineer, contractor, or institution providing financing, when placed upon a worksite under construction, only after a building permit for the construction has been issued. Each individual building will be allowed one (1) building construction information sign, not to exceed twenty-four (24) square feet in outline area per facing. The sign shall be set back ten (10) feet from any property line. The maximum height of such signage shall not exceed fifteen (15) feet in height above the average existing finished grade elevation of the sign or the elevation of the adjacent street, whichever is higher. Such signage shall be removed within ten (10) days after the issuance of an occupancy permit.

(3) Occupational/identification/professional signs. One (1) wall sign or one (1) window sign not exceeding two (2) square feet in size displaying the name, occupation and/or service located upon the premises, and the address. Such sign shall not be internally illuminated. External illumination may be utilized, provided such illumination is turned off when the office is closed for business. No other signage shall be permitted for any home professional office or home occupation.

E. Revocation.

The Construction Official may revoke any sign permit which violates any provision of this Chapter or which has been secured by subterfuge, or is void, or which has been issued by mistake, misunderstanding or error of the Township.

Article VI

Section 1. Rules and Regulations

A. Computation of Sign Area and Sign Height. The following principles shall control the computation of sign area and height:

(1) Computation of area of individual signs. The area of a sign face shall be computed by means of the smallest square, rectangle, circle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem, picture, symbol, graphic illustration or other display, together with the sign frame and any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed; or by delineating the area established by reason of distinctive variation in background color or by borders, whichever is greater.

(2) Computation of area of multi-faced signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 42 inches apart at any point, the sign area shall be computed by the measurement of one of the faces.

(3) Computation of height. The height of a sign shall be computed as the distance

from the base of the sign at grade to the top of the highest attached component of the sign. Grade shall be construed to be the newly established grade after construction.

B. Prohibited Signs Generally. No person shall construct, erect, locate, use or maintain any of the following signs within any zone district of the Township, except as otherwise permitted elsewhere in this chapter, or unless the sign has been certified to be a legal non-conforming sign by the Construction Official or has obtained a variance for such sign.

(1) Any new sign erected in violation of any Section of this Chapter. Any sign not specifically permitted is hereby prohibited.

(2) Signs emitting a sound, odor or visible matter such as smoke or vapor. No sign erected shall contain audio equipment.

(3) Exterior use of advertising devices such as banners, streamers, pennants, flags, and balloons, lights (whether flashing, flickering, blinking, or rotating), wind-operated devices and any other type of fluttering or flashing devices, or emitting an unsteady or glaring light.

(4) Signs placed or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property. However, this is not in any way intended to prohibit signs placed on or affixed to vehicles and trailers, such as permanent lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer.

(5) Animated signs and mechanical contrivances. No sign erected shall contain flashers, animators or mechanical movement or contrivances of any kind, excepting clocks and time and weather information.

(6) Paper posters and painted signs applied directly to a tree, rock or natural feature of any kind or to a wall of a building, fence or pole or other support.

(7) Signs painted or otherwise affixed on the inside or outside of automobile windows except for pricing information associated with the sale of new and used cars, and only when such vehicles are located on the premises of an establishment which has been approved for such use.

(8) Portable or movable signs, such as sandwich signs except as provided for in this chapter.

(9) Signs advertising an article or product not manufactured, assembled, processed, repaired, serviced or sold upon the premises upon which the sign is located.

(10) Revolving signs of any type, including searchlights.

(11) Neon signs of any kind, whether located on the exterior or interior of a wall or window if visible from the street upon which the premises fronts.

(12) Signs on parking lot light standards not relating to traffic control.

(13) Signs within the public street right-of-way (other than public notices and unless otherwise allowed in this Chapter).

(14) Signs that are in such a state of disrepair as to constitute an immediate threat to the public health, welfare and safety.

(15) Business signs for businesses which are discontinued for a period in excess of thirty (30) days.

(16) Signs or other advertising structures, as regulated by this chapter, erected at the intersection of any streets in such a manner as to obstruct free and clear vision, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, cause optical illusion or be confused with any authorized traffic sign, signal or device, or which makes use of words, phrases, symbols, or characters in such manner as to interfere with, mislead or confuse traffic.

(17) Roof signs.

(18) Any sign not in compliance with the Township Building or Electrical Codes, as amended, as to design, structural members and connections.

(19) Pole signs, except as otherwise provided for in this chapter.

(20) Electronic message centers, except as used to display time and weather information.

(21) Billboard or billboard signs.

(22) Any sign located or displayed upon any sidewalk or street or area between the sidewalk and curb, or projecting on or over a sidewalk or street, except as provided in this chapter.

