

MINUTES
Regular Meeting of the Township Council
Monday, September 11, 2006
8:00 PM

CALL THE MEETING TO ORDER

Council President Menville called the meeting to order at 8:01 AM. in the Council Chambers of the Municipal Building located at 406 Rivervale Road, River Vale, New Jersey 07675.

SALUTE TO FLAG

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

SUNSHINE LAW STATEMENT

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

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

ROLL CALL

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

Also present: Mayor Paschalis, John M. Carbone, Township Attorney, Robert Gallione, Business Administrator, Wanda A. Worner, Township Clerk, and Karen Padva, Assistant to the Clerk.

The meeting adjourned at 8:03PM for 9-11 Remembrance and re-convened at 8:17PM.

ROLL CALL

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

Also present: Mayor Paschalis, John M. Carbone, Township Attorney, Robert Gallione, Business Administrator, Roy Rossow, CFO, Wanda A. Worner, Township Clerk, and Karen Padva, Assistant to the Clerk.

TOWNSHIP COMMUNICATION

1. Mayor’s Comments

Mayor Paschalis introduced Jason Breslow, a 6th grader at Holdrum School, who is collecting coloring books for the Tomorrow’s Children Cancer Center. His goal is to collect 1,000 books. The Mayor thanked Jason on behalf of the Township for the remarkable work he’s done and presented him with a Certificate of Recognition.

Tatianna Glavine, of Congressman Garrett's office also presented Jason with a Certificate of Recognition and commended him on a job well done.

John Baldino with State Farm Insurance also remarked on how impressed he was with Jason and presented him with an additional 100 coloring books.

Mayor Paschalis, Mayor Deutsch of Hillsdale, and Councilman Matos presented the River Vale All Star Varsity Girls 2006 Northern Pascack Valley Summer Basketball Champions with Certificates.

Shannon Cleary, Stephanie Gordon, Erin Guyt, Collette Hunter, Ruby Katz, Jessica LaGrecca, Chelsea Lombardi, Alyssa Matos, Lauren Schramm, Jessica Vangelas

Additionally, Councilman Matos showed a slide show presentation of the girls team on a trip to Bermuda where they participated and won a basketball tournament.

The meeting adjourned at 8:44pm for a short recess and reconvened at 8:50PM.

ROLL CALL

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

Mayor Paschalis had additional remarks regarding the new fire truck that was delivered. The old truck will be taken out of service and sold. Any funds generated from the sale would be earmarked towards the addition on the North Firehouse.

1. Township Council Comments

Councilman de Stefan was very moved by this evening's events.

Councilman Matos thanked all those present for coming to this evenings meeting.

Councilman Jasionowski commended Councilman Matos for all his hard work regarding the Girls Basketball Team.

HEARING OF THE PUBLIC

Motion by Councilman Matos; seconded by Councilman de Stefan to open the meeting to the public. Council Vice President Jasionowski read the following statement into the record.

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

Lorraine Waldes – 797 Westwood Avenue – remarked that perhaps the Council could have not had a meeting this evening in recognition of September 11th events. Ms. Waldes had additional remarks about one vote one person system with regard to the petition.

Ambrose Buldo P.O. 326 Westwood – made a presentation to the Council about the garbage collection referendum.

Councilman Matos remarked that he misunderstood the referendum and what it meant. He liked having choices and did not agree with the proposed cost savings.

Councilman Jasionowski commended Buldo on the fine service that River Vale receives and supports the resolution to rescind the referenda

Councilman de Stefan agreed and supports Resolution 202.

Mr. Buldo added that they are able to provide such good service because they are local and convenient.

Debra Perlmutter 557 Faletti Way – spoke about volunteerism and the good work of Bergen Swan a non profit organization. Mrs. Perlmutter felt the brochure recently mailed to all residents should have been simply supplied to the Library, the Sanctuary, and posted on the website. Questioned using tax dollars for mailing

Don Rotolo – 545 Baylor Avenue - offered his comments regarding the garbage referenda. Mr. Rotolo also had remarks about the Police Ordinance and the importance of the 850 signatures on the petition.

Gina Susek – 549 Roosevelt Avenue – had questions a regarding the posting of the council meeting agenda on the Township website.

Eileen Sabato – 106 Holiday Lane – Commended Buldo on their fine service and all they've contributed to the community.

