

MINUTES
Regular Council Meeting
Monday, April 26, 2021
Community Center
7:30pm

CALL THE MEETING TO ORDER

Council President Bromberg called the meeting to order at 7:31pm.

SALUTE TO FLAG

Council President Bromberg asked all in attendance to join him in a Salute to the Flag.

SUNSHINE LAW STATEMENT

Council President Bromberg 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 Donovan, Councilwoman Sieg and Council President Bromberg were present. Councilmembers Ben-Yishay and Criscuolo were absent

Also present: Mayor Glen Jasionowski, Township Attorney Silvana Raso, Township Engineer Chris Statile and Township Clerk Karen Campanelli.

Mayor's Comments

Mayor Jasionowski had no comments this evening

Council Comments

There were no Council comments this evening.

Engineer's Report

Mr. Statile reported on the Poplar Road Safety Improvements Project; the new guardrail is installed and the contractor is starting work on the sidewalks and installing the new pedestrian signal. He is working on plans for a new exit for the Country Club parking lot; this project will be added to this year's Road Program.

He next reported on the Central Avenue Project; they are currently waiting on a subdivision to be finalized before they complete their plans. Mr. Statile reported that the Meskers Subdivision Plan is being presented to the Planning Board on Wednesday night. The property is being divided into four (4) lots; the 24 affordable housing units, a Group Home, townhomes and the future location of the Police Department. He explained that they are not presenting any improvements to the lots just the division; the improvements will be done separately at a later date.

Mr. Statile reported that he is still working with the architect on the Site Plan for the new Public Safety Complex. He further reported that his office is working with Rich Campanelli on the list of streets for this year's Resurfacing Program; he's assuming the budget will be \$450,000. Mr. Statile gave a brief update on the Fairways at Edgewood. They are currently digging their second and third building foundations and he expects the framing to start going up shortly.

Mr. Statile next gave a brief update on grant applications. His office submitted a grant application to the Department of Community Affairs for the Local Recreational Improvement Program for \$50,000 to be used toward the construction pickle ball courts at Mark Lane. Mr. Statile also submitted a Declaration to Apply to the County for \$100,000 to be used for the pickle ball courts as well.

Council President Bromberg questioned if both pickle ball grants were matching. Mr. Statile responded that the \$100,000 grant is a matching grant. Councilwoman Sieg questioned how much the courts cost. Mr. Statile responded approximately \$150,000 for two (2) courts. Mayor Jasionowski commented that he has received many calls regarding the pickle ball courts and that it's an incredibly popular. He added that the tennis courts are very busy and well used and he feels the pickle ball courts will be received the same. The Mayor wants to keep providing more for all age groups and get people involved. Council President Bromberg questioned if the pickle ball courts are in this year's budget. The Mayor responded yes.

The Mayor further commented that they have to make a decision regarding the amphitheater due to the area being unsafe.

PUBLIC HEARING 2021 BERGEN COUNTY TRUST FUND GRANT APPLICATION FOR PARK DEVELOPMENT GRANT FUNDING (Construction of pickle ball courts and other park amenities at the Mark Lane Field Complex)

Motion by Councilwoman Sieg; second by Councilman Donovan to open the public hearing on the 2021 Bergen County Trust Fund Grant Application for Park Development Grant Funding for the Mark Lane Field Complex Construction of pickle ball courts and other park amenities.

There being no questions or comments from the public. Motion by Councilman Donovan; second by Councilwoman Sieg to close the public hearing on the 2021 Bergen County Trust Fund Grant Application for Park Development Grant Funding for the Mark Lane Field Complex Construction of pickle ball courts and other park amenities.

1st Hearing of the Public

Motion by Councilman Donovan; second by Councilwoman Sieg to open the meeting to the public.

There being no questions or comments from the public. Motion by Councilman Donovan; second by Councilwoman Sieg to close the meeting to the public.