(23) Signs erected or painted or composed of day-glo or phosphorescent or similar material.

(24) Hand-lettered interior window signs.

(25) Exhibiting statements, words, pictures or images of an obscene or pornographic nature.

(26) Signs attached to, projecting from, or hanging underneath a building eave.

(27) Signs which are internally illuminated.

(28) Signs which are created, maintained, or exist as signs which are projected by or through illumination.

C. Standards Generally.

(1) No sign may be erected or maintained so as to obstruct free ingress or egress to building

openings, driveways, sidewalks or other passageways.

(2) Illumination.

(a) No sign shall be illuminated other than by external illumination and except as provided herein.

(b) All light shall be designated to minimize glare, and light levels off site from sign lights shall be less than 0.1 foot candles.

(c) Flashing signs, highly reflective glass, or fluorescent paint (red or green) and illuminated tubing outlining roofs, doors, windows or wall edges of a building are prohibited.

(d) Any permitted sign may be illuminated one-half hour before and after closing. No sign within one hundred and fifty (150) feet of any residential zone shall be illuminated between the hours of 11 PM and 6 AM unless the business is open during these hours.

(e) The Township of River Vale encourages illumination of signs from external sources provided glare is minimized. Wherever it is impractical to provide such a source of illumination, only as specifically permitted by this code, and if a variance is granted by the Board of Adjustment, internally illuminated signs may be permitted. Light sources from internally illuminated signs shall not be visible from outside the sign, and the light from the light source shall be diffused to eliminate hot spots. Light sources shall be protected from damage. Light levels at property lines shall be less than 0.1 foot candles.

(f) The Township of River Vale encourages signs which are carved wood or resembling carved wood of manmade materials, of appropriate colors and excluding red and yellow, and are externally illuminated.

(3) Every sign in the Township, including signs exempted from obtaining a sign permit, shall be maintained in good repair and good structural condition at all times including painted or otherwise finished surfaces, as well as all parts and supports which must be maintained in their design condition and position. Broken parts of signs must be replaced or repaired within fifteen (15) days of notification by the Construction Official and in such a manner as to maintain the appearance and structure of the sign as it was approved for installation.

(4) The Construction Official shall have the authority to order the painting, repair, alteration or removal of signs which have not been properly maintained or repaired or which have become dilapidated or are abandoned, or which constitute a hazard to public safety.

(5) Signs of an obscene or pornographic nature shall be unlawful. The Construction Official shall order the immediate removal of such signs.

(6) No permanent signage, other than allowable temporary window signs, shall be constructed of paper, nylon, fabric, or any other type of non-durable material.

D. Signs in Residential Zone Districts.

(1) The following signs are allowable in residential zoning districts:

(a) Signs relative to the sale, lease or rental of property erected on the offered property. A maximum of one (1) sign, not exceeding six (6) square feet in outline area per facing for single- or two-family residences, or ten (10) square feet in outline area per facing for other uses. No sign shall exceed six (6) feet in height from grade to the highest point on the sign. Such signs shall be removed within fourteen (14) days of completion of the sale, lease or rental of property. This includes the posting of such property as sold, leased, or rented.

(b) Institutional signs and other signs for churches, schools, fraternal organizations and other non-profit organizations. Such institutions shall be permitted one (1) institutional monument sign and one (1) institutional wall sign pursuant to the following requirements:

(i) Institutional monument signs. One (1) monument sign per lot, not exceeding six (6) feet in height from grade to the highest point on the sign. The bottom of the sign face shall not exceed a height of three (3) feet above the surrounding grade at the base of the sign. No monument sign shall be located any closer than ten (10) feet to any property line except that no monument sign shall be located closer than twenty-five (25) feet to any residentially utilized lot. No institutional monument sign shall exceed eighteen (18) square feet in outline area per face.

(ii) Institutional wall signs. One (1) wall sign not exceeding one (1) square foot per ten (10) linear feet of street frontage of the total square footage of the building face upon which it is placed having street frontage. In no case shall the sign area exceed twenty-four (24) square feet. -In those cases where a parcel or lot has more than one (1) street frontage, one (1) wall sign may be placed on each street frontage. -Wall signs shall be face mounted on the building/structure, projecting not more than fourteen (14) inches from the face of the building. Such signs shall not project above the parapet wall, mansard, or other roofline, shall be recessed where involving a pitched roof location and shall be located so as to not create a safety or traffic hazard.

(c) Construction information signs.

