

MINUTES
Regular Council Meeting
Council Chambers
Monday, March 28, 2016
8:00pm

CALL THE MEETING TO ORDER

Council President Bromberg called the meeting to order at 8:00 pm in the Council Chambers located at 406 Rivervale Road, River Vale, New Jersey 07675.

SALUTE TO FLAG

Council President Bromberg asked all in attendance to rise and 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, Councilman Criscuolo, Councilwoman Sieg and Council President Bromberg were present.

Also present: Mayor Glen Jasionowski, Business Administrator Gennaro Rotella, Township Attorney Silvana Raso, Lisa Neyman with the Township Engineers office and Township Clerk, Karen Campanelli.

Mayor's Comments

Mayor Jasionowski had no report this evening however; the Mayor did request the addition of Resolution 2016-102 authorizing the Council to enter into Closed Session to discuss possible litigation. He added that no action will be taken.

Council Comments

There were no Council comments this evening.

Administrator's Report

Mr. Rotella announced that the Township will be holding a paper shredding event for the residents on Saturday, April 9th at the DPW building. He also reported that the Township will be their first Town wide Garage Sale on Saturday, June 4th from 10:00am to 4:00pm with a rain date on June 5th. Mr. Rotella added that there will be a \$15.00 fee to participate which will be donated to the Food Pantry.

Engineer's Report

Ms. Neyman reported on the status of the 2016 Road Program. They are still gathering information from the participating Towns; however they should be going out to bid in April with the intention of awarding a contract the first meeting in May.

Ms. Neyman next reported that DOMUS Corp received their Temporary CO and are finalizing a few interior details. She also gave an update on the Rivervale Road Stability project. The contractor for the project feels that within the next few weeks they will be moving south of Piermont. Ms. Neyman explained that prior to this they will meet with the Township and Police to discuss the detours. She further explained that the project completion date has been extended to July. For reasons being Verizon moving wires and there have been delays receiving materials as well. Mr. Rotella added that the material delivery delays have been an ongoing problem for the contractor throughout this project.

Ms. Neyman concluded that PSEG Energy Strong is looking to do work on Rivervale Road between Coopers Lane and the Harrington Park border. They have setup a meeting in April with the administrator and their offices to review this project.

1st Hearing of the Public

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

There being no questions or comments motion by Councilman Criscuolo; seconded by Councilman Donovan to close the meeting to the public.

RESOLUTIONS

Motion by Councilman Ben-Yishay; seconded by Councilman Donovan to approve Resolutions #2016-95 through 101 as a Consent Agenda as follows:

Resolution #2016-95

RESOLUTION AUTHORIZING NOT TO EXCEED LIMITATIONS FOR THE ENVIRONMENTAL GROUP FOR A PHASE I ENVIRONMENTAL AND SOIL BORING ANALYSIS (650 RIVERVALE ROAD)

WHEREAS, on March 15, 2016 the Township Environmental Consultant, The Environmental Group, LLC submitted a proposal for Phase I and Soil Boring analysis for the property located at 650 Rivervale Road; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in the Housing Trust Fund 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 \$ 16,140.00 for The Environmental Group, LLC.

Resolution #2016-96

RESOLUTION SUPPORTING DENYING THE PAROLE OF CHRISTOPHER RIGHETTI

WHEREAS, on August 31, 1976, Kim Montelaro, a resident of New Milford, Bergen County, then 20 years old, was forcibly abducted, brutally assaulted and murdered by repeat offender, Christopher Righetti; and

WHEREAS, Christopher Righetti, Prisoner #59431, is currently incarcerated for the killing of Kim Montelaro; and

WHEREAS, Christopher Righetti has gone many times before the Parole Board of Northern State Prison. His release was denied each time, as the parole board found the Christopher Righetti was unwilling to take responsibility for abducting, assaulting and murdering Kim Montelaro; and

WHEREAS, Christopher Righetti has never shown any remorse for his crime and has made no substantial progress in addressing the issues that led him to murder Kim Montelaro and has demonstrated a substantial risk for recidivism; and