RESOLUTIONS

Motion by Councilman Donovan; second by Councilwoman Sieg to approve Resolutions #2021-110 through #2021-118 as a Consent Agenda as follows:

Resolution #2021-110

**Enabling Resolution - 2021 Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund Grant
Municipal Park Improvement Program**

WHEREAS, the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

WHEREAS, the Township of River Vale desires to further the public interest by obtaining a matching grant of \$100,000 from the County Trust Fund to fund the following projects: Pickle ball Court Construction at the Mark Lane Field Complex; and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, and the Trust Fund for the Municipal Park Improvement Program application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body/board received held the required Public Hearing to receive public comments on the proposed park improvements in the application on April 26, 2021; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of River Vale:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of May 14, 2021, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Township Council of the Township of River Vale has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the Township Council of the Township of River Vale is committed to providing a dollar for dollar cash match for the project; and,
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the Township Council of the Township of River Vale agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
6. That this resolution shall take effect immediately.

Resolution #2021-111

REFUND

(Camp Have Some Fun Registration Fee)

WHEREAS, the following resident has requested a refund of their Camp Have Some Fun registration fee; and

WHEREAS, the Treasurer has certified the availability of funds in the Recreation Account.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that said refund is approved and the Treasurer is hereby authorized to issue a municipal check payable as follows:

Payable to:
Michele Ortiz
564 Roosevelt Avenue
River Vale, NJ 07675
Refund Amount: \$660.00

Resolution #2021-112

R E S O L U T I O N

REFUND 2ND QUARTER PROPERTY TAX OVERPAYMENT

WHEREAS, a tax overpayment was received for the 2nd quarter of 2021 and the property owner has requested a refund of said overpayment.

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

Payable to:
Eileen Leino

Mail to:
521 Piermont Avenue, C329A
River Vale, NJ 07675
(Block 1301.01, Lot 2, C329A)

Refund Amount \$ 401.71

Resolution #2021-113

RESOLUTION

**STATE TAX APPEAL
REFUND OF TAX OVERPAYMENT**

WHEREAS, the following property owner was rendered a State Tax Appeal decision for a reduced assessment; and

WHEREAS, the property owner is requesting a refund for overpayment of their taxes.

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

Block 1002.02, Lot 5
641 Haring Farm Court
River Vale, NJ
Refund \$ 2,613.00

Check payable to:
Spiotti & Esposito, P.C.
61 South Paramus Road
Suite 250
Paramus, NJ 07652

Resolution #2021-114

**ENDORSE DEPARTMENT OF COMMUNITY AFFAIRS GRANT APPLICATION
(MARK LANE PICKLE BALL COURTS)**

WHEREAS, the Township of River Vale desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$50,000 to carry out a project to provide pickle ball courts at the Mark Lane Athletic Complex.

NOW THEREFORE BE IT RESOLVED,

- 1) That the Township of River Vale does hereby authorize the application for such a grant; and,
- 2) The Township recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of River Vale and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that Township Administrator or his/her designee is authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

Resolution #2021-115

**REFUND
DUMPSTER PERMIT FEE
(28 BOCK DRIVE)**

WHEREAS, the resident of 28 Bock Drive (Block 2103, Lot 4.05) over paid the Zoning Permit fee for a dumpster and is requesting a refund of said overpayment; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in the Current Account.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of River Vale that said refund is approved and the Treasurer is hereby authorized to issue a municipal check payable as follows:

Payable to:

“Paul Kilian”

Mail to:

28 Bock Drive
River Vale, NJ 07675

Refund Amount: \$ 40.00

Resolution #2021-116

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE PRE-DEVELOPER’S AGREEMENT
WITH LAKE TAPPAN URBAN RENEWAL, LLC**

WHEREAS, the Township entered in to a settlement agreement with Fair Share Housing Center, Inc. on September 8, 2017; and,