(i) One (1) construction information sign not to exceed twenty-four (24) square feet in outline area per facing. The maximum height of such signage shall not exceed fifteen (15) feet in height above the average existing finished grade elevation of the sign or the elevation of the adjacent street, whichever is higher. Such signage shall be removed within thirty (30) days after the last lot or building is sold within the development.

(d) Political signs.

(e) Residential subdivision identification signs. One (1) permanent subdivision identification sign not exceeding twenty-four (24) square feet in size per face inclusive of any logo shall be allowed per development. Where the development has access on two (2) or more streets, or has more than one (1) entrance on one (1) street, identification shall be allowed at each entrance. Subdivision identification signs shall not exceed eight (8) feet above the adjacent ground surface.

(f) Multifamily identification signs. One (1) sign not more than one (1) square foot for each ten (10) linear feet of street frontage, but in no case to exceed thirty-two (32) square feet in size per face shall be allowed per multifamily development project except where the project fronts on two (2) or more streets. One (1) sign shall be permitted on each frontage, provided that the project has a major traffic entrance on the street where the sign is to be erected. Multifamily identification signs shall not exceed eight (8) feet

above grade.

(g) Temporary residential garage sale signs not to exceed six (6) square feet in area nor a height in excess of eight (8) feet from the ground and located upon the premises where the sale is taking place, only after issuance of a permit allowing such garage sale. Such sign shall only be displayed for one (1) week prior to such sale, and shall be removed within twenty-four (24) hours after the sale is closed.

(h) Special displays. Such displays shall not exceed thirty-two (32) square feet and shall be used for holidays or promotion of civil welfare or charitable purposes.

(i) Signs for home occupations or home professional offices.

E. Signs in Non-Residential Zone Districts.

(1) Wall signs. Wall signs are permitted for all business, office, industrial, or commercial establishments.

(a) Wall mounted signs for establishments with a single tenant shall comply with the following:

(i) One (1) wall sign may be placed along the street frontage, provided it does not exceed ten (10) percent of the total surface area of the building face upon which it is placed, or thirty-two (32) square feet, whichever is lesser.

(ii) In those cases where a parcel or lot has more than one (1) street frontage, one (1) wall sign may be placed on each street frontage, provided such wall sign shall not exceed ten (10) percent of the total surface area of the building face upon which it is placed, or twenty-four (24) square feet, whichever is lesser.

(iii) Wall signs shall be face mounted on the building/structure, projecting not more than fourteen (14) inches from the face of the building, nor above the first floor of the building. Such signs shall not project above the parapet wall, mansard, or other roofline and shall be located so as to not create a safety or traffic hazard.

(b) Wall mounted signs for buildings or establishments with multiple tenants shall comply with the following:

(i) For buildings and property containing more than one business or tenant, and where each business tenant occupies a physically distinct ground floor space or has a separate ground floor entrance, each business or tenant may have one (1) wall sign conforming to the requirements of this section. For the purposes of determining the sign area permitted, only the face of each respective lease unit to which the respective sign will be attached shall be counted. Each sign must be attached to the least unit containing the business tenant identified.

(2) Monument signs. Monument signs are permitted in commercial districts only. Monument signs shall comply with the following:

(a) One (1) monument sign, not exceeding four (4) feet in height from grade to the highest point on the sign, shall be permitted.

(b) The bottom of the sign face shall not exceed a height of one and one-half (1½) feet above grade at the base of the sign.

(c) No monument sign shall be located any closer than five (5) feet to a front property line nor ten (10) feet to any other property line except that no monument sign shall be located closer than twenty-five (25) feet to any residentially utilized lot.

(d) A maximum sign area, in square feet, equal to one (1) square foot in size for every ten (10) feet of linear street frontage, shall be permitted subject to a maximum area of twenty-four (24) square feet.

(3) Window Signs.

Window advertising signs shall be prohibited in all districts, with the exception of permitted ground level retail and personal service business uses and eating and drinking establishments, subject to the following conditions:

(a) Information on such signs shall be limited to advertisements for special promotions, temporary sales and other such similar nonpermanent sales promotions. An exception shall be granted for restaurants, which may post one (1) menu not larger than two (2) square feet in size.

(b) Such signs shall be permitted to be displayed for a period not to exceed 30 days and once every six (6) months. A sticker showing the date of installation and date of required removal, to be issued by the Construction Official, shall be displayed on the lower right-hand corner of such signs, as viewed from the exterior. An exception shall be granted for restaurant menus posted on-site.

(c) Such signs may be constructed of paper, cardboard, or other such written, numerical, graphic or photographic material or information displayed in the window of such establishment.

