



## **AGENDA**

*Regular Meeting of the Township Council*

*Monday, February 27, 2017*

*8:00pm*

**Mayor Glen Jasionowski**

Council President Mark Bromberg, Council Vice President Paul Criscuolo,  
Councilman Ari Ben-Yishay, Councilman John Donovan, Councilwoman Denise Sieg

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### **CALL THE MEETING TO ORDER**

### **SALUTE TO FLAG**

### **SUNSHINE LAW STATEMENT**

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**

1. Township Council
2. Municipal Officials Present

### **TOWNSHIP COMMUNICATION**

1. Mayor's Comments
2. Township Council Comments

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### **Administrator's Report**

### **Engineer's Report**

**HEARING OF THE PUBLIC**

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

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**RESOLUTIONS**

- #2017-89—Approve Minutes February 13, 2017 Council meeting
- #2017-90—Confirm Mayoral Appointment to River Vale Library Board of Trustees
- #2017-91—Approve Raffle License #491 Selzer School PTO (Tricky Tray)
- #2017-92—Approve Raffle License #492 Paramus Rotary Club (off Premises 50/50)
- #2017-93—Authorize Temporary Emergency Budget Appropriations
- #2017-94—Authorize Refund 1<sup>st</sup> Quarter Property Tax Overpayments
- #2017-95—Authorize the Mayor to Sign Second Amendment to Communications Site License Agreement (MetroPCS)
- #2017-96—Authorize the Mayor to Sign Interlocal Services Agreement with Borough of Old Tappan (Fuel Storage Tanks)
- #2017-97—Authorize Budget Appropriation Transfers
- #2017-98—Payment of Bills

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**Ordinances for 1<sup>st</sup> Reading**

**Ordinance #320-2017**—AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN NEW JERSEY TO AMEND CHAPTER 142 OF THE TOWNSHIP CODE ENTITLED, "LAND USE," TO DISSOLVE THE TOWNSHIP PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT AND TO ESTABLISH A JOINT PLANNING BOARD

There are no Ordinance for 2<sup>nd</sup> Reading

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**2<sup>nd</sup> HEARING OF THE PUBLIC**

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**ADJOURNMENT**



Resolution offered:	No. 2017-89
Resolution seconded by:	

**RESOLUTION APPROVING MINUTES FEBRUARY 13, 2017 REGULAR MEETING**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the minutes of the February 13, 2017 Regular meeting of the Township Council are hereby approved.

Council Member	AYE	NAY	N.V.	A.B	Council Member	AYE	NAY	N.V.	A.B
BEN-YISHAY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DONOVAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BROMBERG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SIEG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRISCUOLO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

X - Indicates Vote A.B. - Absent N.V - Not Voting (Abstained or Excused)

Dated: February 27, 2017

I hereby certify that this is a true copy of the Resolution passed by the Township Council at their meeting

held on: \_\_\_\_\_, 2017 Attest: \_\_\_\_\_

Karen Campanelli, Township Clerk



Resolution offered:	No. 2017-90
Resolution seconded by:	

**RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE RIVER VALE LIBRARY BOARD OF TRUSTEES**

**BE IT RESOLVED** by the Township Council of the Township of River Vale that the Mayoral appointment of

- **Jim Tolomeo - unexpired term ending 12/31/2019**

to the River Vale Library Board of Trustees and his corresponding term is hereby confirmed.

Council Member	AYE	NAY	N.V.	A.B	Council Member	AYE	NAY	N.V.	A.B
BEN-YISHAY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DONOVAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BROMBERG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SIEG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRISCUOLO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

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Karen Campanelli, Township Clerk



Resolution offered:	No. 2017-91
Resolution seconded by:	

**RESOLUTION APPROVING THE RAFFLE LICENSE FOR SELZER SCHOOL PTO**

**BE IT HEREBY RESOLVED** that the following license to conduct a Tricky Tray raffle is issued to:

NAME: Selzer School PTO  
435 Prospect Avenue  
Dumont, NJ 07628

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

DATE OF RAFFLE: March 30, 2017

I.D. #: 109-5-37089

RAFFLE LICENSE: RL 491

**BE IT FURTHER RESOLVED** that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

Council Member	AYE	NAY	N.V.	A.B	Council Member	AYE	NAY	N.V.	A.B
BEN-YISHAY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DONOVAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BROMBERG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SIEG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRISCUOLO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

