

MINUTES
Regular Council Meeting
Monday, July 26, 2021
Town Hall 7:30pm

CALL THE MEETING TO ORDER

Council President Bromberg called the meeting to order at 7:33pm.

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

Also present: Mayor Glen Jasionowski, Township Attorney Michael Caufield, Business Administrator/CFO Gennaro Rotella, Township Engineer Lisa Neiman and Township Clerk Karen Campanelli.

Mayor's Comments

Mayor Jasionowski commented on the Audit and once again the team did a tremendous job. There were two very minor items noted and he thanked Gennaro for a job well done.

Council Comments

There were no Council comments this evening.

Business Administrator's Report

Mr. Rotella echoed the Mayor's comments regarding the audit. He reported on the two different items listed in the audit; one is the receipt of goods and the signature that must be obtained. Mr. Rotella explained that they process approximately 2,000 purchase orders a year. When the goods or services are received the department head signs the pink copy which is forwarded to Town hall for payment. He further explained that there were 6 to 9 items; however, they are stilling running a tight ship. Mr. Rotella reported on the second item which were contracts awarded at the Golf Course that exceeded the bid threshold. He explained that they started the construction work to replace the front of the clubhouse in January 2020 while the course was closed. In March of 2020, Covid hit and the Course remained closed they decided to replace the other clubhouse door. Mr. Rotella added they did the resolutions; however, the entire project was over the threshold and he should have gone out to bid for the work. He explained that he wanted consistency with the vendor and the work looks phenomenal. Mr. Rotella concluded that there was nothing from any of the other departments and they truly have a great team.

Engineer's Report

Ms. Neiman reported that last week they received bids for the 2021 Road Resurfacing Program and on the agenda this evening is the resolution awarding the contract to DLS Contracting. The award includes the alternate bid items which are the new exit for the River Vale Country Club and two (2) barrier free parking spaces near the clubhouse. Ms. Neiman next reported that they are in the process of scheduling a meeting with SUEZ to discuss their 2022 Water Main Replacement Program. This list will then be incorporated with

the list of roads scheduled for the Road Program. She next reported on the PE&G electrical upgrades on Collignon Way, River Drive and Peters Place. They've completed the test pits and will be starting the underground electrical service upgrades.

She reported the Poplar Road Safety Improvements project which is essentially complete and the pedestrian activated crosswalk signals have been installed. Ms. Neiman reported that the Meskers subdivision has preliminary Bergen County Planning Board approval. Regarding the Fairways at Edgewood; the County is currently making the intersection improvements at Piermont and Rivervale Road.

Ms. Neiman concluded her report stating that the County is moving forward with their design for a replacement bridge at Rivervale Road and Old Tappan Road. She explained that the proposed design will include widening the existing crossing, they've asked that bikeway accommodations be included and sidewalks be included on both sides. She further reported that this project will take several years.

Mr. Rotella added that bridge may also be raised due to flooding.

1st 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.

RESOLUTIONS

Motion by Councilman Donovan; second by Councilman Ben-Yishay to approve Resolutions #2021-163 through #2021-172 as a Consent Agenda as follows:

Resolution #2021-163

RESOLUTION CONFIRMING CONTRACT WITH APPROVED STATE VENDOR FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-2A (FOVEONICS)

WHEREAS, the Township of River Vale, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of River Vale has the need on a timely basis to contract for the following services utilizing State contracts for;

Document Conversion Services

WHEREAS, the State Contract price is

Purchase Price: \$ 229,291

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the Capital Account; and

WHEREAS, the Township of River Vale intends to enter into a Purchase contract with Foveonics, 99 Gray Rock Road, Suite 103, Clinton, New Jersey (State Contract #65MCESSCCPS) through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts.

NOW THEREFORE BE IT RESOLVED, that the Township of River Vale authorizes the Purchasing Agent to contract with Foveonics for Document Conversion Services pursuant to all conditions of the individual State contracts.