WHEREAS, the settlement agreement included a Third Round Prospective Need of 235 dwelling units located at the Township owned Meskers Inclusionary site (Block 701, Lots 5, 5.01, 5.02, 7 and portions of Lots 6 and 9) and zoned to include a site for 25 additional family affordable housing rental units; and,

WHEREAS, the Township issued a Request for Proposals to developers for the 25 family affordable rental housing units project and received responses on April 16, 2020; and,

WHEREAS, at the May 11, 2020 Council meeting the Township by way of resolution selected M&M Development LLC and ALM Consulting Group to undertake the subject housing project; and,

WHEREAS, both parties now wish to enter into a Pre-Developer’s Agreement in order to memorialize their understanding and agreement concerning the subject housing project.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the Pre-Developers agreement with Lake Tappan Urban Renewal LLC.

Resolution #2021-117

RESOLUTION 2021 TEMPORARY EMERGENCY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 provides that where contracts, commitments or payments to be made prior to final adoption of the 2021 Budget, temporary appropriations should be made for the purposes and amounts required in the manner and time provided.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of River Vale that the following additional temporary appropriations be made and a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

<u>APPROPRIATIONS</u>	<u>SALARY & WAGES</u>	<u>OTHER EXPENSE</u>
General Administration	\$ 42,850.00	\$ 30,750.00
Mayor & Council	\$ 11,850.00	\$ 350.00
Township Clerk	\$ 15,445.00	\$ 5,325.00
Financial Administration	\$ 52,875.00	
Audit Services		\$ 8,600.00
Tax Revenue Administration	\$ 12,850.00	\$ 3,125.00
Tax Assessment	\$ 6,900.00	\$ 15,275.00
Department of Law	\$ 525.00	\$ 27,500.00
Engineering Services		\$ 24,750.00
Planning Board	\$ 3,800.00	\$ 10,750.00
Uniform Construction Code	\$ 80,750.00	\$ 6,500.00
Insurance – Liabilities		
Insurance – Health		
Insurance – Dental		
Insurance – Misc.		\$ 23,550.00
Insurance – Unemployment		\$ 4,000.00
PERS		
PFRS		
DCRP		\$ 3,000.00
Police Department	\$ 516,750.00	\$ 60,200.00
Office of Emergency Management	\$ 1,525.00	\$ 1,000.00
Fire Department		\$ 13,025.00
<u>APPROPRIATIONS:</u>	<u>SALARY & WAGES</u>	<u>OTHER EXPENSE</u>
Fire Prevention Bureau	\$ 4,575.00	\$ 30,850.00
Director’s Office DPW	\$ 51,000.00	\$ 22,100.00
Public Works Department	\$ 263,950.00	\$ 15,500.00
Snow and Ice Removal		\$ 17,500.00
Vehicle Maintenance/Garage	\$ 68,750.00	\$ 27,000.00
Recycling	\$ 6,965.00	\$ 125,000.00
Buildings & Grounds		\$ 58,540.00
Prosecutor’s Office	\$ 2,225.00	
Recreation	\$ 2,500.00	\$ 8,750.00
Dept of Social and Cultural Affairs	\$ 2,000.00	\$ 1,100.00
Library Contribution		\$ 111,938.00
RV Ambulance Contribution		\$ 43,000.00
Utilities		\$ 10,000.00

Street Lights		\$ 27,500.00
Telephone Charges		\$ 11,333.00
Gasoline		\$ 27,300.00
Solid Waste Disposal		\$ 1,500.00
Statutory Expenses – F.I.C.A.		\$ 39,575.00
Municipal Court	\$ 20,955.00	
Public Defender		
Mental Health Services		\$ 13,160.00
Social Services		
	\$1,169,040.00	\$ 829,346.00

Pascack Valley DPW Interlocal:

DPW Streets & Roads		\$ 79,050.00
DPW Solid Waste & Recycling		\$ 86,700.00
Vehicle Maintenance/Garage		\$ 65,280.00
		\$ 231,030.00

Interlocal Agreements:

Teterboro Tax Collection	\$ 950.00	
Hillsdale Tax Collection	\$ 1,650.00	
Harrington Park Court	\$ 878.00	
Northwest Bergen Dispatch		\$ 57,278.00
	\$ 3,478.00	\$ 57,278.00

Debt Service:

Bond Principal		\$ 400,000.00
Bond Interest		\$ 45,600.00
BAN Principal		\$ 1,400,000.00
BAN Interest		\$ 22,089.00
		\$ 1,867,689.00

Capital Improvements:

C.I.F.		\$ 50,000.00
Municipal Park Impvs.		\$ 14,500.00
		\$ 64,500.00

Resolution #2021-118

PAYMENT OF BILLS

BE IT RESOLVED by the Township Council of the Township of River Vale
that the Business Administrator is hereby authorized to pay the following claims:

CURRENT ACCOUNT claims in the amount of:	\$	356,585.06
RESERVE CURRENT ACCOUNT claims in the amount of:	\$	13,693.06
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$	118,058.31
RESERVE GOLF COURSE UTILITY OPERATING ACCT claims in the amount of:	\$	26,310.00
SNOW REMOVAL TRUST ACCOUNT claims in the amount of:		
ANIMAL TRUST ACCOUNT claims in the amount of:	\$	275.40
TRUST ACCOUNT claims in the amount of:		
RECREATION TRUST ACCOUNT claims in the amount of:		
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:		
UNEMPLOYMENT TRUST ACCOUNT claims in the amount of:		
HOUSING TRUST ACCOUNT claims in the amount of:		
JUNIOR POLICE ACADEMY TRUST ACCOUNT claims in the amount of:		
GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of:		
OPEN SPACE TRUST ACCOUNT claims in the amount of:		
CAPITAL ACCOUNT claims in the amount of:		
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$	1,770.00
SPECIAL TRUST ACCOUNT claims in the amount of:	\$	1,160.00
ZONING BOARD TRUST ACCOUNT claims in the amount of:		
TOTAL CLAIMS TO BE PAID	\$	517,851.83

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 ACCOUNT claims in the amount of:	\$	3,403,147.92
RESERVE CURRENT ACCOUNT claims in the amount of:		
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$	168,880.06
RESERVE GOLF COURSE UTILITY OPERATING ACCT claims in the amount of:		
TRUST ACCOUNT claims in the amount of:		
ANIMAL TRUST ACCOUNT claims in the amount of:		
GRANT ACCOUNT claims in the amount of:		
RECREATION TRUST ACCOUNT claims in the amount of:	\$	405.00
PAYROLL AGENCY TRUST ACCOUNT claims in the amount of:	\$	1,189,005.00
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:		
TAX SALE REDEMPTION TRUST ACCOUNT claims in the amount of:	\$	38,206.26
TAX SALE PREMIUM TRUST ACCOUNT claims in the amount of:	\$	128,000.00
JUNIOR POLICE ACADEMY TRUST ACCOUNT claims in the amount of:		
UNEMPLOYMENT ACCOUNT claims in the amount of:	\$	142.52
SPECIAL TRUST ACCOUNT claims in the amount of:		
CAPITAL ACCOUNT claims in the amount of:	\$	137,654.00
BUILDERS ESCROW ACCOUNT claims in the amount of:		

PLANNING BOARD TRUST ACCOUNT claims in the amount of:

ZONING BOARD TRUST ACCOUNT claims in the amount of:

TOTAL CLAIMS PAID \$ 5,065,440.76

TOTAL BILL LIST RESOLUTION \$ 5,583,292.59

MANUAL DISBURSEMENTS

BILL LIST FOR Apr 26, 2021

3/30/2021 Transfer Payroll \$ 383,597.75

4/15/2021 Transfer Payroll \$ 269,176.70

TOTAL STATUTORY ACCOUNT DISTRIBUTIONS \$ 652,774.45

ROLL CALL VOTE

Councilman Donovan, Councilwoman Sieg and Council President Bromberg voted yes. Councilmembers Ben-Yishay and Criscuolo were absent.