(d) Such signs shall be contained entirely within the ground level interior of the building in which the business is located.

(e) The maximum total area of such signs shall not exceed 10% of the total area of the ground level windows, including window portions of doors, fronting on public streets. (90% of the window area shall be open without merchandise displayed so as to obstruct visibility through the glass at an elevation of six (6) feet above grade from inside or outside the space.)

(f) Such signs shall be maintained in an orderly manner at all times.

(4) Directory signs.

(a) Directory signs in these districts shall be permitted as follows: For office and mixed use commercial buildings with two (2) or more businesses or tenants, a directory sign may be used subject to the following provisions:

(i) Buildings containing less than fifty thousand (50,000) and more than ten thousand (10,000) square feet of gross floor area may have one (1) directory sign containing a maximum of twenty (20) square feet of sign area. Buildings containing more than fifty thousand (50,000) but less than one

hundred-fifty thousand (150,000) square feet of gross floor area may have one (1) directory sign containing a maximum of forty (40) square feet of sign area.

(ii) Directory signs shall be either a monument sign or wall sign. The maximum height for a directory sign shall be eight (8) feet from the surrounding grade to the highest point on the sign.

(iii) No directory sign shall be located any closer than ten (10) feet to any property line except that no directory sign shall be located any closer than twenty-five (25) feet to any residentially utilized lot.

(a) Directory signs for office, mixed use, or commercial buildings shall be limited to one (1) wall mounted directory sign not exceeding six (6) square feet in size and no higher than twelve (12) feet above surrounding grade, in addition to permitted wall.

(5) Gasoline service station signs.

(6) Signs on secondary entrances. Each building or property may have one (1) additional wall sign or directory sign conforming to the requirements of this Section on walls containing a main entrance that faces customer parking areas and are not visible from either a public or private street. The content of such sign shall be limited to the name(s) of the business(es) Such signs shall be attached to the same wall as their respective entrances and both the signs and the entrances must be upon the same plane of the building.

F. Standards for Specific Uses.

(1) Gasoline service station signs. In addition to the signage allowed, the following signs shall be allowed for gasoline service stations:

(a) Freestanding sign.

(i) A maximum of one freestanding sign, consisting of a monument sign is permitted.

(ii) The maximum sign area of a monument sign, including the sign frame, shall not exceed eighty (80) square feet, inclusive of gasoline service station price sign. Such sign shall not be separated from the gasoline price sign, but shall appear as a single integrated sign.

(iii) The maximum sign area of a monument sign, including the frame, shall not exceed fifty (50) square feet, inclusive of gasoline service station price sign.

(iv) A monument sign shall not exceed six (6) feet in height and shall be set back a minimum of five (5) feet from any property line.

(b) Gasoline service station canopy signs.

(i) A gasoline service station with a canopy shall be permitted two (2) canopy signs in total.

(ii) The canopy sign or signs shall collectively not exceed twenty (20) square

feet in area.

(iii) The canopy sign shall be a flat sign permanently affixed to the vertical face of the canopy and shall not project above or below, or from any side of the vertical face of the canopy.

(iv) The canopy sign may be illuminated by internal and non-intermittent light sources.

(v) A business logo, inclusive of striping or other symbols, may appear on this canopy sign as part of the allowable sign area. Any striped area of the canopy shall be counted towards the permissible area of the sign.

(c) Pump signs.

(i) Signs shall be allowed on gasoline pumps so as to provide the required information to the public regarding "octane rating," "price," "type of fuel," "federal and state stamps," "pump use directions," and "no smoking."

(ii) The trade name and any associated symbols shall be permitted on the sides of the pumps as flat signs located no more than three (3) feet above the ground and not to exceed one (1) square foot in sign area per pump.

(iii) "Self-service," "full-service" or other information signs may identify each pump island on the gasoline service station property. The location of such signs shall be limited to the gasoline pump or the canopy support located at each end of the pump island or between the canopy supports as a spandrel panel.

(iv) A maximum of two (2) such signs shall be allowed per pump island and each sign shall not exceed two (2) square feet in sign area when placed on the gasoline pump or when located at each end of the pump island or between the canopy supports as a spandrel panel.

(d) Gasoline service station price signs. Gasoline service station price information may be incorporated into a monument sign or mounted on a pole sign provided that the total area of the price sign not exceed twenty (20) square feet in area.

G. Standards for Other Signs.

(1) Political Campaign Signs.