Resolution #2021-164

REFUND

(Golf Outing Deposit)

WHEREAS, the following individual is requesting a refund for a deposit for a Golf Outing at the River Vale Country Club that has been cancelled; and

WHEREAS, the Treasurer has certified the availability of funds in the Golf Operating 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:

**“Stacy Garvey”
250 Prospect Street
Midland Park, NJ 07432
Refund Amount: \$ 500.00**

Resolution #2021-165

RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE 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, 2021 unless earlier renewed by agreement between the Municipality and 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 #2021-166

RESOLUTION

REFUND TAX OVERPAYMENT

WHEREAS, a tax overpayment was received for the 3rd 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 as follows:

(Block 1301, Lot 2, CT104)

104 Holiday Lane

Refund Amount: \$ 2,671.08

Payable to:

David Stockel

104 Holiday Lane

River Vale, NJ 07674

Resolution #2021-167

RESOLUTION

STATE TAX APPEAL

REFUND OF TAX OVERPAYMENT

WHEREAS, the following property owner was rendered a State Tax Appeal decision for a reduced assessments for the years 2019 and 2020 as follows; and

Block 304, Lot 20

602 Sargent Road

- 2019 Refund Amount: **\$ 4,493.28**
- 2020 Refund Amount: **\$ 5,079.67**

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:

Check payable to:

“Law Offices of Valerie Hofer, Esq.”

P.O. Box 787

Montville, NJ 07045

Total Refund: \$ 9,572.95

Resolution #2021-168

RESOLUTION AWARDING THE BID FOR THE 2021 ROAD PROGRAM

WHEREAS, on July 22, 2021 the Township received bids for the 2021 Road Program; and

WHEREAS, one bid received from DLS Contracting Inc., 36 Montesano Road, Fairfield, New Jersey has been reviewed and approved and is hereby accepted as the lowest responsible bidder at the price of

Base Bid: \$ 448,154.00

Alternate Bid: \$ 12,925.00 (River Vale Country Club ADA Improvements)

Total Bid Price: \$ 461,079.00

WHEREAS, the Chief Financial Officer has certified that funds are available in an amount not to exceed \$ 448,154.00 in the Capital account and \$12,925.00 from the Public and Private Programs account.

NOW THEREFORE BE IT RESOLVED the bid from DLS Contracting, Inc. is accepted as the lowest responsible bidder. The Mayor and Township Clerk are hereby authorized and requested to execute a Contract on behalf of the Township of River Vale for the 2021 Road Program Improvements Program as described in the Bid Specifications.

Resolution #2021-169

RESOLUTION APPROVING THE 2020 AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Township Clerk as per the requirements of N.J.S.A 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R. S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments

Recommendations

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments

Recommendations

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Township of River Vale hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**I HEREBY CERTIFY THAT THIS IS A TRUE
COPY OF THE RESOLUTION PASSED BY THE
TOWNSHIP COUNCIL AT THEIR REGULAR
MEETING HELD ON JULY 26, 2021**

Resolution #2021-170

**RESOLUTION CONFIRMING CONTRACT WITH APPROVED STATE VENDOR FOR CONTRACTING UNITS
PURSUANT TO N.J.S.A. 40A:11-2A (JESCO EQUIPMENT)**

WHEREAS, the Township of River Vale, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of River Vale has the need on a timely basis to purchase the following equipment for the Department of Public Works utilizing State contracts;

2021 John Deere 410L BACKHOE

WHEREAS, the State Contract price is

Purchase Price: \$ 170,229.91

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the Capital Account; and

WHEREAS, the Township of River Vale intends to enter into a Purchase contract with Jesco Equipment, 118 St. Nicholas Avenue, South Plainfield, New Jersey (Sourcewell Cooperative State Contract#032119) through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts.

NOW THEREFORE BE IT RESOLVED, that the Township of River Vale authorizes the Purchasing Agent to purchase the above listed equipment from Jesco Equipment pursuant to all conditions of the individual State contracts.