Ron Tucci – 58 Holiday Court – questioned the short notice given regarding the garbage referenda question and who introduced the referenda.

Mayor Paschalis responded that there was a deadline to have questions placed on the ballot.

Naomi Weinberg – 581 Thurnau Drive – remarks about the appropriateness of having a meeting on 9-11 a day of remembrance. Regarding the garbage referenda; Ms. Weinberg requested that the Council not vote on any items that have not been researched properly. Ms. Weinberg also stated that items seemed rushed and the voice of the residents is not being heard.

Ira Cohen – 536 Bernita Drive – remarked on the Police Ordinance petition. Mr. Cohen also expressed his displeasure with the Township Attorney

Councilman des Stefan remarked that Jack Carbone has done many things that have been beneficial for the people of River Vale.

Kristie Levine – 577 Egan Terrace – commended the Mayor and Council for all their hard work. Ms. Levine also remarked about the \$200,000 CDBG grant for the Community Center and encourages the administration to ask for more funding.

Mayor Paschalis thanked Ms. Levine for all of hard work and time regarding the Community Center.

Eileen Telesca – 607 Poplar Road – questioned when Poplar Road would be paved.

The Business Administrator responded that the road would be paved in two (2) sections and should be done by next year.

Fran Darakjian – 598 Faletti Way – spoke about the 911 referendum from 15 years ago that was rejected by the Township Clerk under the advice of the Township Attorney. Stressed the rights of the voters.

Mark Bromberg – 715 Beechcrest Drive – stated he was glad to hear the apparent outcome of the garbage issue. Mr. Bromberg also spoke about the petition and legal proceedings that are pending. He would like to see no money spent on these proceedings.

Councilman Matos asked what specific problems Mr. Bromberg had with the Police Ordinance. Mr. Bromberg felt that someone who is not a professional in this area should not oversee its operation.

There being no further comments from the public at this time; motion be Councilman de Stefan; seconded by Councilman Matos to close the hearing of the public.

RESOLUTIONS

Motion by Councilman de Stefan; seconded by Councilman Matos to approve Resolution #'s 2006-189 through 2006-200, on Consent Agenda, as follows:

RESOLUTION #2006-189

RESOLUTION AWARDING THE BID FOR JANITORIAL SERVICES

WHEREAS, the Township received bids for Janitorial Services; and

WHEREAS, various bids were received the lowest of which was from Heits Building Services Inc., 777 Terrace Avenue, Hasbrouck Heights, NJ 07604 and said bid has been reviewed and approved and is hereby accepted as the lowest bidder at the price of

\$ 18,188.76 (Base Bid)
\$ 6,546.96 (Option #1 – Library Services)

WHEREAS, the Chief Financial Officer has certified that funds are available in an amount not to exceed \$24,735.72 in the DPW Buildings and Grounds Account;

NOW THEREFORE BE IT RESOLVED THAT the bid of Heits Building Services, Inc. is accepted as the lowest responsible bidder and that the Mayor and Township Clerk are here by authorized and requested to execute a Contract on behalf of the Township of River Vale for the Services described in the Specifications for Janitorial Services.

RESOLUTION #2006-190

RESOLUTION AWARDING THE BID FOR CONSTRUCTION OF THE RIVER VALE COMMUNITY CENTER

WHEREAS, the Township received bids for the Construction of the River Vale Community Center; and

WHEREAS, various bids were received the lowest of which was from Pakis Construction Inc., 86 James Street, Bloomfield, NJ 07003 and said bid has been reviewed and approved and is hereby accepted as the lowest bidder at the price of

\$ 653,400.00

WHEREAS, the Chief Financial Officer has certified that funds are available in an amount not to exceed \$653,400.00 in the Capital Account;

NOW THEREFORE BE IT RESOLVED THAT the bid of Pakis Construction Inc., is accepted as the lowest responsible bidder and that the Mayor and Township Clerk are here by authorized and requested to execute a Contract on behalf of the Township of River Vale for the Services described in the Specifications for the Construction of the River Vale Community Center.