(a) At no time whatsoever may political campaign signs or stickers of any type or size be affixed in any way to utility poles, traffic signs, traffic signal boxes or poles, mailboxes, fire hydrants, or any public fixtures, or be placed in any way on highway dividers, islands or overpasses, or above (across) streets or highways, or on any public property.

(b) No political campaign sign shall be erected or posted on private property without the express written consent of the owner of the property, who shall then be responsible for compliance with this section.

(c) Individual, freestanding billboard-type political campaign signs shall be permitted. Such signs may not obstruct traffic or sign lines. At no time whatsoever may political campaign signs of any type or size be lighted or be made of any reflecting materials.

(d) No political signs of any type or size shall be erected or posted earlier than ninety (60) days before any election, nor shall any such signs remain longer than ten days after such election.

(e) Removal of political signs:

(i) Every political campaign sign, billboard, poster or structure erected for advertisement pertaining to any candidate, slate of candidates or organization for a local, county, State or national elective office or issue or issues for public consideration in any primary, general, school board or special election shall be removed by the person or persons responsible for the erection of such sign, billboard, poster or structure within five (5) days after the date of the election to which such sign, billboard, poster or structure pertains.

(ii) Presumption. It shall be presumed that all persons named on any such political campaign sign, as well as the finance chairperson and campaign manager for the individual or political party named in said political sign, shall be responsible for the removal of political campaign signs.

(iii) Penalties. Any person, regardless of political affiliation, found to be a perpetrator, including any business, political party or entity violating the provisions of this section, may be punished as provided as provided in Chapter 1, General Provisions, Article 1, Section 1-14. Violation of any of the provisions herein shall be deemed continuing and, for each and every day or part thereof that a violation of this subparagraph is found to exist, the court may impose a separate penalty as stated herein.

(iv) Enforcement. The provisions of this subsection shall be enforced by the Construction Official.

Article VII

Section 1. Severability.

If any part or parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this ordinance. All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

Section 2. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

Motion by Councilman Jasionowski to open the public hearing on Ordinance #105-2005.

There being no comments or questions from the public; motion by Councilman Blundo to close the public hearing on Ordinance #105-2005.

Motion by Councilman Jasionowski; seconded by Councilman Blundo to adopt Ordinance #105-2005.

ROLL CALL VOTE: Councilman Blundo, Council Vice President deStefan, Councilman Jasionowski, Council President Menville voted yes. Councilman Matos was absent.

ORDINANCES – 1st reading

TOWNSHIP CLERK– Consent Agenda

Motion by Councilman Jasionowski; seconded by Council Vice President deStefan to approve Resolution #'s 61-2005 through #66-2005, on Consent Agenda, as follows:

Resolution #61-2005

Resolution Approving Raffle License #RL 265 – Medical Missions for Children

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

NAME: Medical Missions for Children, Inc.
ADDRESS: 35 Getty Avenue, Bldg 400, Paterson, NJ 07503
LOCATION OF RAFFLE: Florentine Gardens, 97 Rivervale Road
DATE OF RAFFLE: April 27, 2005 6PM - 10:30 PM
I.D.#: 378-4-35254
RAFFLE LICENSE #: RL 265

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 #62-2005

RESOLUTION APPOINTING REGISTRAR OF VITAL STATISTICS

BE IT RESOLVED, by the Township Council that Karen Padva be and is hereby appointed as Registrar of Vital Statistics for a three year term.

Resolution #63-2005

RESOLUTION APPROVING MINUTES – MARCH 14, 2005

BE IT RESOLVED, that the minutes of the Meeting of March 14, 2005 are hereby approved.

Resolution #64-2005

RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUND OVERPAYMENTS OF DOG AND CAT LICENSE FEES FOR 1ST QUARTER 2005

WHEREAS, it was determined that the fees for dog and cat licenses as adopted in 2004, were incorrect with regard to State Statutes; and

WHEREAS, when the Council realized the error, they immediately took steps to correct said fee ordinance by amending and passing said ordinance on March 14, 2005; and

WHEREAS, during the transition period numerous payments in the incorrect amounts were deposited into the dog account and the overpayments must now be returned to the pet owners;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the following pet owners be reimbursed for the following amounts:

Ed Strohmeier, 681 Orangeburgh Road - \$3.00
Karen Tomczyk, 817 Bailey Road - \$13.00
Regina Martini, 569 Cleveland Avenue - \$20.00
Jackie Arena, 70 Lindy Place - \$20.00
Rose Ruppino, 564 Stellman Drive - \$34.00

BE IT FURTHER RESOLVED, that the Township Council, the Mayor and Administration wish to apologize for any inconvenience to said pet owners and thank them for their tolerance of this situation.