WHEREAS, Kim's family should not be made to relive this horrible crime every few years when there is a parole hearing. They are forced to travel long distances from their current residence in Florida each time there is a parole hearing for their daughter's killer. They continue to suffer unnecessarily on Christopher Righetti's account; and

WHEREAS, in addition to the efforts of the Montelaro Family, the Township of River Vale hereby supports the position that Christopher Righetti should not be granted parole and should serve out the full remainder of his life sentence. If a future eligibility date is set, we urge the Board to select a date at least 35 years from now. The abduction, rape and murder of an innocent young woman is a serious crime that demands justice; and the family of Kim Montelaro should be given the peace of mind of knowing that their daughter's murderer will remain behind bars for the rest of his life, as ordered by the court.

NOW THEREFORE BE IT RESOLVED that the Township of river Vale hereby abides by the conclusion that Christopher Righetti be denied parole and be made to serve out his life sentence, otherwise this creates a grave injustice to the family of Kim Montelaro as well as to society.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Bergen County Police Chief's Association, the New Jersey PBA, the Office of the Bergen County Prosecutor, Keep NJ Safe, and to Chairman James T. Piousis of the New Jersey State Parole Board.

Resolution #2016-97

RE: INTRODUCTION OF 2016 BUDGET

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Township of River Vale, Bergen County, New Jersey for the year 2016.

BE IT FURTHER RESOLVED, that said budget be published in the April 1, 2016 issue of *The Ridgewood News* and that a hearing on the Budget will be held at the Municipal Complex on April 25, 2016 at 8:00 o'clock (P.M.) or as soon thereafter as the matter may be reached.

The Governing Body does hereby accept and introduce the Budget for the year 2016.

Resolution #2016-98

RESOLUTION AUTHORIZING INCREASE IN DEFERRED SCHOOL TAXES FOR REGIONAL HIGH SCHOOL TAXES

WHEREAS, the Division of Local Government Services requires that the Governing Body of any municipality which has Deferred School Taxes must authorize any increase in the deferral of any amounts; and

WHEREAS, the Township wishes to increase Deferred School Taxes to an amount permitted under State statutes and to be effective at December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that the following Deferred School Taxes be hereby increased for the year ended December 31, 2015 as follows:

	<u>Deferred Local District School Taxes</u>
Amount Deferred December 31, 2014	\$ 3,807,136
Amount Deferred December 31, 2015	<u>3,907,136</u>
Amount of Increase	<u>\$ 100,000</u>

BE IT FURTHER RESOLVED, by the Governing Body that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

Resolution #2016-99

RESOLUTION AUTHORIZING SELF EXAMINATION OF THE BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of River Vale has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2016 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of River Vale that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Resolution #2016-100

RESOLUTION
REFUND OF TAX OVERPAYMENTS
(HOMESTEAD REBATE)

WHEREAS, tax overpayments have been received for the 2nd quarter of 2016 and the property owners have requested a refund of said overpayments.

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:

- | | |
|--|--|
| 1. Block 602, Lot 10
639 James Ln
\$500.00 | Epstein, Frederick & Linda
625 Poplar Rd
River Vale, NJ 07675 |
| Dymond, Randi S
639 James Ln
River Vale, NJ 07675 | 6. Block 1301.01, Lot 2 C116A
521 Piermont Ave, Apt 116
\$463.27 |
| 2. Block 804, Lot 1
513 Wittich Ter
\$650 | Ring, Alan Stephen
521 Piermont Ave, Apt 116
River Vale, NJ 07675 |
| Toth, Alexander
513 Wittich Ter
River Vale, NJ 07675 | 7. Block 1301.01, Lot 2 C125A
521 Piermont Ave, Apt 125
\$462.92 |
| 3. Block 901, Lot 2
628 LaManna Dr
\$945.36 | Black, Richard & Alice
521 Piermont Ave, Apt 125
River Vale, NJ 07675 |
| Grodman, Marina
628 LaManna Dr
River Vale, NJ 07675 | 8. Block 1301.01, Lot 2 C310A
521 Piermont Ave, Apt 310
\$250.00 |
| 4. Block 1001.02, Lot 9 CT021
21 Pine Lake Ter
\$201.84 | Schmidt, Charles J & Victoria
521 Piermont Ave, Apt 310
River Vale, NJ 07675 |
| Popoli, Theresa & Rendina, J
21 Pine Lake Ter
River Vale, NJ 07675 | 9. Block 1301.01, Lot 2 C524A
521 Piermont Ave, Apt 524
\$408.45 |
| 5. Block 1002, Lot 8
625 Poplar Rd
\$844.19 | McBrien, Frederick M
521 Piermont Ave, Apt 524
River Vale, NJ 07675 |
| | 11. Block 1710, Lot 17
234 Fondiller St
\$559.33 |
| | 10.Paccagnini, John & Janice |