Resolution #2021-171

RESOLUTION CONFIRMING CONTRACT WITH APPROVED STATE VENDOR FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-2A (STORR TRACTOR COMPANY)

WHEREAS, the Township of River Vale, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of River Vale has the need on a timely basis to purchase the following equipment for the Department of Public Works utilizing State contracts;

Toro Z-Master Radius Rotary Mower

WHEREAS, the State Contract price is

Purchase Price: \$ 34,957.25

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the Capital Account; and

WHEREAS, the Township of River Vale intends to enter into a Purchase contract with Storr Tractor Company, 3191 Route 22, Branchburg, New Jersey (ESCNJ State Contract#65MCESCCPS) through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts.

NOW THEREFORE BE IT RESOLVED, that the Township of River Vale authorizes the Purchasing Agent to purchase the above listed equipment from Storr Tractor Company pursuant to all conditions of the individual State contracts.

Resolution #2021-172

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:	\$	521,899.13
RESERVE CURRENT ACCOUNT claims in the amount of:	\$	7,887.72
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$	133,969.97
RESERVE GOLF COURSE UTILITY OPERATING ACCT claims in the amount of:		
FEDERAL/STATE GRANT ACCOUNT claims in the amount of:		
ANIMAL TRUST ACCOUNT claims in the amount of:	\$	60.60
TRUST ACCOUNT claims in the amount of:		
RECREATION TRUST ACCOUNT claims in the amount of:	\$	4,057.96
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:	\$	91,416.43
UNEMPLOYMENT TRUST ACCOUNT claims in the amount of:		

HOUSING TRUST ACCOUNT claims in the amount of:	\$	180.00
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:	\$	14,460.06
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$	223.00
SPECIAL TRUST ACCOUNT claims in the amount of:	\$	310.00
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$	180.00
TOTAL CLAIMS TO BE PAID	\$	774,644.87

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:	\$	3,621,619.09
RESERVE CURRENT ACCOUNT claims in the amount of:	\$	4,840.55
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$	107,685.54
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:	\$	23,594.80
PAYROLL AGENCY TRUST ACCOUNT claims in the amount of:	\$	7,480.42
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:		
TAX SALE REDEMPTION TRUST ACCOUNT claims in the amount of:		
TAX SALE PREMIUM TRUST ACCOUNT claims in the amount of:		
JUNIOR POLICE ACADEMY TRUST ACCOUNT claims in the amount of:		
UNEMPLOYMENT ACCOUNT claims in the amount of:		
SPECIAL TRUST ACCOUNT claims in the amount of:		
CAPITAL ACCOUNT claims in the amount of:	\$	3,641,399.99
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	\$	7,406,620.39
TOTAL BILL LIST RESOLUTION	\$	8,181,265.26

**MANUAL
DISBURSEMENTS
BILL LIST FOR July 26,
2021**

7/15/2021 Transfer Payroll \$ 280,247.56

TOTAL STATUTORY ACCOUNT DISTRIBUTIONS \$ 280,247.56

ROLL CALL VOTE

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

Ordinances for 1st Reading

There were no Ordinances for 1st Reading.

Ordinances for 2nd Reading & Public Hearing

Ordinance #384-2021

Motion to Adopt: Councilwoman Sieg

Second: Councilman Ben-Yishay

Motion by Councilwoman Sieg; second by Councilman Donovan to open the public hearing for Ordinance #384-2021.

There being no questions or comments from the public. Motion by Councilman Donovan; seconded by Councilman Sieg to close to public hearing on Ordinance #384-2021.

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING CHAPTER 90 OF THE CODE ENTITLED UNIFORM CONSTRUCTION CODE SECTION 90-4 "FEES"

BE IT RESOLVED, by the Township Council of the Township of River Vale that Chapter 90 of the Township Code Section 90-4 entitled "Fees" is hereby amended as follows:

§90-4. Fees.

A. The fee for a construction or zoning permit shall be the sum of the subcode fees listed in Subsection A (1) through (5) of this section and shall be paid before the permit is issued.

(1) (a) New construction or additions:

(1) Per cubic foot of volume: ~~\$0.05~~; **\$0.06**.

(p) Zoning review fee(s) (requires survey, a current survey depicts as exists):

\$40.

