



AGENDA

Regular Meeting of the Township Council

Monday, June 26, 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

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

SPECIAL RECOGNITION – New Jersey State Interscholastic Athletic Association 2017 North Section I, Group 3 Baseball Champions

Frank Cascio, Alex Criscuolo, Dave Demboski, Alex DeRosa, Jack Devanna, Sean Donaldson, Mike Foti, Jordan Issackedes, Mike Kissane, Andrew Kohl, Jake Klag, Brendan Liddy, Christian Loucas, Ricky Lutz, Justin Martin, Matt Novakowski, Ryan Novakowski, Austin Piorkowski, Dan Scachetti, Tom Smith, Mike Smolen, Nick Verost, Carson Weis, Riley Weis

Head Coach: William Lynch

Coaches: JJ Moran, Rick Attanasio, Tom Gallione

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.

PUBLIC HEARING

Open Space Trust Fund Municipal Park Improvements Application River Vale Country Club Miniature Golf Course

RESOLUTIONS

- #2017-158—Approve Minutes May 22, 2017 Council meeting
- #2017-159—Approve Minutes June 12, 2017 Council meeting
- #2017-160—Confirm Mayoral Appointments to Board of Health
- #2017-161—Authorize Not-to-Exceed Limitations Statile Associates
(2017 NJDOT Poplar Road)
- #2017-162—Authorizing Submission 2017 Bergen County Open Space Trust
Fund Grant Application (River Vale Country Club Miniature Golf Course)
- #2017-163—Approve Escrow Refund (Transco)
- #2017-164—Approve Camp Have Some Fun Refunds
- #2017-165—Authorize Liquor License Renewals (2017-2018) Term
- #2017-166—Support Extension of National Flood Insurance Program (NFIP)
- #2017-167—Authorize Payment of Bills

Ordinances for 1st Reading

ORDINANCE 326-2017—AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN NEW JERSEY AMENDING CHAPTER 142 OF THE CODE, ENTITLED "LAND USE" REGULATING AND PERMITTING THE USE OF DUMPSTERS AND OTHER GARBAGE OR REFUSE CONTAINERS

Ordinances for 2nd Reading & Public Hearing

There are no ordinances for 2nd Reading

2nd HEARING OF THE PUBLIC

RESOLUTION

#2017-168—Authorize the Council to enter into Closed Session to discuss Fair Share Housing litigation.
No action will be taken.

ADJOURNMENT



Resolution offered:	No. 2017-158
Resolution seconded by:	

RESOLUTION APPROVING MINUTES MAY 22, 2017 REGULAR MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the May 22, 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: June 26, 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. 2017-159
Resolution seconded by:	

RESOLUTION APPROVING MINUTES JUNE 12, 2017 REGULAR MEETING

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the June 12, 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"/>					

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Dated: June 26, 2017

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held on: _____, 2017 Attest: _____

Karen Campanelli, Township Clerk



Resolution offered:	No. 2017-160
Resolution seconded by:	

**RESOLUTION CONFIRMING MAYORAL APPOINTMENTS TO THE
RIVER VALE BOARD OF HEALTH**

WHEREAS, as per N.J.S.A. 26-3-3 the Board of Health shall be composed of no less than five and no more than seven members to be appointed by the Mayor.

NOW THEREFOR BE IT RESOLVED, by the Township Council of the Township of River Vale that the Mayoral appointments to the Board of Health are hereby confirmed as follows:

<u>Name</u>	<u>Term/Expires</u>
Dr. Alex Biener	one year 12/31/2017
Linda Wayne	one year 12/31/2017
Frank Mezzadri	two year 12/31/2018
Dr. Paul Dobson	two year 12/31/2018
Mary Tobin	three year 12/31/2019
Armine Lulegian	three year 12/31/2019
Ilene O'Donnell	four year 12/31/2020

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. 2017-161
Resolution seconded by:	

RESOLUTION AUTHORIZING NOT TO EXCEED LIMITATIONS FOR CHRISTOPHER STATILE FOR THE 2017 NJDOT ROAD PROGRAM (POPLAR ROAD IMPROVEMENTS)

WHEREAS, on June 7, 2017 the Township Engineer, Christopher P. Statile, P.A. submitted a proposal for the preparation of bid specifications and the provision of full time inspection and monitoring services of the 2017 NJDOT Road Program as follows;

- Design and Preparation of Bid Specifications: \$ 7,750.00
- Construction Monitoring Services: \$ 8,000.00

WHEREAS, the Chief Financial Officer has certified the availability of funds in the Public and Private Programs account.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of River Vale that not to exceed limitations are hereby approved and established in the amount of \$ 15,750.00 for the engineering firm of Christopher P. Statile, P.A.

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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Dated: June 26, 2017

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Karen Campanelli, Township Clerk



Resolution offered:	No. 2017-162
Resolution seconded by:	

**Enabling Resolution - 2017 Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund Grant
River Vale Country Club Miniature Golf Course**

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 \$50,000 from the County Trust Fund to fund the following project: River Vale Country Club Miniature Golf Course; and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement 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 June 26, 2017; 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 June 30, 2017, 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.