Resolution #65-2005

RESOLUTION APPROVING THE STORMWATER MANAGEMENT PLAN

WHEREAS, the Township of River Vale is required to prepare and adopt a Municipal Stormwater Management Plan in accordance with the Statewide Basic Requirements (SBRs) of the NJDEPs Municipal Stormwater Regulation Program; and

WHEREAS, Township Engineer has prepared a Stormwater Management Plan dated January 2005;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the Stormwater Management Plan prepared by Township Engineer dated January 2005 as the Municipal Stormwater Management Plan for the Township of River Vale.

Resolution #66-2005

RESOLUTION APPROVING THE STORMWATER POLLUTION PREVENTION PLAN

WHEREAS, the Township of River is required to prepare and adopt a Municipal Stormwater Pollution Prevention Plan in accordance with the Statewide Basic Requirement (SBRs) of the NJDEPs Municipal Stormwater Regulation Program; and

WHEREAS, Joseph A. Zaniello, P.E. Township Engineer, has prepared a Stormwater Pollution Prevention Plan dated March 17, 2005 for the Township of River Vale;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of River Vale hereby adopts the Stormwater Pollution Prevention Plan, prepared by Joseph A. Zaniello, P.E. dated March 17, 2005 to be kept on file in the Township Clerk's Office for periodic updating as required.

ROLL CALL VOTE: Councilman Blundo, Council Vice President deStefan, Councilman Jasionowski and Council President Menville voted yes. Councilman Matos was absent.

ADMINISTRATION & FINANCE –

Motion by Councilman Jasionowski; seconded by Council Vice President deStefan to approve Resolution #'s 67-2005 through 76-2005, as follows:

Resolution #67-2005

AUTHORIZE THE CHIEF FINANCIAL OFFICER TO REFUND DISABLED VETERANS TAX EXEMPTIONS FOR 2004 AND 2005

WHEREAS, N.J.S.A. 54:4-3.30 allows for Disabled Veterans to receive 100 % exemptions from Property Taxes, and the Tax Assessor has certified that the following individuals are eligible for said exemptions, 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 Township checks for Property Taxes paid.

NAME	ADDRESS	ELIBILITY DATE	YEAR	AMOUNT OF TAX	REFUND AMOUNT
Robert Large	723 Tiffany Ave	07/09/2004	2004	\$2,984.11	\$2,984.11
			2005	\$2,902.46	-0-
William Peters	552 Victory Place	11/19/2004	2004	\$1,270.71	\$1,270.71
			2005	\$5,052.66	\$5,052.66
Barry Wiwigac	552 Elizabeth Ave	01/18/2005	2005	\$2,576.50	-0-
Vincenza Genovese	655 Blue Hill Rd	03/31/2005	2005	\$1,807.34	-0-

Resolution #68-2005

RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUND A TAX OVERPAYMENT FOR FIRST QUARTER 2005

WHEREAS, a tax overpayment has been received for the first quarter of 2005, and the property owner has requested a refund of said tax overpayment.

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

Name	Address	Amount
Robert & Linda Royle	49 Pine Lake Terrace	\$ 3,324.32

Resolution #69-2005

RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REFUNDS DUE TO TAX COURT JUDGEMENT – PASCACK VALLEY HOSPITAL

WHEREAS, a tax appeal has been filed by Pascack Valley Hospital Assoc. Inc. on Block 2206 Lot 11 for the years 1999, 2000, 2001, 2002 & 2003 and,

WHEREAS, the Tax Court of New Jersey has rendered a decision in this case;

NOW, THREERFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale, that the Chief Financial Officer be authorized to issue a municipal check to Pascack Valley Hospital Assoc. Inc. in the amount of \$ 102,287.83 in accordance with the Court Judgment as follows:

<u>YEAR</u>	<u>ASSESSMENT</u>	<u>JUDGEMENT</u>	<u>REDUCTION</u>	<u>TAX RATE</u>	<u>AMOUNT</u>
1999AA	Prorated	-0-	-0-		\$6,231.99
2000AA	\$380,000	-0-	\$380,000	2.54	\$9,652.00
1999	\$2,358,600	\$2,100,000	\$258,600	2.35	\$6,077.10
2000	\$2,358,600	\$2,100,000	\$258,600	2.54	\$6,568.44
2001	\$2,738,600	\$2,100,000	\$638,600	2.69	\$17,178.34
2002	\$2,738,600	\$2,100,000	\$638,600	2.78	\$17,753.08
2003	\$2,738,600	\$2,100,000	\$638,600	2.92	\$18,647.12
2004	\$2,738,600	\$2,100,000	\$638,600	3.16	\$20,179.76

Resolution #70-2005

RESOLUTION APPROVING TRANSFER OF FUNDS – 2004 APPROPRIATION RESERVES

WHEREAS, there exists a need to make transfers in the 2004 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 2004 Budget

Appropriation Reserves.