Add:

(1) Habitable Space: \$80.

(2) Non-Habitable Space: \$40.

(5) Mechanical subcode fees.

(a) R3/R5 structure/use group minimum fee: \$70. **Minimum project fees. \$100.**

- (1) ~~Water heater: \$70.~~
- (2) ~~Fuel oil piping connections: \$70.~~
- (3) ~~Gas piping connections: \$25 per connection.~~
- (4) ~~Steam boiler with backflow: \$ 130.~~
- (5) ~~Hot water boiler with backflow: \$130.~~
- (6) ~~Hot air furnace: \$130.~~
- (7) ~~Oil tan with piping: \$100.~~
- (8) ~~LPG tank: \$100.~~
- (9) ~~Fireplace/woodstove: \$85.~~
- (10) ~~Hydronic piping: \$75.~~
- (11) ~~Radiant heat piping: \$75.~~
- (12) ~~Chimney liner: \$100.~~
- (13) ~~A/C coils/condensers: &15.~~

New fees:

- (1) Installation of heating or cooling equipment such as ground source heat pump systems, heat pumps, solar thermal systems but not limited to these systems: \$150.
- (2) Refrigeration systems: \$150.
- (3) Residential air conditioning system condenser and air handler: \$150.
- (4) Residential condenser or air handler only: \$100
- (5) Commercial air conditioning system, furnace and RTU systems: \$200.
- (6) Residential gas piping-first appliance: \$100.
Every appliance thereafter: \$30.
- (7) Commercial gas piping-first appliance: \$150.
Every appliance thereafter: \$40.
- (8) Ventilation apparatus and exhaust system: \$150.
- (9) Residential heating system, hydronic, steam, furnace, boiler includes backflow device: \$150.
- (10) Commercial hydronic, steam, furnace, boiler heating systems includes backflow device: \$ 200.
- (11) Generators R-3—R-5 existing structure: \$100.
- (12) Pool heaters R-3—R-5 existing structure: \$100.
- (13) Water heater – residential: \$100.
- (14) Water heater – commercial: \$150.
- (15) Fuel oil piping – residential: \$100.
- (16) Fuel oil piping – commercial: \$150.
- (17) Chimney liner system: \$125.
- (18) Gas fireplace and gas log sets: \$100.
- (19) Duct systems R-3—R-5 existing structures: \$100.

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

ROLL CALL VOTE

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

Ordinance #385-2021

Motion to Adopt: Councilman Donovan

Second: Councilwoman Sieg

Motion by Councilwoman Sieg; second by Councilman Ben-Yishay to open the public hearing for Ordinance #385-2021.

There being no questions or comments from the public. Motion by Councilman Donovan; seconded by Councilman Sieg to close to public hearing on Ordinance #385-2021.

Council Comments:

Councilman Donovan is looking forward to seeing the final plans and the opportunity to vote on the final project.

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR CONSTRUCTION OF A PUBLIC SAFETY COMPLEX IN AND FOR THE TOWNSHIP AND APPROPRIATING \$14,000,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$13,300,000 IN 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 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of River Vale, in the County of Bergen, New Jersey (the "Township"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated \$14,000,000, including \$700,000 as the down payment for the improvement or purpose required by the Local Bond Law. The down payment has been made available by virtue of provision in the reserve for capital projects provided for in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$13,300,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds are to be issued is for the construction of a Public Safety Complex in the Township, including all work and materials necessary therefor on incidental thereto.

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

(c) The estimated cost of the improvement or purpose 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 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 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 general improvement, and no part of the costs thereof have 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, is forty (40) 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 \$13,300,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$1,500,000 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 several improvements or purposes 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 purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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 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 exclusion from gross income of interest on the bonds and notes authorized hereunder which 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. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide

secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 11. 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 12. This bond ordinance shall take effect 20 days after the first publication

ROLL CALL VOTE

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

Ordinance #386-2021

Motion to Adopt: Councilwoman Sieg

Second: Councilman Ben-Yishay

Motion by Councilman Ben-Yishay; second by Councilwoman Sieg to open the public hearing for Ordinance #386-2021.