RESOLUTION #2006-191

RESOLUTION AWARDING THE BID FOR THE CONSTRUCTION OF THE NORTH FIREHOUSE ADDITION

WHEREAS, the Township received bids for the construction of the North Firehouse Addition; and

WHEREAS, various bids were received the lowest of which was from LKL Contracting, 457 Shadyside Road, Ramsey, NJ 07446 and said bid has been reviewed and approved and is hereby accepted as the lowest bidder at the price of

\$ 219,900.00 (Base Bid)

WHEREAS, the Chief Financial Officer has certified that funds are available in an amount not to exceed \$219,900.00 in the Capital Account;

NOW THEREFORE BE IT RESOLVED THAT the bid of LKL Contracting, is accepted as the lowest responsible bidder and that the Mayor and Township Clerk are here by authorized and requested to execute a Contract on behalf of the Township of River Vale for the Services described in the Specifications for the North Firehouse Addition.

RESOLUTION #2006-192

RESOLUTION AUTHORIZING THE MAYOR TO SIGN CDBG GRANT FOR AGREEMENT FOR SENIOR CITIZEN ACTIVITIES

BE IT RESOLVED, that the Mayor and Council of the Township of River Vale wished to enter into a grant agreement with the County of Bergen for the purpose of using \$3,000.00 in 2006-2007 Community Development Block Grant funds for Senior Citizen Activities in the Township of River Vale; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes the Mayor to be signatory for the aforesaid grant agreement; and

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

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

RESOLUITON #2006-193

RESOLUTION AUTHORIZING THE MAYOR TO SIGN RENEWAL OF MEMBERSHIP AGREEMENT WITH BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND

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

WHEREAS, said renewed membership terminates as of December 31, 2006 unless earlier renewed by agreement between the Municipality of the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW THEREFORE, be it resolved as follows:

1. The Township of River Vale agrees to renew its membership in the Bergen County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Bergen County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

RESOLUTION #2006-194

RESOLUTION AUTHORIZING TOWNSHIP CLERK TO ADVERTISE FOR THE RECEIPT OF BIDS FOR LOWER GROVE FIELD IMPROVEMENTS

BE IT RESOLVED, by the Township Council of the Township of River Vale that the Township Clerk is hereby authorized to advertise for the receipt of bids for the above mentioned.

RESOLUTION #2006-195

EXTENDING THE CONTRACT FOR CURBSIDE RECYLCING COLLECTION SERVICES

WHEREAS, the Township awarded a contract to Buldo Brothers Sanitation on June 10, 2004 for the period of July 1, 2004 through June 30, 2006; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:11-15, the contract was awarded with an option to renew the contract for one (1) additional twenty-four (24) month period at the price of \$1.51 per collection source per month beginning July 1, 2006 through June 30, 2008; and

NOW THEREFORE BE IT RESOLVED, that the contract for the Curbside Recycling Collection Services is hereby extended by two (2) years and that Buldo Brothers Sanitation, P.O. Box 326, Westwood, New Jersey 07675 will continue the above mentioned service to the Township of River Vale for the period mentioned above, for the amount mentioned above and that the Mayor and the Township Clerk are hereby authorized to execute a contract on behalf of the Township.

RESOLUTION #2006-196

RESOLUTION AUTHORIZING THE TOWNSHIP CLERK TO RE-ADVERTISE FOR THE RECEIPT OF BIDS FOR SNOW PLOWING SERVICE

WHEREAS, the Township advertised for Snow Plowing Service, to be received on August 17, 2006 at which time there were no bidders; and

NOW THEREFORE BE IT RESOLVED, that the Township Clerk is hereby authorized to advertise for the receipt of bids for the above mentioned.

**RESOLUTION #2006-197
(CHAPTER 159)**

WHEREAS, NJS 40A:4087 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item has been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of River Vale hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2006 in the sum of \$200,000.00 which is now available from County of Bergen, Division of Community Development.

BE IT FURTHER RESOLVED that the like sum of \$200,000.00 is hereby appropriated under the caption of Construction of a Multipurpose Senior Center.

RESOLUTION #2006-198

(CHAPTER 159)

WHEREAS, NJS 40A:4087 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item has been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of River Vale hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2006 in the sum of \$25,000.00 which is now available from County of Bergen, Division of Community Development.

BE IT FURTHER RESOLVED that the like sum of \$25,000.00 is hereby appropriated under the caption of Barrier Free Improvements to Amphitheatre.