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Karen Campanelli, Township Clerk



Resolution offered:	No. 2017-92
Resolution seconded by:	

**RESOLUTION APPROVING THE RAFFLE LICENSE FOR PARAMUS SUNRISE ROTARY CLUB**

**BE IT HEREBY RESOLVED** that the following license to conduct an off premises 50/50 raffle is issued to:

NAME: Paramus Sunrise Rotary Club  
54 Diaz Place  
Paramus, NJ 07652

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

DATE OF RAFFLE: April 6, 2017

I.D. #: 373-8-28736

RAFFLE LICENSE: RL 492

**BE IT FURTHER RESOLVED** that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

Council Member	AYE	NAY	N.V.	A.B	Council Member	AYE	NAY	N.V.	A.B
BEN-YISHAY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DONOVAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BROMBERG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SIEG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRISCUOLO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

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Karen Campanelli, Township Clerk



Resolution offered:	No. 2017-93
Resolution seconded by:	

**RESOLUTION**  
(TEMPORARY EMERGENCY)

**WHEREAS**, N.J.S. 40A:4-19 provides that where contracts, commitments or payments are to be made prior to final adoption of the 2017 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 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:

<b>APPROPRIATIONS</b>	<b>SALARY &amp; WAGES</b>	<b>OTHER EXPENSE</b>
General Administration	\$24,445.00	\$24,700.00
Mayor & Council	\$ 7,605.00	\$ 350.00
Township Clerk	\$22,050.00	\$10,560.00
Financial Administration	\$66,670.00	\$1,680.00
Tax Revenue Administration	\$13,958.00	\$1,013.00
Tax Assessment	\$5,353.00	\$ 1,550.00
Audit Expenses		\$17,375.00
Department of Law	\$736.00	\$31,000.00
Engineering Services		\$19,750.00
Planning Board	\$3,098.00	\$4,100.00
Zoning Board	\$500.00	\$790.00
Uniform Construction Code	\$44,417.00	\$6,400.00
Insurance – Liabilities		\$116,558.00
Insurance – Health		\$370,375.00
Insurance – Dental		\$7,000.00
Insurance – Unemployment		\$4,275.00
Police Department	\$806,083.00	\$29,017.00
Office of Emergency Management	\$1,900.00	\$568.00
Fire Department	\$17,833.00	\$13,563.00
Fire Prevention Bureau	\$3,723.00	\$47,500.00
Prosecutor’s Office	\$2,345.00	
Director’s Office DPW	\$34,431.00	\$5,788.00
Public Works Department	\$205,750.00	\$17,750.00

<b>APPROPRIATIONS</b>	<b>SALARY &amp; WAGES</b>	<b>OTHER EXPENSE</b>
Snow and Ice Removal	\$34,300.00	\$104,750.00
Vehicle Maintenance	\$15,950.00	\$8,000.00
Recycling		\$104,763.00
Buildings & Grounds		\$64,989.00
Health & Human Services	\$3,075.00	
Social Services	\$1,650.00	
Recreation	\$1,650.00	
Dept of Social and Cultural Affairs	\$1,900.00	
Community Services Act	\$8,850.00	\$4,600.00
Library Contribution		\$165,932.00
Utilities		\$40,950.00
Street Lights		\$15,550.00
Telephone Charges		\$14,000.00
Gasoline		\$20,000.00
Solid Waste Disposal		\$199,275.00
Statutory Expenses – F.I.C.A.		\$91,250.00
Deferred Compensation Retirement Plan		\$250.00
Police, Fire Retirement System		\$1,503.00
Municipal Recycling Assistance		\$6,023.00
Municipal Court	\$19,600.00	\$2,643.00
Public Defender		\$900.00
Interlocal Harrington Park Municipal Court		\$2,500.00
Interlocal County of Bergen Dog Warden		\$ 6,750.00
Interlocal County of Bergen Health Services		\$ 17,375.00
Mental Health Services		\$ 2,500.00
Mandated Safety Programs		\$ 1,400.00
Bond Principal		\$26,100.00
Interlocal Montvale DPW		\$524,661.00
Interlocal Teterboro Tax Collection		\$2,500.00
	\$1,348,592.00	\$2,160,826.00