234 Fondiller St
River Vale, NJ 07675

11. Block 1715.01, Lot 49
610 Sloat Pl
\$894.94

Dank, Daniel & Merle
610 Sloat Pl
River Vale, NJ 07675

12. Block 1905, Lot 2
814 Marshall Rd
\$951.75

Reichart, Robert A & Jacqueline P
814 Marshall Rd
River Vale, NJ 07675

13. Block 2201, Lot 18.21
512 Alosio Dr
\$667.00

Kim, Andrew Hyunchul & Monica S
512 Alosio Dr
River Vale, NJ 07675

14. Block 2207, Lot 4
589 Baker Ct
\$756.71

Ostacher, Martin & Gloria
589 Baker Ct
River Vale, NJ 07675

Resolution #2016-101

RESOLUTION FOR PAYMENT OF BILLS

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

CURRENT ACCOUNT claims in the amount of:	\$108,133.26
RESERVE CURRENT ACCOUNT claims in the amount of:	\$17,122.53
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$83,496.26
ANIMAL TRUST ACCOUNT claims in the amount of:	\$120.60
MISCELLANEOUS TRUST ACCOUNT claims in the amount of:	\$0.00
RECREATION TRUST ACCOUNT claims in the amount of:	\$835.00
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:	\$53,281.90
SNOW REMOVAL TRUST ACCOUNT claims in the amount of:	\$0.00
HOUSING TRUST ACCOUNT claims in the amount of:	\$5,572.50
JUNIOR POLICE ACADEMY TRUST ACCOUNT claims in the amount of:	\$0.00
GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of:	\$7,350.00
OPEN SPACE TRUST ACCOUNT claims in the amount of:	\$0.00
CAPITAL ACCOUNT claims in the amount of:	\$21,997.27
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$740.95
SPECIAL TRUST ACCOUNT claims in the amount of:	\$1,482.50
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$682.18
TOTAL CLAIMS TO BE PAID	\$300,814.95

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 claims in the amount of:	\$4,200,299.15
RESERVE CURRENT ACCOUNT claims in the amount of:	\$44,724.93
GOLF COURSE UTILITY OPERATING ACCOUNT claims in the amount of:	\$60,541.29
GOLF COURSE UTILITY CAPITAL ACCOUNT claims in the amount of:	\$4,499.00
HOUSING TRUST ACCOUNT claims in the amount of:	\$0.00
STATUTORY ACCOUNT claims in the amount of:	\$526,684.03
SNOW REMOVAL TRUST ACCOUNT claims in the amount of:	\$0.00
RECREATION TRUST ACCOUNT claims in the amount of:	\$ 715.65
OPEN SPACE TRUST ACCOUNT claims in the amount of:	\$5,250.00

FIRE PREVENTION PENALTY TRUST ACCOUNT claims in the amount of:	\$0.00
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:	\$ 0.00
ACCUMULATED ABSENCES TRUST ACCOUNT claims in the amount of:	\$56,497.90
CAPITAL ACCOUNT claims in the amount of:	\$60.00
PRIVATE DUTY TRUST ACCOUNT claims in the amount of:	\$0.00
PLANNING BOARD TRUST ACCOUNT claims in the amount of:	\$0.00
SPECIAL TRUST ACCOUNT claims in the amount of:	\$36.50
ZONING BOARD TRUST ACCOUNT claims in the amount of:	\$0.00
BOND TRUST ACCOUNT claims in the amount of:	\$0.00
TOTAL CLAIMS PAID	\$4,899,308.45