RESOLUTION #2006-199

RESOLUTION AUTHORIZING TOWNSHIP OF RIVER VALE TO SIGN DONATION AGREEMENT AND ACCEPTING THE DONATION

Whereas, the Bergen County Historical Society, Inc., Post Office Box 55, River Edge, New Jersey 07661, (hereinafter the "Society") is a non-profit entity fostering historic preservation in the County of Bergen and State of New Jersey; and

Whereas, the "Society" is the owner and holder of personal property stored outside of River Vale, NJ and in a trailer known as the "Holdrum House" which was a historic structure previously existing in the Township of River Vale; and,

Whereas, the Township of River Vale, 406 Rivervale Road, River Vale, NJ 07675 (hereinafter the "Township") is desirous of gaining ownership, custody and control of the personal property stored in a trailer known as the "Holdrum House" and identified herein as "the property"; and

Whereas, the "Society" is desirous of gifting, donating, and transferring ownership, custody and control of the personal property stored in a trailer known as the "Holdrum House" and identified herein as "the property"; and,

Whereas, the "Township" must by formal action agree to accept the gift, donation and transfer from the Society under law, and specifically N.J.S.A. 40A: 5-29 et seq.

NOW THEREFORE BE IT RESOLVED that:

1. The Mayor of the Township of River Vale is empowered and authorized to sign an agreement with the "Society" on behalf of the "Township" with the "Society" which will transfer, donate and gift to the "Township" all right, title and interest to the personal property stored in a trailer known as the "Holdrum House" which was a historic structure previously existing in the Township of River Vale;
2. The Township of River Vale upon execution of the Agreement between the parties does hereby accept the property under law and specifically N.J.S.A. 40A;5-29 et seq., forever and in perpetuity;
3. The Mayor is empowered to do all acts necessary and sign any and all documents now and in the future to complete and memorialize this transaction or to more fully evidence the transfer and the relinquishment of their rights.

RESOLUTION #2006-200

RESOLUTION AUTHORIZING THE MAYOR TO SIGN INTERLOCAL AGREEMENT WITH THE RIVER VALE BOARD OF EDUCATION FOR THE USE

OF THE HOLDRUM SCHOOL FIELD FOR THE RIVER VALE VOLUNTEER FIRE DEPARTMENT TO HOLD AN EVENT

WHEREAS, the Township of River Vale desires to utilize the Holdrum School Field for the purpose of holding a Circus on October 7th; and

WHEREAS, it is beneficial to the resident’s of the Township of River Vale to provide the benefits of this event to River Vale Volunteer Fire Department;

NOW THEREFORE BE IT RESOLVED by the Township of River Vale that the Mayor and Township Clerk are hereby authorized to sign an Agreement with the River Vale Board of Education for the River Vale Volunteer Department’s event on the above mentioned date per the terms of the Agreement supplied to the Township by the River Vale Board of Education.

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

Motion by Councilman Matos; seconded by Councilman de Stefan to approve Resolution 2006-201, as follows:

RESOLUTION #2006-201

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: | \$ 0.00 |
| CURRENT ACCOUNT claims in the amount of: | \$ 148,608.59 |
| CAPITAL ACCOUNT claims in the amount of: | \$ 229,860.01 |
| PUBLIC ASSISTANCE ACCOUNT claims in the amount of: | \$ 0.00 |
| TRUST ACCOUNT claims in the amount of: | \$ 17,886.43 |
| DOG TRUST ACCOUNT claims in the amount of: | \$ 7.20 |
| RECREATION TRUST ACCOUNT claims in the amount of: | \$ 4,648.20 |
| PRIVATE DUTY ACCOUNT claims in the amount of: | \$ 6,756.54 |
| OPEN SPACE TRUST | \$ 31,091.59 |

TOTAL CLAIMS TO BE PAID **\$ 438,858.56**

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: | \$ 2,125,452.36 |
| TRUST ACCOUNT claims in the amount of: | \$ 0.00 |
| PUBLIC ASSISTANCE ACCOUNT claims in the amount of: | \$ 1,925.37 |
| STATUTORY ACCOUNT claims in the amount of: | \$ 181,219.34 |