From Inside CAP:

Legal Services O & E	\$10,000.00
Police Department O & E	\$10,000.00
Streets & Road S & W	\$ 5,000.00
Garage Division O & E	\$10,000.00
Buildings & Grounds O & E	\$20,000.00
Social & Cultural Affairs S & W	\$ 1,000.00
TOTAL	\$56,000.00

To Inside CAP:

Special Consultants O & E	\$ 2,000.00
Engineering Services O & E	\$48,000.00
Recycling O & E	\$ 3,000.00

To Outside CAP:

Gasoline & Oil	\$ 3,000.00
TOTAL	\$56,000.00

Resolution #71-2005

Approving Emergency Temporary Appropriations for 2005		
WHEREAS , an emergent condition has arisen in that the Township of River Vale is expected to enter in contracts, commitments or payments prior to the 2005 budget and no adequate provision has been made in the 2005 temporary budget for the aforesaid purposes, and		
WHEREAS , N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose, and		
WHEREAS , the total emergency temporary appropriation resolutions adopted in the year 2005 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$ 1,930,300.00,		
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of River Vale, in the County of Bergen, State of New Jersey, that in accordance with the provisions of N.J.S.A. 40A:4-20:		
1. Emergency temporary appropriations be and the same are hereby made in the amount of \$ 1,930,300.00 as follows:		
<u>APPROPRIATIONS</u>	<u>SALARY & WAGES</u>	<u>OTHER EXPENSE</u>
General Administration	\$ 40,000.00	\$ 2,000.00
Mayor & Council	\$ 8,000.00	
Township Clerk	\$ 20,000.00	\$ 4,000.00
Financial Administration	\$ 20,000.00	\$ 1,000.00
Revenue Administration	\$ 10,000.00	\$ 1,000.00
Tax Assessment	\$ 1,000.00	\$ 1,000.00
Department of Law	\$ 1,000.00	\$ 20,000.00
Engineering Services	\$ 300.00	\$ 10,000.00

Planning Board	\$	1,000.00	\$	2,000.00
Zoning Board	\$	1,000.00	\$	2,000.00
Uniform Construction Code	\$	20,000.00	\$	1,000.00
Insurance - Liabilities			\$	150,000.00
Insurance - Eyeglass Dental			\$	10,000.00
Insurance - Health			\$	200,000.00
Insurance - Unemployment			\$	2,000.00
Police Department	\$	500,000.00	\$	35,000.00
Office of Emergency Man.	\$	2,000.00	\$	1,000.00
Fire Department			\$	15,000.00
Fire Prevention Bureau	\$	3,000.00	\$	35,000.00
Prosecutor's Office	\$	2,000.00		
Public Works Department	\$	200,000.00	\$	40,000.00
Vehicle Maintenance	\$	10,000.00	\$	20,000.00
Recycling			\$	70,000.00
Buildings & Grounds			\$	30,000.00
Health & Human Services			\$	25,000.00
Welfare Administration	\$	2,000.00	\$	3,000.00
Athletics	\$	2,000.00	\$	5,000.00
Social & Cultural Affairs	\$	2,000.00	\$	10,000.00
Library Contribution			\$	120,000.00
Utilities			\$	20,000.00
Street Lights			\$	10,000.00
Telephone Charges			\$	8,000.00
Gasoline			\$	20,000.00
Solid Waste Disposal			\$	110,000.00
Statutory Expenses - F. I. C. A.			\$	80,000.00
Community Policing			\$	3,000.00
Municipal Court	\$	16,000.00	\$	2,000.00
Public Defender			\$	1,000.00
TOTAL	\$	861,300.00	\$	1,069,000.00
2. Said emergency temporary appropriations will be provided for in the 2005 budget.				
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.				