Ordinance for 1st Reading

Ordinance #378-2021

Motion to Introduce: Councilman Donovan

Second: Councilwoman Sieg

AN ORDINANCE AMENDING CHAPTER 142 OF THE CODE ENTITLED "LAND USE" PART 7 "SOIL REMOVAL" SECTION 142-180 "PERMIT APPLICATION PROCEDURES"

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY, that Chapter 142 of the Code is hereby amended as follows:

§ 142-180. Permit application procedures.

D. Filing fee.

(1) Fees and deposits.

Volume of Soil (cubic yards) Filing Fee

Escrow Deposit

Under 25

\$ 10.00

None

25-125	\$ 75.00	\$ 375 \$600
126-500	\$ 75.00	\$ 550 \$ 800
501-1,000	\$ 75.00	\$ 1,000
1,001 and over	\$ 75.00	\$ 1,500 + \$0.50/cubic yard

This Ordinance shall take effect following adoption and approval in a time and manner prescribed by law.

ROLL CALL VOTE

Councilman Donovan, Councilwoman Sieg and Council President Bromberg voted yes. Councilmembers Ben-Yishay and Criscuolo were absent.

Ordinance for 2nd Reading and Public Hearing

Ordinance #376-2021

Motion to Adopt: Councilwoman Sieg

Second: Councilman Donovan

Motion by Councilman Donovan second by Councilwoman Sieg to open the public hearing on Ordinance #376-2021.

There being no questions or comments by the public. Motion by Councilman Donovan; **second by** Councilwoman Sieg to close the public hearing on Ordinance #376-2021.

AN ORDINANCE AMENDING CHAPTER 142 OF THE CODE ENTITLED "LAND USE" PART 1 "LAND USE GENERALLY," ARTICLE V "PERMITS AND CERTIFICATES"

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY, that Chapter 142 of the Code is hereby amended as follows:

§ 142-27. Certificate of Occupancy, **Resale and/or Rental Certificates**

A.

Certificate of occupancy, **resale and/or rental certificates** are required before occupancy. No person shall occupy, rent, lease, sublet, transfer title to or suffer the occupancy of, the letting of or allow any person to live in or upon, inhabit as a tenant or tenants or occupants or to occupy as a new owner or cotenants or co-owner any dwelling house or houses or dwelling units, within the confines of the Township of River Vale, unless and until that person shall have first obtained from the Construction Official or his agent of the Township of River Vale a certificate of occupancy, resale and rental certificate, or a certificate of demolition and a permit authorizing any of the foregoing when any of the foregoing shall take place subsequent to February 1, 1996. When a certificate of demolition is obtained, the building shall remain unoccupied.

B.

New occupancy or reoccupancy. The provisions of Subsection **A** shall apply with equal force and effect to any and all new and additional lettings, tenancies, transfers of title of premises or any part thereof and occupancies of any dwelling house or houses or dwelling units, within the Township, upon vacating of same, whether the reoccupancy is by virtue of transfer of title of the dwelling house or houses or dwelling unit or dwelling units or by virtue of rental of any of the foregoing or by virtue of any other action not specifically herein enumerated. The foregoing requirements for Subsections **A** and **B** shall be effective whether the occupancy, rental, lease or transfer of title is temporary, seasonal or permanent or whether or not for a consideration. **No rental shall be less than 30 days.**

C.

Definitions; applicability.

(1)

As used in this section, the following terms shall have the meanings indicated:

DWELLING HOUSE AND UNIT

Includes but is not limited to any one-family dwelling, all apartments or portions of apartments in any apartment house or apartment structure and any rooms in a motel, hotel or other place of public accommodation. The term shall also include a unit in a condominium or cooperative.