TOTAL CLAIMS PAID **\$ 2,308,597.07**

TOTAL BILL LIST RESOLUTION **\$ 2,747,455.63**

**MANUAL DISBURSEMENTS
BILL LIST FOR SEPTEMBER 11, 2006**

8/28/2006 – Wire Transfer - 181,219.34

TOTAL STATUTORY ACCOUNT DISTRIBUTIONS **\$ 181,219.34**

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

Motion by Councilman de Stefan; seconded by Councilman Matos to approve Resolution 2006-202, as follows:

RESOLUTION #2006-202

RESOLUTION TO RESCIND RESOLUTION #2006-186 ENTITLED “NON – BINDING QUESTION ON NOVEMBER BALLOT” (Collection of all Residential Garbage)

BE IT RESOLVED by the Township Council of the Township of River Vale that Resolution #2006-186 is hereby rescinded;

BE IT FURTHER RESOLVED that the Township Clerk forward a certified copy of this resolution forthwith to the County Clerk of Bergen County.

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

The meeting adjourned at 10:00pm for a short recess and reconvened at 10:14PM.

ROLL CALL

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

ORDINANCES 1ST Reading

Motion by Councilman Matos; seconded by Councilman de Stefan to Introduce Ordinance #164-2006, as follows:

Ordinance #164-2006

AN ORDINANCE AMENDING CHAPTER 81 OF THE CODE OF THE TOWNSHIP OF RIVERVALE ENTITLED “VEHICLES IN TRAFFIC” SPECIFICALLY STOP INTERSECTIONS

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

Section 81-6.2. Stop Intersections shall be amended to reflect the following:

a. The following described intersections are hereby designated as stop intersections:

| Intersection | Stop Sign On |
|-------------------------------------|-------------------------------|
| Park Place and Interglen Avenue | South Side of Park Place |
| Interglen Avenue and Montview Place | East Side of Interglen Avenue |

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

Motion by Councilman de Stefan; seconded by Councilman Matos to Introduce Ordinance #165-2006, as follows:

Ordinance #165-2006

AN ORDINANCE TO REPEAL ORDINANCE #162-2006 OF THE TOWNSHIP OF RIVER VALE ENTITLED “AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY, SPECIFICALLY CHAPTER 33 OF THE NEW CODE ENTITLED “POLICE DEPARTMENT”

BE IT ORDAINED by the Township Council of the Township of River Vale that Ordinance #162-2006, adopted by the Council at their meeting held on August 1, 2006 is hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall take affect following final passage and publication in accordance with the law.

Council Discussion:

Councilman Matos spoke extensively about both the Police Ordinance and petition. He noted that there has been a lot of discussion over using the word “designee” throughout the ordinance.

Chief Sandy Danco- Elmwood Park Chief of Police/President State Chiefs Association – had some suggestions regarding the Police Ordinance. Felt the wording of “his/her designee” should be removed.

Councilman Matos further discussed the petition and the manner with which the required number of signatures was calculated. Township Attorney Carbone explained the law and how the number was determined by citing various other cases as examples.

ROLL CALL VOTE: Councilman de Stefan, Council Vice President Jasionowski voted yes, and Councilman Matos voted no. Councilman Blundo and Councilman President Menville were absent.

ORDINANCES 2nd Reading

Ordinance #155-2006

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING ORDINANCE NO. 0-11-04 OF THE TOWNSHIP FINALLY ADOPTED SEPTEMBER 23, 2004, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS FOR THE TOWNSHIP OF RIVER VALE AND APPROPRIATING \$460,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$437,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP OF RIVER VALE TO FINANCE THE SAME

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section A. Bond Ordinance No. 0-11-04 of the Township of River Vale, in the County of Bergen, New Jersey, finally adopted September 23, 2004 (the "Prior Ordinance"), is hereby amended in full to read as follows:

Section 1. The several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of River Vale, in the County of Bergen, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement or purpose, such sums amounting in the aggregate to \$460,000, including the aggregate sum of \$23,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$437,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

- (a) Purpose: Acquisition of a Dump Truck for the Public Works Department, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$100,000 (a decrease of \$9,271.52 from the Prior Ordinance)

Maximum Amount of Bonds or Notes: \$ 95,000 (a decrease of \$8,807.94 from the Prior Ordinance)

Period or Average Period of Usefulness: 5 years

Amount of Down Payment: \$ 5,000 (a decrease of \$463.58 from the Prior Ordinance)

- (b) Purpose: Acquisition of an OBD Leaf Machine and a concrete mixer, all for the Public Works Department, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 28,500 (a decrease of \$2,642.38 from the Prior Ordinance)