Council Member	AYE	NAY	N.V.	A.B	Council Member	AYE	NAY	N.V.	A.B
BEN-YISHAY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DONOVAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BROMBERG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SIEG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRISCUOLO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

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Karen Campanelli, Township Clerk





Resolution offered:	No. 2017-94
Resolution seconded by:	

**RESOLUTION**  
**REFUND OF TAX OVERPAYMENTS**

**WHEREAS**, tax overpayments were received for the 1<sup>st</sup> quarter of 2017 and the property owners have 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 municipal checks as follows:

- |                                                                                          |                                                                                    |
|------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| <p>(1) Block 301, Lot 17.01<br/>705 Blue Hill Road<br/>River Vale, NJ<br/>\$3,582.82</p> | <p>(3) Block 301, Lot 57<br/>202 Mikell Lane<br/>River Vale, NJ<br/>\$4,775.39</p> |
|------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|

Issue check to:  
A Absolute Escrow Settlement Co., Inc.  
Trust Account  
55 Essex Street  
Millburn, NJ 07041

Issue check to:  
Valley National Bank  
1720 Route 23 North  
Wayne, NJ 07470

- (2) Block 801, Lot 1.02  
723 Beechcrest Drive  
River Vale, NJ  
\$172.82

Issue check to:  
Joseph & Laura Favorito  
723 Beechcrest Drive  
River Vale, NJ 07675

Council Member	AYE	NAY	N.V.	A.B	Council Member	AYE	NAY	N.V.	A.B
BEN-YISHAY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DONOVAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BROMBERG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SIEG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRISCUOLO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

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Karen Campanelli, Township Clerk



Resolution offered:	No. 2017-95
Resolution seconded by:	

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN SECOND AMENDMENT TO COMMUNICATIONS SITE LICENSE AGREEMENT (MetroPCS)**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the Second Amendment to the Communications Site Lease Agreement with MetroPCS New York, LLC.

**BE IT FURTHER RESOLVED** that said Amendment has been reviewed and approved by the Township Attorney.

Council Member	AYE	NAY	N.V.	A.B	Council Member	AYE	NAY	N.V.	A.B
BEN-YISHAY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DONOVAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BROMBERG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SIEG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRISCUOLO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

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Karen Campanelli, Township Clerk



Resolution offered:	No. 2017-96
Resolution seconded by:	

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF OLD TAPPAN (FUEL STORAGE TANKS)**

**WHEREAS**, the Uniformed Shared Services and Consolidation Act N.J.S.A. 40A:65-1 et seq. authorizes public entities to enter into a contract with each other to share services which the entities are empowered to provide or receive within their own jurisdiction; and

**WHEREAS**, the Uniformed Shared Services and Consolidation Act promotes the broad use of shared services as a method to reduce local expenses funded by property taxpayers and is in the best interests of the residents of the participating municipalities; and

**WHEREAS**, the Township of River Vale wishes to enter into a continuing shared services agreement for the use of the Borough of Old Tappan’s fuel storage tanks, in place since 1991; and

**WHEREAS**, the terms and conditions of this agreement have been review and approved by the Township Attorney; and

**WHEREAS**, the term of the Interlocal Services Agreement shall be for seven years from January 1, 2017 through December 31, 2023.

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the Interlocal Services Agreement with the Borough of Old Tappan.

Council Member	AYE	NAY	N.V.	A.B	Council Member	AYE	NAY	N.V.	A.B
BEN-YISHAY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DONOVAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BROMBERG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SIEG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRISCUOLO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

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Karen Campanelli, Township Clerk



Resolution offered:	No. 2017-97
Resolution seconded by:	

**RESOLUTION**  
(TRANSFERS)

**WHEREAS**, there exists a need to make transfers in the 2016 Budget Appropriations, and there exists balances from which to make said transfers.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of River Vale that the Chief Financial Officer hereby be authorized to make the following transfers to the 2016 Budget Appropriations.