PERSON

Any individual, partnership, firm, corporation, holding company, foreign corporation, limited liability company or any other entity, whether or not incorporated in this or any other state or country, including any real estate broker or real estate agent or any representative, servant or employee of the foregoing.

(2)

This section shall apply to each and every dwelling house as aforesaid and to each and every dwelling unit as aforesaid within the Township and shall include all single and multiple dwellings and premises on which a building is located and is used for human occupancy.

D.

Rooming houses exempt. Licensed rooming houses that are annually examined and licensed by the Township shall be exempt from the rental portions of this section only, provided that they keep an accurate register giving true names and addresses of all persons occupying any rooms for any period of time.

E.

Effect on other municipal ordinances. Nothing contained in this section shall exempt any of the dwellings or buildings or parts of buildings covered by this section from full and complete compliance with any other provisions of any other ordinance or ordinances of the Township of River Vale, as the same may be applicable.

F.

Application for certificate.

(1)

Prior to the rental, transfer of title or occupancy of any dwelling house or houses or any dwelling unit or units provided for in this section, application for a certificate of occupancy, **resale and/or rental certificates** permitting occupancy shall be made, in writing, to the Construction Official or his agent of the Township by that person, persons, firm or corporation, agent, servant or representative, as set forth in Subsection **A**, and consent shall be given therewith unto the Construction Official or his agent to enter upon and examine the dwelling house or houses and dwelling unit or units and the building or buildings wherein the same may be situate, for which the application is applied for.

(2)

All applications for such certificates, as aforesaid, shall be made in writing and shall state the name and address of the owner of the dwelling house or houses, the dwelling unit or units and the building or structure wherein the same may be situate; and the name and address of the owner-occupant or tenant-occupant or any other occupant of the same; and also the name and address, if a sale or transfer of title, of the seller, transferor, buyer and the new proposed owner-occupant or any-other-purposes occupant; and shall further state the name and address of the renting or sales agent, if any, and shall describe the

premises to be occupied, including the street address thereof, and a designation of the portion or portions of the premises or structures for which the specific application is being made and the specific room or rooms in the premises to be occupied for sleeping purposes and the number of persons to occupy each sleeping room.

G.

Inspections.

(1)

The Construction Official or his agent shall conduct an inspection of the premises in question, to ensure compliance with applicable municipal ordinances and rules and regulations affecting the use and occupation of all such dwelling houses and dwelling units and structures. The inspection shall also require compliance with, but not limited to, the following regulations:

(a)

~~Flue connections are properly sealed.~~

(b)

~~Sump pumps are not connected to the sewer.~~

(c)

~~All electrical outlets, switches and panel boxes are properly covered.~~

(d)

~~Relief valves from boilers and water heaters are properly piped.~~

(e)

~~All plumbing fixtures are in working order.~~

(f)

~~Pools are properly fenced.~~

(g)

~~There are rails on all interior stairs of more than two risers.~~

(h)

~~Exterior rails must be properly secured.~~

(i)

~~Property must not be in violation of Chapter **181**, Property Maintenance.~~

(j)

~~The property is being used for the use it is zoned.~~

(a) Furnace/boiler flu connections – Properly sealed vent connectors at chimney.

(b) Water heater/mechanical equipment require a permit to replace and must have an inspection with an approved sticker affixed to the exterior of the unit.

(c) Sump pumps must be discharged to the exterior and cannot be attached to sanitary sewer line.

- (d) Anti- tip brackets shall be installed on kitchen stoves if required by the manufacturer.
- (e) Kitchen hood/microwave exhaust ducts that are visible must be rigid, not flexible, where required by the manufacturer.
- (f) All electrical outlets, switches, junction boxes, panels must be properly covered – no wires exposed or hanging.
- (g) Lamp cords cannot be used on fixed appliances (e.g. Garage openers, wall installed A/C units).
- (h) Handrails – must be installed on 4 or more risers.
- (i) Guards must be installed on landings 30” above floor/grade and on open basement stairs.
- (j) Garage walls/ceilings adjacent to dwelling must be sheet-rocked.
- (k) Pool/pool gates and fencing - there can be no deviation from original fence installation, gates must swing out, be self-closing and latching, and have latches 54” above grade, above ground pools in non-fence compliant yards must be 48” high with code compliant ladders.
*Exterior hot tubs shall have approved latches or conform to section (k) above.
- (l) Lawn and bushes should be neatly trimmed.
- (m) There can be no open permits or property maintenance violations.