Maximum Amount of Bonds or Notes: \$ 27,075 (a decrease of \$2,510.27 from the Prior Ordinance)

Period or Average Period of Usefulness: 15 years

Amount of Down Payment: \$ 1,425 (a decrease of \$132.11 from the Prior Ordinance)

- (c) Purpose: Repairs to the roof of the Public Works Department building and the acquisition of a sound system for the Township Council Chambers, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 14,003.10 (a decrease of \$10,583 from the Prior Ordinance)

Maximum Amount of Bonds or Notes: \$ 13,302.94 (a decrease of \$10,053.85 from the Prior Ordinance)

Period or Average Period of Usefulness: 10 years

Amount of Down Payment: \$ 700.16 (a decrease of \$529.15 from the Prior Ordinance)

- (d) Purpose: Purchase of a generator, an air conditioner and radar units, all for the Police Department, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 38,699.52 (a decrease of \$7,041.74 from the Prior Ordinance)

Maximum Amount of Bonds or Notes: \$ 36,764.54 (a decrease of \$6,689.66 from the Prior Ordinance)

Period or Average Period of Usefulness: 15 years

Amount of Down Payment: \$ 1,934.98 (a decrease of \$352.08 from the Prior Ordinance)

- (e) Purpose: Purchase of Radio Repeaters for the Police Department, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 16,258.74

Maximum Amount of Bonds or Notes: \$ 15,445.80

Period or Average Period of Usefulness: 10 years

Amount of Down Payment: \$ 812.94

- (f) Purpose: Acquisition of equipment, including, but not limited to; Turnout gear, S.C.B.A air bottles, portable radios, high pressure hose reels, exhaust system retrofit, fit test equipment and CMC rescue wet and dry suits, all for the Fire Department, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 59,180 (a decrease of \$5,351.25 from the Prior Ordinance)

Maximum Amount of Bonds or Notes: \$ 56,221 (a decrease of \$5,083.69 from the Prior Ordinance)

Period or Average Period of Usefulness: 15 years

Amount of Down Payment: \$ 2,959 (a decrease of \$267.56 from the Prior Ordinance)

- (g) Purpose: Provide funds for miscellaneous technology upgrades for the Fire Department, as per a list on file with the Township Clerk, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 5,468.75

Maximum Amount of Bonds or Notes: \$ 5,195.31

Period or Average Period of Usefulness: 5 years

Amount of Down Payment: \$ 273.44

- (h) Purpose: Purchase and installation of four (4) lamp posts and reconstruction of various streets in the Township, including, but not limited to Loretta Drive, and Cedar Lane, all as shown on and in accordance with the specifications on file in the office of the Township Clerk, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 65,000 (a decrease of \$10,678.57 from the Prior Ordinance)

Maximum Amount of Bonds or Notes: \$ 61,750 (a decrease of \$10,144.64 from the Prior Ordinance)

Period or Average Period of Usefulness: 10 years

Amount of Down Payment: \$ 3,250 (a decrease of \$533.93 from the Prior Ordinance)

- (i) Purpose: Construction of an Amphitheater for the Township as shown on and in accordance with the specifications on file in the office of the Township Clerk, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 77,115.03 (a decrease of \$10,206.40 from the Prior Ordinance)

Maximum Amount of Bonds or Notes: \$ 73,259.27 (a decrease of \$9,696.09 from the Prior Ordinance)

Period or Average Period of Usefulness: 40 years

Amount of Down Payment: \$ 3,855.76 (a decrease of \$510.31 from the Prior Ordinance)

- (j) Purpose: Site investigation and remediation and demolition, removal and disposal of the Community Center, including all work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file in the office of the Township Clerk and hereby approved, and including all work and materials necessary or convenient in connection therewith.

Appropriation and Estimated Cost: \$55,774.86
(new appropriation)
Maximum Amount of Bonds or Notes: \$ 52,986.14
Period or Average Period of Usefulness: 15 years
Amount of Down Payment: \$ 2,788.72

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

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than 99% of par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available there for public inspection.

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

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Township may lawfully undertake as a capital improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15.862 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$437,000, and the issuance of the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$47,800 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance.