There being no questions or comments from the public. Motion by Councilman Donovan; seconded by Councilman Sieg to close to public hearing on Ordinance #386-2021.

Council Comments:

Council President Bromberg is very glad to see this ordinance get approved; however, as a member of the CERT Team he will abstain from the official vote.

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE IN BERGEN COUNTY, NEW JERSEY WAIVING FEES FOR EMERGENCY SERVICE VOLUNTEERS

NOW, THEREFORE, BE IT ORDAINED by the Township Council of Council of the Township of River Vale, in the County of Bergen, State of New Jersey, as follows:

§ Purpose.

The purpose of this article shall be to waive Township of River Vale construction permit fees, as defined herein, collected by the Building Department of the Township of River Vale, for eligible emergency services volunteers of the Township of River Vale, for construction, repair and/or renovations to their primary residences and for recreational program conducted by the Township.

§ Definitions.

The following definitions shall apply to the provisions of this article of the Code of the Township of River Vale, entitled "Waiver of Fees":

ACTIVE MEMBER

Individuals in any volunteer organization who meet the definition of either "active member" or "life member," as established by the bylaws of the voluntary organizations are in effect on the effective date of this article. Honorary members are specifically excluded from this definition.

FAMILY

An active member, their spouse, and all natural or adopted children under 21 years of age who are unmarried and permanently occupying the same residence.

FEES

Those charges established by the Governing Body of the Township of River Vale which are fully retained by the Township of River Vale as revenue and unrelated to any business activity. Specifically excluded is any portion of the fee which is collected by the Township on behalf of another entity, including but not limited to the State of New Jersey, the County of Bergen, or any outside vendor. Also excluded are any fines and any escrow fees to reimburse the Township for professional fees incurred in any land use application.

VOLUNTEER ORGANIZATION

The River Vale Fire Department, the River Vale, Ambulance Corps and the River Vale Citizens Emergency Response Team (CERT).

§ Specific exemptions.

All active member of a volunteer organization and their families shall be entitled to the following benefits:

- A. Exemption from up to \$500 of the municipal portion of the Uniform Construction code Fees per annum for the issuance of a building permit require in connection with either new construction, the construction of an addition or completion of repairs to an existing single-family dwelling owned and occupied by an active member of the volunteer organization.
- B. Partial exemption from the municipal portion of the Uniform Construction Code fees, not to exceed a maximum of \$500, for the issuance of a building permit required in connection with the construction of a new single-family dwelling to be occupied by the active member of a volunteer organization.
- C. Exemption from up to \$500 in fees per annum for recreational programs conducted by the Township of River Vale.

§ Administration.

- A. On or about January 1 of each calendar year, a volunteer organization shall submit to the Township of River Vale a list of all individuals who meet the definition for "active member" status. Such a list shall be updated on a periodic basis by the volunteer organization to add those individuals who have completed their probationary status or to delete the individuals who have been dropped from their membership or who no longer meet the criteria for active member status. The current status shall be verified by Township to the volunteer organization by the Administration.
- B. On a form provided by the Township of River Vale, each active member shall provide information related to family status to assist the various municipal officials in the administration of this article in order to be eligible for the benefits provided in this article.
- C. All active members and their families must comply with all registration procedures and complete all application forms established by the Township of River Vale.

§ Exclusions.

No Exemption shall be allowed for the following fees:

- A. Fees, licenses and permits associated with any for-profit activity.
- B. Inclusion in programs when the registration is received after maximum registration has been reached.
- C. Fees and escrows required by the Joint Planning Board in connection with any site plan or subdivision application.
- D. Escrows associated with engineering inspections.
- E. Cat and dog licenses, marriage licenses, and certificate of continued occupancy fees.
- F. Posting of performance guarantees where required or permitted by law.
- G. Recreational fees from individual sports associations not conducted by the Township of River Vale.

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

ROLL CALL VOTE

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

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 7:48pm.

ATTEST:
Karen Campanelli, Township Clerk

Council President Mark Bromberg