**Inside CAP:**

**To:**

Administration – OE		<u>\$ 10,000.00</u>
	<b>Total</b>	<b>\$ 10,000.00</b>

**Inside CAP:**

**From:**

Township Clerk – OE		\$ 1,000.00
Tax Assessor – SW		\$ 1,000.00
Police Chief – SW		\$ 1,000.00
Streets & Roads – SW		\$ 3,500.00
Streets & Roads – OE		<u>\$ 3,500.00</u>
	<b>Total</b>	<b>\$ 10,000.00</b>

Council Member	AYE	NAY	N.V.	A.B	Council Member	AYE	NAY	N.V.	A.B
BEN-YISHAY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DONOVAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BROMBERG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SIEG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRISCUOLO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

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Karen Campanelli, Township Clerk



Resolution offered:	No. 2017-98
Resolution seconded by:	

**AUTHORIZE 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:	\$119,162.53
RESERVE CURRENT ACCOUNT claims in the amount of:	\$73,403.45
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$48,477.76
UNEMPLOYMENT TRUST ACCOUNT claims in the amount of:	
ANIMAL TRUST ACCOUNT claims in the amount of:	\$766.20
MISCELLANEOUS TRUST ACCOUNT claims in the amount of:	
RECREATION TRUST ACCOUNT claims in the amount of:	\$884.30
RESERVE RECREATION TRUST ACCOUNT claims in the amount of:	\$222.00
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:	\$60,338.71
SNOW REMOVAL TRUST ACCOUNT claims in the amount of:	
HOUSING TRUST ACCOUNT claims in the amount of:	\$9,721.35
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:	\$5,665.00
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$125.00
SPECIAL TRUST ACCOUNT claims in the amount of:	\$1,053.75
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$149.25
<b>TOTAL CLAIMS TO BE PAID</b>	<b>\$319,969.30</b>

**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:	\$7,269,354.13
RESERVE CURRENT ACCOUNT claims in the amount of:	\$242,217.04
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$43,184.49
UNEMPLOYMENT TRUST ACCOUNT claims in the amount of:	
MISCELLANEOUS TRUST ACCOUNT claims in the amount of:	\$28,100.00
ANIMAL TRUST ACCOUNT claims in the amount of:	
ACCUMULATED ABSENCES TRUST ACCOUNT claims in the amount of:	
RECREATION TRUST ACCOUNT claims in the amount of:	
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:	
SNOW REMOVAL TRUST ACCOUNT claims in the amount of:	\$2,500.00
HOUSING TRUST ACCOUNT claims in the amount of:	
JUNIOR POLICE ACADEMY TRUST ACCOUNT claims in the amount of:	\$40.01

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:  
 SPECIAL TRUST ACCOUNT claims in the amount of:  
 ZONING BOARD TRUST ACCOUNT claims in the amount of:

**TOTAL CLAIMS PAID** **\$7,585,395.67**

**TOTAL BILL LIST RESOLUTION** **\$7,905,364.97**

**MANUAL DISBURSEMENTS  
 BILL LIST FOR February 27, 2017**

1/30/2017 Transfer Payroll \$293,650.55  
 2/15/2017 Transfer Payroll \$270,703.76  
**TOTAL STATUTORY ACCOUNT DISTRIBUTIONS** **\$564,354.31**

Council Member	AYE	NAY	N.V.	A.B	Council Member	AYE	NAY	N.V.	A.B
BEN-YISHAY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DONOVAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BROMBERG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SIEG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRISCUOLO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

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Karen Campanelli, Township Clerk



Township of River Vale  
County of Bergen  
State of New Jersey

**ORDINANCE #320-2017**

Date of 1 <sup>st</sup> Reading: February 27, 2017	Motion to Introduce:
Date of Public Hearing:	Motion Seconded:

**AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN NEW JERSEY TO AMEND CHAPTER 142 OF THE TOWNSHIP CODE ENTITLED, "LAND USE," TO DISSOLVE THE TOWNSHIP PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT AND TO ESTABLISH A JOINT PLANNING BOARD**

**WHEREAS**, the Municipal Land Use Law ("MLUL"), specifically, N.J.S.A. 40:55D-25c(1) permits governing bodies of each municipality, like the Township's Governing Body, to dissolve separate zoning boards of adjustment and planning boards and to establish a single board that is empowered to act pursuant to N.J.S.A. 40:55D-25 and N.J.S.A. 40:55D-70; and

**WHEREAS**, municipalities with fewer than 15,000 residents may dissolve their independent zoning boards of adjustment and planning board in order to establish a single board to exercise these powers authorized under N.J.S.A. 40:55D-25 and N.J.S.A. 40:55D-70, by ordinance; and

**WHEREAS**, the level of activity before the Zoning Board of Adjustment and before the Planning Board has decreased substantially over the past several years and is not anticipated to increase to a level which would require the existence of two separate and distinct Boards; and

**WHEREAS**, the dissolution of the Zoning Board of Adjustment and the Planning Board in favor of a newly created board to be known as a Joint Planning Board will reduce the expenses incurred by the Township in maintaining two separate and distinct Boards; and

**WHEREAS**, the Township's Governing Body intends to dissolve the Township Planning Board and Zoning Board of Adjustment and establish a new board to act within the powers granted to both previous boards, pursuant to the MLUL;

**BE IT ORDAINED** by the Township Council of the Township of River Vale that Chapter 142 is amended as follows:

**Section 1.**

**ARTICLE II  
PLANNING BOARD**

Article II of the Code, entitled, Planning Board, § 142 – 4 through § 142 – 13, is hereby deleted in its entirety and the Planning Board is hereby dissolved.

**ARTICLE III  
ZONING BOARD**

Article III of the Code, entitled, Zoning Board of Adjustment, § 142 – 14 through § 142 – 23, is hereby deleted in its entirety and the Zoning Board of Adjustment is hereby dissolved.

**Section 2.**

**ARTICLE II  
JOINT PLANNING BOARD**

**§142-4. Establishment; composition.**

- A. There is hereby established a new board which shall be known as the Joint Planning Board Board consisting of nine regular members and two alternate members. The regular membership shall consist of the following four classes:
  - (1) Class I: the Mayor.
  - (2) Class II: one of the officials of the municipality other than a member of the governing body, to be appointed by the Mayor.
  - (3) Class III: a member of the governing body, to be appointed by it.
  - (4) Class IV: six other citizens of the municipality, to be appointed by the Mayor. The members of Class IV shall hold no other municipal office, except that one may be a member of the Board of Education.
  
- B. The alternate members shall be appointed by the Mayor and shall be designated as “Alternate No. 1” and “Alternate No. 2.” Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member of any class.

**§142-5. Terms.**

- A. The term of the Class I member shall correspond with his/her official tenure.
- B. The terms of the Class II and Class III members shall be for one year or shall terminate at the completion of their respective terms of office, whichever occurs first.
- C. The term of a Class IV member who is also a member of the Board of Education shall terminate whenever he/she is no longer a member of such other body or at the completion of his Class IV term, whichever occurs first.
- D. Members of the Joint Planning Board holding office on the effective date of this Part 1 shall continue in office until completion of their terms as provided by prior law.



- E. The terms of the first Class IV members appointed to the Joint Planning Board as reconstituted pursuant to P.L. 1975, c. 291 (N.J.S.A. 40:55D-1 et seq.) shall be so determined that, to the greatest practicable extent, the expiration of such terms shall be distributed evenly over the first four years after their appointment and so that no more than two Class IV members are reappointed in any one calendar year, except as necessary to fill vacancies. The terms of all Class IV members appointed thereafter shall be for periods of four years.
- F. The terms of each alternate member shall be two years, except that the initial terms of Alternate No. 1 and Alternate No. 2 shall be one and two years, respectively. **[Amended 2-21-1980 by Ord. No. 0-3-80]**
- G. All terms shall commence on January 1 of the year in which the appointment is made. **[Added 2-21-1980 by Ord. No. 0-3-80]**

#### **§142-6. Vacancies.**

Vacancies in any class occurring otherwise than by expiration of term shall be filled by appointment as above provided for the unexpired term.