(2)

No certificate of occupancy, resale and/or rental certificate permitting occupancy shall be issued unless there is full and complete compliance with all of the foregoing, unless otherwise specified, in writing, by the Construction Official or his agent.

H.

Violations and penalties.

(1)

Any person, persons, partnership, firm, corporation, holding company, foreign corporation, limited liability company or any other entity, whether or not incorporated in this or any other state or country, including any real estate broker or real estate agent or any representative, servant or employee of any of the foregoing, who in any manner knowingly fails to fully comply with the terms and covenants of the within section and who is part of any transaction resulting in the violations of any of the terms and provisions of the within section shall be deemed to have violated the terms and provisions of the within section and is subject to the penalties provided in this revised section for violation of the same, unless and until a certificate of occupancy, resale and/or rental certificate permitting occupancy as aforesaid shall have been issued.

(2)

All violations of this section by any person or persons, partnership, firm or corporation or any agents or servants or representatives, as provided herein, whether the person is the owner of the premises, the agent of any party as aforesaid or the tenant or the occupant or occupants, shall be deemed separate and distinct violations for each and every day that said violations may continue, and all parties violating this section shall be deemed jointly and severally liable for any and all such violations. For each and every violation committed, in violation of this section, violators shall be subject to the penalties provided in Chapter 1, Article I, § 1-14.

I.

Issuance by Construction Official; fees. A certificate of occupancy, **resale and/or rental certificate** permitting occupancy to be issued under the terms of this section shall be issued solely by the Construction Official or his agent without the necessity of approval therefor by the governing body of the Township of River Vale. The fee for issuance of such certificate, as provided for herein, shall be the sum of \$100.

[Amended 8-26-2004 by Ord. No. 0-9-04]

J.

Compliance with ordinances required. All buildings or structures or dwelling houses or dwelling units for which application shall have been filed by virtue of this section shall fully comply with all other municipal ordinances or requisite municipal requirements for the structures or units. The Construction Official or his agent shall be required to specify the corrections to be made to the premises for the certificate to be issued.

K.

Notification when inspection may be made. All owners or renting agents of real estate or person or persons applying for a certificate, as provided herein, shall advise the Construction Official or his agent of a reasonable time or times that the inspection may be made and have someone present to assist and provide entry for the inspection purposes. The Construction Official or his agent shall comply with the request and application within 10 working days after entry is provided and, when proper, shall issue the certificate upon approval.

L.

Compliance with procedures required. No tenant, owner or occupant shall sublease, sublet, transfer title (except as heretofore provided), permit the use or the occupancy of the dwelling house, dwelling unit or structure provided for herein without following the procedures set forth and required by the within section, nor shall any real estate broker or agent or representative of any of the foregoing permit any violation of this section.

This Ordinance shall take effect following adoption and approval in a time and manner prescribed by law.

ROLL CALL VOTE

Councilman Donovan, Councilwoman Sieg and Council President Bromberg voted yes. Councilmembers Ben-Yishay and Criscuolo were absent.

2nd Hearing of the Public

Motion by Councilwoman Sieg; second by Councilman Donovan to open the meeting to the public.

There being no questions or comments from the public. Motion by Councilman Donovan; second by Councilwoman Sieg to close the meeting to the public.

ADJOURNMENT

Motion by Councilman Donovan; second by Councilwoman Sieg to adjourn the meeting at 7:47pm.

ATTEST:
Karen Campanelli, Township Clerk

Council President Mark Bromberg