TOTAL BILL LIST RESOLUTION **\$5,266,851.59**

**MANUAL DISBURSEMENTS
BILL LIST FOR MARCH 28, 2016**

02/29/2016 – Transfer Payroll	\$ 253,565.09
03/15/2016 – Transfer Payroll	\$ 238,150.52
TOTAL STATUTORY ACCOUNT DISTRIBUTIONS	<u>\$ 491,715.61</u>

ROLL CALL VOTE

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

Ordinances for 1st Reading

ORDINANCE #310-2016

Motion to Introduce: Councilman Donovan

Second: Councilman Ben-Yishay

AN ORDINANCE AMENDING ORDINANCE #0-10-04 ADJUSTING AND DETERMINING MUNICIPAL CLASS POSITION TITLES AND SALARY RANGES FOR OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF RIVER VALE

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY, as follows, until a subsequent salary ordinance is adopted:

Section 1. The salary ranges per annum for the following officers and employees of the Township of River Vale in the Classified Service (staff) shall be as follows:

Accounts Payable	\$30,000 - \$32,018
Accounts Payable/Tax Assessor Admin Assist.	\$30,000 - \$43,203
Animal Licensing Clerk	\$500 - \$1,500
Assistant Deputy OEM Director	\$500
Associate Director of Social & Cultural Affairs	\$2,000 - \$3,000
Bookkeeper (Library)	\$38,500 - \$47,000
Building Inspector	\$6,500 - \$16,010
Business Administrator	\$38,728
CCO Inspections (per inspection)	\$15.00 - \$25.00
Chief Financial Officer	\$75,000 - \$119,372
Chief of Police	\$120,000 - \$185,191
Children's Services (Library)	\$45,000 - \$62,000
Circulation Clerk Library (hourly rate)	\$11.50 - \$25.00
Code Enforcement Officer (hourly rate)	\$15.00 - \$25.00
Construction Code Official	\$35,000 - \$48,965
Council Members	\$5,000
Deputy OEM Director	\$500
Director of Athletics	\$3,500 - \$7,000
Director of Emergency Management	\$6,000
Director of Law	\$3,100
Director of Public Works	\$75,000 - \$122,212
Director of Social & Cultural Affairs	\$5,000
Drug Alliance Coordinators (PV)	\$1,000 - \$5,000
Electrical Sub-Code Official	\$7,500 - \$17,949
Farmers Market Coordinator	\$1.00 - \$1,000
Fire Inspector	\$2,000 - \$3,150
Fire Official	\$5,000 - \$8,414
Fire Sub-Code Official	\$3,000 - \$5,883
Health Services Division Nurse	\$25.00 - \$31.48
Information Technology Consultant	\$95.00
Joint Insurance Fund Coordinator	\$1.00
Land Use Administrator	\$5,000 - \$6,367
Land Use Administrator (hourly)	\$15.00 - \$20.00
Library Director	\$75,000 - \$96,000
Library Page (hourly rate)	\$8.38 - \$13.00
Library Programming Assistant (hourly rate)	\$11.50 - \$25.00
Mayor	\$7,000
Municipal Alliance Coordinator	\$1,000
Municipal Bond Council	\$100.00 - \$165.00
Municipal Court Administrator	\$40,000 - \$52,291
Municipal Court Bailiff	\$14.00 - \$20.00
Municipal Court Clerk (hourly rate)	\$14.00 - \$25.00
Municipal Court Interpreter (hourly rate)	\$30.00 - \$60.00
Municipal Court Judge	\$15,000 - \$19,480
Municipal Court Prosecutor	\$7,000 - \$9,456