#### **§142-7. Organization.**

The Joint Planning Board shall elect a Chairman and Vice Chairman from the members of Class IV and select a Secretary who may be either a member of the Joint Planning Board or a municipal employee designated by it.

#### **§142-8. Attorney.**

There is hereby created the office of Joint Planning Board Attorney. The Board may annually appoint and fix the compensation or agree upon the rate of compensation of the Board Attorney, who shall be an attorney other than the Township Attorney.

#### **§142-9. Experts and staff. [Amended 10-19-1978 by Ord. No. 0-14-78]**

The Joint Planning Board may also employ or contract for the services of experts and other staff and services as it may deem necessary. The Board shall not, however, exceed, exclusive of gifts, grants or applicants' payment under § 142-33, the amount appropriated by the governing body for its use.

#### **§142-10. Powers and duties generally.**

The Joint Planning Board is authorized to adopt bylaws governing its procedures. It shall also have the following powers and duties:

- A. To act, pursuant to the powers granted to planning boards, by N.J.S.A. 40:55D-25.
- B. To make and adopt, and from time to time amend, a Master Plan for the physical development of the municipality, which Master Plan shall include the specific policy statement referred to in N.J.S.A. 40:55D-28d.

- C. To administer the provisions of Part 8, Subdivision of Land, and Part 6, Site Plan Review.
- D. To participate in the preparation and review of programs or plans required by state or federal law or regulations.
- E. To assemble data on a continuing basis as part of a continuous planning process.
- F. To prepare annually a program of municipal capital improvement projects projected over a term of six years, and amendments thereto, and to recommend the same to the governing body.
- G. To consider and report to the governing body, within 35 days after referral, on any proposed development regulation submitted to it and to pass upon other matters specifically referred to it by the governing body.
- H. To act, pursuant to the powers granted to boards of adjustment by N.J.S.A. 40:55D-70, except that Class I and Class III members shall not participate in the consideration of applications for development which involve relief pursuant to subsection d. of N.J.S.A. 40:55D-70.
- I. To grant conditional uses in accordance with the provisions of this Part 1.
- J. To perform such other advisory duties as are assigned to it by ordinance or resolution of the governing body for the aid and assistance of the governing body or other agencies or officers.
- K. To administer the provisions of Part 7, Soil Removal.
- L. To administer the provisions of ordinances and laws related to planned unit developments.
- M. To exercise such powers and duties as the Joint Planning Board may be given under Part 9, Zoning.
- N. To administer the provisions of such other ordinances and laws as may require review, report or other action.

**§142-11. By-laws, rules and regulations.**

The Joint Planning Board is hereby authorized to adopt such bylaws, rules and regulations not inconsistent with this Part I as may be necessary to carry into effect the provisions and purposes of this Part 1.

**§142-12. Administrative officer.**

For purposes of administration of this Part 1, the following officer is designated as administrative officer to the Joint Planning Board: the Clerk of the Joint Planning Board. Such officer shall have the powers and duties provided by N.J.S.A. 40:55D-1 et seq. and by the ordinances of the Township of River Vale adopted pursuant thereto.

**ARTICLE III  
RESERVED**

**Section 3. References to Planning Board and Zoning Board of Adjustment.**

All references to the Township Planning Board or the Zoning Board of Adjustment throughout this Chapter 142 are hereby amended to reference the Joint Planning Board.

**Section 4. Severability.**

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 5. Effective Date.**

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

Council Member	AYE	NAY	N.V.	A.B	Council Member	AYE	NAY	N.V.	A.B
BEN-YISHAY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DONOVAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BROMBERG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SIEG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CRISCUOLO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

X - Indicates Vote A.B. – Absent N.V - Not Voting (Abstained or Excused)