Resolution #72-2005

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:	\$	21,597.45
CURRENT ACCOUNT claims in the amount of:	\$	80,606.04
CAPITAL ACCOUNT claims in the amount of:	\$	12,377.40
PUBLIC ASST. ACCOUNT claims in the amount of:	\$	
TRUST ACCOUNT claims in the amount of:	\$	6,948.22
DOG TRUST ACCOUNT claims in the amount of:	\$	
RECREATION TRUST ACCOUNT claims in the amount of:	\$	
PRIVATE DUTY ACCOUNT claims in the amount of:	\$	13,362.47

TOTAL CLAIMS TO BE PAID **\$ 134,891.58**

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:	\$ 2,269,962.28
PUBLIC ASSISTANCE TRUST claims in the amount of:	\$ 2,477.00
UNEMPLOYMENT TRUST claims in the amount of:	\$
STATUTORY ACCOUNT claims in the amount of:	\$ 336,455.17
TRUST ACCOUNT claims in the amount of:	\$
DOG TRUST ACCOUNT claims in the amount of:	\$
TOTAL CLAIMS PAID	<u>\$ 2,608,894.45</u>
TOTAL BILL LIST RESOLUTION	<u>\$ 2,743,786.03</u>

**MANUAL DISBURSEMENTS
BILL LIST FOR MARCH 28, 2005**

2/25//05, 2005 – Wire Transfer –	\$ 160,737.63
3/11/05, 2005 – Wire Transfer -	\$ 175,717.54
TOTAL STATUTORY ACCOUNT DISTRIBUTIONS	<u>\$ 336,455.17</u>

Resolution #74-2005

TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, DEPARTMENT OF THE TREASURY, DIVISION OF PENSIONS AND BENEFITS, PO BOX 299 TRENTON, NJ 08625-0299

NEW JERSEY STATE HEALTH BENEFITS PROGRAM ACT

A Resolution To Authorize A Change In The Average Number Of Hours Of Employment Per Week Required For “Full-Time” Status For Participation In The New Jersey State Health Benefits Program (NJSHBP) In Accordance With NJAC 17:9-4.6.

Be it resolved:

1. The Township of River Vale, Bergen County and NJSHBP # 920538 the participating employer in the NJSHBP, hereby designates 30 hours per week (average) as the minimum requirement for the full-time status in accordance with NJAC 17:9-4.6, which is not less than the current minimum of 20 hours.
2. This change in the number of hours of employment required for NJSHBP eligibility applies to employees hired after March 28, 2005. Current employees eligible for participation in the NJSHBP under the previous full-time hours of employer definition will be permitted to continue coverage in the Program. The new designation of minimum number of hours worked per week for full-time status as designated in section #1 will not apply to employees hired prior to the above date.
3. This resolution shall take effect immediately and the change in full time hours shall be effective as soon thereafter as it may be effectuated pursuant to the statutes and regulations.

ROLL CALL VOTE: Councilman Blundo, Council Vice President deStefan, Councilman Jasionowski and Council President Menville voted yes. Councilman Matos was absent.

HEARING OF THE PUBLIC

Before adjourning to Closed Session; Council President Menville asked for a motion to open the meeting to the public and read the following statement:

“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.”

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

Nancy Fastow – 447 Westwood Avenue - Stated that she is the President of the Residents for a Better River Vale. They were asked for information for the Township Newsletter, however, she felt that they were notified too late. She requested that in the future they are notified in a timely fashion so that they can participate in the newsletter.

Antionette Gangi – 609 Haring Farm Road – Asked if there were any further discussions on back ground checks and applications for employee applications. Mayor Paschalis stated that he is looking into it.

Motion by Councilman Jasionowski; seconded by Councilman Blundo to close the meeting to the public and adjourn to closed session.

Following a short Closed Session Meeting; motion by Councilman Jasionowski; seconded by Council Vice President deStefan to approve Resolution #'s 75-2005 and 76-2005, as follows:

Resolution #75-2005

AUTHORIZE THE TOWNSHIP CLERK TO ADVERTISE FOR THE RFP'S FOR A CELL TOWER

BE IT RESOLVED, that the Township Clerk is hereby authorized to advertise for the above mentioned.

Resolution #76-2005

AUTHORIZE THE SETTLEMENT OF THE TAX APPEAL OF THE EDGEWOOD COUNTRY CLUB

BE IT RESOLVED, by the Township Council of the Township of River Vale that the Township Attorney is hereby authorized to settle the above mentioned tax appeal.

ROLL CALL VOTE: Councilman Blundo, Council Vice President deStefan, Councilman Jasionowski and Council President Menville voted yes. Councilman Matos was absent.

ADJOURNMENT –

Motion by Councilman Blundo; seconded by Councilman Jasionowski to adjourn the meeting at 10:55

PM.

All present in favor.

Robert A. Menville, Council President

Attest:

Wanda A. Worner
Township Clerk

Karen Padva
Deputy Township Clerk

Approved: _____