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. 2017-163
Resolution seconded by:	

RESOLUTION
(Escrow Refund)

BE IT RESOLVED, by the Township Council of the Township of River Vale that the Escrow Deposit posted by Transco be released from the following account:

- **\$ 7,780.48 (B-13-56-856-200)**

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

Payable to:

“TRANSCO”

Mailing Address:

Mr. Tim Neuman
One Williams Center MD-50th Floor
Tulsa, OK 74172

\$ 7,780.48

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. 2017-164
Resolution seconded by:	

REFUND

(Camp Have Some Fun Registration Fee)

WHEREAS, the following residents have requested either a partial or full refund of the 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 are approved and the Treasurer is hereby authorized to issue municipal checks payable as follows:

Jody Cook
771 Scott Drive
River Vale, NJ

Mark Meding
231 River Drive, Unit 2
River Vale, NJ

\$ 40.00

\$ 350.00

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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Resolution offered:	No. 2017-166
Resolution seconded by:	

RESOLUTION TO URGE REPRESENTATIVES FROM THE STATE OF NEW JERSEY TO SUPPORT THE LEGISLATIVE ACTION TO RE-AUTHORIZE AND EXTEND THE NATIONAL FLOOD INSURANCE PROGRAM (“NFIP”)

WHEREAS, floods are the most common and most destructive natural disasters in the United States; and

WHEREAS, the National Flood Insurance Act authorizes a National Flood Insurance Program (“NFIP”); and

WHEREAS, the NFIP is a Federal program created by Congress to mitigate future flood losses nationwide and to provide access to affordable, federally backed flood insurance protection for property owners; and

WHEREAS, the NFIP is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods; and

WHEREAS, New Jersey is fourth in the nation in the number of NFIP policies enforced and third in total value of claims paid; and

WHEREAS, five hundred and fifty-two communities in New Jersey participate as members of the NFIP which amounts to over 230,000 policies enforced throughout the State of New Jersey; and

WHEREAS, the NFIP maintains a significant role in providing financial protection against flood events to New Jersey residents; and

WHEREAS, the NFIP is set to expire on September 30, 2017; and

WHEREAS, the expiration of this program could cause catastrophic loss of insurance coverage against flooding which is the number one cause of loss of property throughout the United States; and

WHEREAS, in the event the program were to expire, the consequences in the form of disruption of coverage and the potential financial burdens to residents throughout the State of New Jersey will be of great economic significance; and

WHEREAS, the purpose of this Resolution is to urge the Federal Representatives to support the extension of the NFIP which promotes the public health, safety and general welfare and minimizes public and private losses due to flooding events in the State of New Jersey

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of River Vale hereby urges its Federal Legislators and Representatives to take any and all necessary action to insure that the National Flood Insurance Program is extended beyond the September 30, 2017 expiration date.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to Federal Legislators and Representatives.

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. 2017-167
Resolution seconded by:	

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:	\$213,532.81
RESERVE CURRENT ACCOUNT claims in the amount of:	\$11,591.65
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$115,484.23
UNEMPLOYMENT TRUST ACCOUNT claims in the amount of:	
ANIMAL TRUST ACCOUNT claims in the amount of:	\$13.20
MISCELLANEOUS TRUST ACCOUNT claims in the amount of:	
RECREATION TRUST ACCOUNT claims in the amount of:	
RESERVE RECREATION TRUST ACCOUNT claims in the amount of:	\$3,912.00
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:	\$61,737.00
SNOW REMOVAL TRUST ACCOUNT claims in the amount of:	
HOUSING TRUST ACCOUNT claims in the amount of:	\$13,345.21
JUNIOR POLICE ACADEMY TRUST ACCOUNT claims in the amount of:	\$250.00
GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of:	\$3,120.00
OPEN SPACE TRUST ACCOUNT claims in the amount of:	
CAPITAL ACCOUNT claims in the amount of:	\$4,782.10
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	
SPECIAL TRUST ACCOUNT claims in the amount of:	\$2,813.75
ZONING BOARD TRUST ACCOUNT claims in the amount of:	
TOTAL CLAIMS TO BE PAID	\$430,581.95

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:	\$3,702,789.56
RESERVE CURRENT ACCOUNT claims in the amount of:	\$7,168.00
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$121,038.89
UNEMPLOYMENT TRUST ACCOUNT claims in the amount of:	
MISCELLANEOUS TRUST ACCOUNT claims in the amount of:	\$62,045.00
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:	\$1,209.70
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:	
SNOW REMOVAL 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: \$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: \$140,483.06
 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 \$4,034,774.22

TOTAL BILL LIST RESOLUTION \$4,465,356.17

**MANUAL DISBURSEMENTS
 BILL LIST FOR June 26, 2017**

5/30/2017 Transfer Payroll \$267,312.88
 6/15/2017 Transfer Payroll \$267,803.67
TOTAL STATUTORY ACCOUNT DISTRIBUTIONS \$535,116.55

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. 2017-168
Resolution seconded by:	

RESOLUTION AUTHORIZING COUNCIL TO ENTER INTO CLOSED SESSION

BE IT RESOLVED, pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-6 *et seq.* the Township Council of the Township of River Vale will now convene into Closed Session for a discussion of the Fair Share Housing litigation.