Municipal Court Prosecutor (hourly rate)	\$100.00 - \$150.00
Municipal Planner (hourly rate)	\$100.00 - \$125.00
Municipal Planner Affordable Housing (hourly rate)	\$100.00 - \$125.00
Municipal Public Defender (rate per case)	\$75.00 - \$150.00
Municipal Tax Appeal Attorney (hourly rate)	\$100.00 - \$165.00
Municipal Recycling Coordinator	\$1,000 - \$3,000
Municipal Tax Assessor	\$15,000 - \$18,769
Municipal Tax Assessor Assistant	\$2,000 - \$3,000
Municipal Tax Collector	\$7,182
Municipal Deputy Tax Collector/ HR Coord.	\$30,000 - \$44,408
Office Manager	\$26,000 - \$31,390
Pesticide Licensed Professional	\$1,000
Planning Board Attorney	\$2,200
Planning Board Attorney (hourly rate)	\$100.00 - \$125.00
Planning Board Engineer	\$1,200
Planning Board Engineer (hourly rate)	\$100.00 - \$135.00
Plumbing Sub-Code Official	\$5,000 - \$10,611
Police Department Secretary	\$24,000 - \$34,339
Police Dispatcher	\$25,000 - \$48,545
Property Maintenance Officer	\$5,000 - \$7,800
Public Works Secretary	\$26,000 - \$36,040
Public Works Secretary (hourly rate)	\$15.00 - \$20.00
Public Works Sewer Inspector	\$5,000 - \$8,000
Reference Librarian	\$45,000 - \$62,000
Reference Librarian (hourly rate)	\$24.00 - \$35.00
Registrar Vital Statistics	\$6,556
School Crossing Guard (hourly rate)	\$16.00 - \$19.25
Secretary (hourly rate)	\$12.00 - \$25.00
Senior Circulation Clerk (Library)	\$30,000 - \$41,000
Snow Removal Coordinator	\$2,000 - \$5,000
Special Legal Counsel (hourly rate)	\$130.00 - \$165.00
Social Services Coordinator	\$5,000 - \$7,000
Summer Camp Directors	\$200 - \$6,750
Summer Camp Counselors (hourly rate)	\$8.38 - \$8.75
Tax Assessor Admin Assist.	\$3,000
Technical Assistant	\$25,000 - \$39,219
Technology Librarian	\$45,000 - \$62,000
Township Attorney (hourly rate)	\$100.00 - \$140.00
Township Clerk	\$50,000 - \$67,312
Township Engineer (hourly rate)	\$100.00 - \$135.00
Township Van Driver (hourly rate)	\$12.00 - \$14.26
Township Webmaster	\$1,500 - \$2,209
Transcriptionist (hourly rate)	\$15.00 - \$30.00
Treasurer	\$40,000 - \$48,785
Zoning Board Attorney (hourly)	\$100.00 - \$125.00
Zoning Board of Adj. Engineer (hourly)	\$100.00 - \$135.00
Zoning Board of Adjustment Attorney	\$2,200

Zoning Official	\$3,000 - \$16,647
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Section 2. The Mayor or his designee is hereby authorized to determine the salary of each employee within each salary range annually, such determination and salary to be effective the first day of each calendar year beginning 2016.

Section 3. All employees shall be paid on the 15th and 30th of every month as stipulated in the Township Personnel Manual except for changes required on account of calendar year requirements.

Section 4. All parts or ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistent parts, but nothing herein contained shall be construed to authorize any salary decrease. This ordinance shall take effect after passage in the manner provided by law, except that any and all such salary increases shall in all respects be subject to any provisions of law.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ROLL CALL VOTE

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

ORDINANCE #311-2016

Motion to Introduce: Councilman Ben-Yishay
Second: Councilman Donovan

AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE TOWNSHIP OF RIVER VALE AND APPROPRIATING \$1,006,099 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$898,794 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP OF RIVER VALE TO FINANCE THE SAME

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of River Vale, in the County of Bergen, New Jersey (the "Township"), as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement or purpose, such sums amounting in the aggregate to \$1,006,099, including the aggregate sum of (a) \$60,000 in moneys now held by the Township and previously contributed by the Borough of Montvale for the purpose set forth in Section 3(h) of this bond ordinance and (b) \$47,305 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$898,794 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. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