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

Section 9. The Township hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder, that are issued as tax exempt bonds, as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. This Ordinance amends Bond Ordinance 0-11-04 of the Township finally adopted September 23, 2004. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

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

*******Ordinance #155-2006 TABLED UNTIL SEPTEMBER 25TH Council Meeting*******

Ordinance #159-2006

AN ORDINANCE CHANGING THE ZONING CODE OF THE TOWNSHIP OF RIVER VALE – FOUR CORNERS

Whereas the Planning Board of the Township of River Vale has in its preparation, review, and adoption of the Master Plan, adopted the land use and housing plan as required by N.J.S.A. 40:55D-62(a) which recommends changing and adjusting various boundary lines for various zoning districts; and,

Whereas the Mayor and Council of the Township of River Vale are desirous of commencing the implementation of the recommendations on the Master Plan for the protection, safety and proper development of the Township of River Vale;

Whereas the proposed zoning ordinance amendments have been reviewed by the Planning Board of the Township of River Vale to ensure that they are substantially consistent with the Master Plan and its elements, as required by N.J.S.A. 40:55d-64;

NOW THEREFORE BE IT RESOLVED, that the Council of the Township of River Vale does hereby amend the Zoning Ordinances of the Township as follows:

1. Ordinance 142-221(C) is amended to delete lots 9.01 Block 1801 from 'Commercial,' which will then be classified as 'Professional Office'; Ordinance 142-221(C) is amended to delete lots 7 and 8 Block 1801 from 'Commercial' to 'A Residence.'
2. The Clerk shall give written notice both by regular and certified mail return receipt requested to all property owners of record for the property affected by the zoning change and all property within or touching a two hundred foot radius from the properties, at least ten (10) days prior to meeting at which the hearing on the ordinance will be held in accordance with N.J.S.A. 40:55D-62.1, which notice shall state: the date, time and place of the meeting; the nature of the matter to be considered; identifying the zoning districts now existing and to be

boundaries and locations to be changed by reference to streets, tax lot and blocks, common name or other landmarks; the Clerk shall also give notice by certified mail, return receipt requested to all adjoining municipalities and the Bergen County Planning Board.

*****Ordinance #159-2006 DEFEATED SEPTEMBER 11TH 2006*****
(No Motion Made)

Mayor Paschalis had additional remarks regarding Ordinance #159-2006; and explained its purpose. This Ordinance was put forth as a recommendation from the Planning Board to establish borders for the commercial district to prevent it from spreading into residential areas.

HEARING OF THE PUBLIC

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

Lorraine Waldes – 797 Westwood Avenue – reiterated Mrs. Perlmutter’s remarks about which organization get the benefit of a mailing. Ms. Waldes also had additional remarks regarding the Police Ordinance and the sequence of events that facilitated creating a new Ordinance. She stated that the letter from the Attorney General was in response to a letter sent from the Town. The only mandated change was to the promotional process and otherwise there were only suggested changes.

Ira Cohen – 536 Bernita Drive – Commended the Chief of Police and River Vale Police for the fine service they provide. Felt the Mayor and Council should provide civilian oversight to the department.

Francesca Moskowitz – 245 Rivervale Road – Thanked the Mayor and Council for all the wonderful changes to the Four Corners. Mrs. Moskowitz feels the town looks beautiful.

Richard Oppenheimer – Park Ridge Police Chief/President, Bergen County Chiefs Association – Chief Oppenheimer commented on the Police Ordinance and feels it needs further review. He offered the services of the County Chief Association to help make the ordinance work.

Fran Darakjian – 598 Faletti Way – had additional remarks on the Police Ordinance and Petition and what happens to an ordinance if the Mayor vetoes it.

Robert Regan – 345 Kinderkamack Avenue, Westwood – Mr. Regan introduced himself as an attorney representing Steve Hopper; a property owner within the proposed area for rezoning at the Four Corners. Mr. Regan thanked the Council for their vote regarding Ordinance #159-2006.

Regina Susek – 549 Roosevelt Avenue – recommended the Council contact other Faulkner towns regarding their police ordinances.

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

ADJOURNMENT –

There being no further comments or questions for the Council at this time; motion by Councilman de Stefan; seconded by Councilman Matos to adjourn the meeting at 11:15pm

Council Vice President
Glen Jasionowski

ATTEST:
Wanda A. Worner
Township Clerk

Approved: _____