BE IT FURTHER RESOLVED that upon adjourning from Closed Session no action will be taken.

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 #326-2017

Date of 1 st Reading: June 26, 2017	Motion to Introduce:
Date of Public Hearing:	Motion Seconded:

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN NEW JERSEY AMENDING CHAPTER 142 OF THE CODE, ENTITLED "LAND USE" REGULATING AND PERMITTING THE USE OF DUMPSTERS AND OTHER GARBAGE OR REFUSE CONTAINERS

WHEREAS, the use of construction dumpsters has increased within the Township of River Vale; and

WHEREAS, it is in the best interest of the residents of the Township of River Vale to regulate the use of dumpsters to maintain the residential quality of the Township residents as well as visual and environmental impact in the Township of River Vale; and

WHEREAS, the Mayor and Council have determined that the general health, welfare and safety of the residents of the Township of River Vale will be improved by regulating the time, location, duration and content of construction dumpsters.

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

CONSTRUCTION DUMPSTERS

Section I. Definition.

A "Construction Dumpster" is a roll off waste container transported to and from the place of use by trucks or trailers and positioned at a construction site for the collection and eventual disposal of construction waste.

Section II. Construction Dumpsters

- 1) Single Family Residential Zones. No construction dumpster shall be located within (10) feet of an abutting structure, unless the owner of the abutting structure has agreed to such and has signed the authorization form which shall be submitted with the permit application for the dumpster. No dumpster shall be placed so that it blocks any public sidewalk or street.
- 2) Multi-Family, Commercial and Industrial Zones. No construction dumpster shall be located within ten (10) feet of an abutting residential property unless the occupant of the abutting dwelling agreed to such and signs the authorization form which shall be submitted with the permit application for the dumpster.
- 3) Dumpsters shall not be placed on any public street, public easements or rights-of-way; nor shall it obstruct the sidewalk.
- 4) Time limitations.
 - a. Single Family Residential Zones: A construction dumpster and any replacement dumpster placed under this ordinance may be placed for not more than a total of thirty (30) days in any six (6) month period.
 - b. Multi-Family and Commercial: A construction dumpster and any replacement dumpster placed under this ordinance may remain in the site as long as required, but not to exceed a total of six (6) months.
 - c. Industrial: A dumpster or any replacement dumpster placed under this ordinance may remain on the site as long as needed, but not to exceed a total of eighteen (18) months.
 - d. Provided that there is an open construction permit for work on the property in question, the time limitations set forth in this section may be extended at the discretion of the Construction Code Official.
- 5) Sanitation. The following requirements shall be maintained while the construction dumpster is on or at the site:
 - a. The area around the dumpster shall be kept free of debris and litter;
 - b. Any dumpster into which animal or vegetable waste or material has been dumped or deposited shall be removed or emptied within twenty-four (24) hours;
 - c. Any dumpster producing or causing noxious, foul or offensive odors shall be immediately removed or cleaned to eliminate the odor;
 - d. A full dumpster shall be removed from the site and emptied within two (2) days; and
- 6) Usage. A dumpster shall only be used to contain and remove debris and material generated at the location where the dumpster is placed.

- 7) Identification. The name and telephone number of the owner of the dumpster and/or the company that is responsible for the dumpster shall be displayed in a weather proof manner on the dumpster.
- 8) Permit Required. A permit shall be required for a dumpster. The permit shall be obtained from the Construction Code Official after paying the required fee of \$25.00. The permit shall be displayed in a weather proof manner on the dumpster.
- 9) Abatement. Any dumpster not in compliance with this ordinance is hereby declared to be a public nuisance and may be abated by the Township at the owner's or responsible person's expense. Abatement shall, at the Township's option, include the removal and/or the emptying of the dumpster.

Section III. Saving Clause.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section IV. Violations and Penalties.

1. Any person who allows, keeps, places and/or maintains a Dumpster on a site within the Township of River Vale without obtaining a Dumpster Permit shall be in violation this Chapter.
2. A violation of any provision of this Chapter is punishable by a fine of not less than Five Hundred Dollars (\$500.00) per day for the first such violation, and up to One Thousand Dollars (\$1,000.00) per day for the second or subsequent violation. Upon and after a third violation, the penalty that may be imposed, in addition to the fine set forth above, may be imprisonment for a period not exceeding ninety (90) days, or both.
3. Any violation issued and fine imposed as a result of a violation of this Chapter shall be imposed against the property owner even if a tenant of the property owner obtained the storage container which resulted in the issuance of a violation or imposition of a fine.

Section V. Invalidity.

If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

Section VI. Severability.

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

Section VII. Effective Date.

This Ordinance shall take effect following adoption and approval in a time and manner prescribed by law. No dumpster in place at the time of adoption shall be exempt from the provisions hereof after thirty days following the effective date hereof.

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)