- (a) Purpose: Soil remediation at the Department of Public Works building parking lot, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$302,500
<u>Maximum Amount of Bonds or Notes:</u>	\$287,375
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 15,125

- (b) Purpose: Acquisition of a senior citizens van for the Township, including all work and materials necessary therefor or incidental thereto

<u>Appropriation and Estimated Cost:</u>	\$83,700
<u>Maximum Amount of Bonds or Notes:</u>	\$79,515
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$ 4,185

- (c) Purpose: Acquisition of safety jackets for the Township's Volunteer Ambulance Corps, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$2,200
<u>Maximum Amount of Bonds or Notes:</u>	\$2,090
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$ 110

- (d) Purpose: Acquisition of equipment for the Township's Volunteer Fire Department, including but not limited to, turnout gear and personal protection equipment and hose, nozzle and appliances, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$29,150
<u>Maximum Amount of Bonds or Notes:</u>	\$27,693
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 1,457

- (e) Purpose: Acquisition of pagers for the Township's Volunteer Fire Department, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$3,399
<u>Maximum Amount of Bonds or Notes:</u>	\$3,229
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$ 170

- (f) Purpose: Acquisition of assault rifles for the Township's Police Department, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$22,000
<u>Maximum Amount of Bonds or Notes:</u>	\$20,900
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 1,100

- (g) Purpose: Reconstruction and resurfacing of various streets and roads in the Township to Class A standards, as provided in the Local Bond Law, as identified on a list on file in the office of the Township Clerk, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$494,160
<u>Maximum Amount of Bonds or Notes:</u>	\$469,452
<u>Period or Average Period of Usefulness:</u>	20 years
<u>Amount of Down Payment:</u>	\$ 24,708

- (h) Purpose: Acquisition of equipment for the Township's Department of Public Works, including, without limitation, a multifunctional snow removal and fields maintenance tractor, a utility vehicle and a ground blower, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$68,990
<u>Maximum Amount of Bonds or Notes:</u>	\$ 8,540
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 450
<u>Montvale contribution:</u>	\$60,000

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

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

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from

time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at 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 several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Township may lawfully undertake as general improvements, 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 several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations

authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 16.66 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 \$898,794, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$86,009 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 purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the several improvements 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 real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Township hereby covenants to take any action necessary or refrain from taking such action in order to preserve the 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 thereof after final adoption, as provided by the Local Bond Law.

ROLL CALL VOTE

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

ORDINANCE #312-2016

Motion to Introduce: Councilman Criscuolo

Second: Councilman Donovan

**TOWNSHIP OF RIVER VALE
BERGEN COUNTY, NEW JERSEY
CALENDAR YEAR 2016 ORDINANCE TO EXCEED
THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A-4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Governing Body of the Township of River Vale in the County of Bergen finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Governing Body hereby determines that a 3.5% increase in the budget of said year, amounting to \$349,958 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Governing Body of the Township of River Vale, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Township of River Vale shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by up to 3.5%, amounting to \$349,958, and that the CY 2016 municipal budget for the Township of River Vale be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

ROLL CALL VOTE

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

There were no Ordinances for 2nd Reading this evening.

2nd Hearing of the Public

Motion by Councilman Ben-Yishay; second by Councilman Donovan to open the meeting to the public.

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

RESOLUTION

Motion by Councilman Donovan; seconded by Councilman Ben-Yishay to approve Resolution #2016-102 as follows:

Resolution #2016-102

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 and update on current litigation.

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

ROLL CALL VOTE

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

Motion by Councilman Donovan; second by Councilwoman Sieg to reconvene from Closed Session.

ADJOURNMENT

Motion by Councilman Donovan; seconded by Councilman Ben-Yishay to adjourn the meeting at 8:25pm.

ATTEST:
Karen Campanelli
Township Clerk

Council President
Mark Bromberg