

MINUTES
Regular Meeting of the Township Council
Monday, March 12, 2007
8:00 PM

CALL THE MEETING TO ORDER

Council President Jasionowski called the meeting to order at 8:10 P.M. in the Council Chambers of the Municipal Building located at 406 Rivervale Road, River Vale, New Jersey 07675.

SALUTE TO FLAG

Council President Jasionowski asked all in attendance to rise and join him in a Salute to the Flag.

SUNSHINE LAW STATEMENT

Council President Jasionowski 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 Bromberg, Councilman Matos, Councilman de Stefan, Councilwoman Sieg, and Council President Jasionowski were present.

Also present: Mayor Joseph Blundo, Robert Gallione, Business Administrator, Holly Schepisi, Township Attorney, Dieter Lerch, Township Accountant, Denis McGuire, Tax Assessor, Dennis Harrington, Township Engineer and Karen Padva, Township Deputy Clerk.

RECOGNITION OF EMERGENCY SERVICES VOLUNTEERS

Mayor Blundo recognized all the EMS Volunteers regarding the water main break at Holiday Farms. He commended the volunteers for their tremendous effort and for acting so selflessly. The River Vale Volunteer Fire Department was onsite immediately under the leadership of Chief Marsh. The River Vale Volunteer Ambulance Corps under the leadership of Nancy Miles assisted the seniors down five flights of stairs out of the building. Chief Aaron Back was on the scene to all hours of the night and the Police Department dispatchers kept people calm and well informed. The CERT team led by Linda Wayne was of special help calming people’s fears. Construction Code Official, Mike Sartori, also worked well into the night assisting the condo association. In addition, Rich Campanelli and the DPW staff assisted by keeping the streets clear of ice and assisting the resident with carrying their suitcases. Lastly, Bill Peters, the OEM Director coordinated the whole effort with the department heads.

The Business Administrator added that Mayor Blundo helped by handling the press and also assisted one of the residents by putting them up in a local hotel at his own expense.

Mayor Blundo added that this emergency; however serious; was an opportunity to have an actual event occur and allow our emergency services volunteers to use their skills. The Mayor again thanked everyone for all their effort and for doing a great job.

TOWNSHIP COMMUNICATION

1. Mayor's Comments

Mayor Blundo spoke about recent flooding from heavy rains. There have been questions raised that a Township construction project may have affected some residents and made the flooding worse. The Township Engineer is present at this evening's meeting to answer any questions.

Additionally, the Mayor spoke about the Budget which is being introduced tonight. There is a proposed \$250 tax increase per household; some of the highlights of the increase are \$500,000 in salary which includes union contracts, a retirement package for an employee, salary for the Business Administrator, and \$185,000 in legal fees. Mayor Blundo pledged that they will make a conscience decision to keep spending down.

Mayor Blundo remarked on the Bond Ordinance being introduced tonight. This bond will help with the completion of the Community Center and the North Firehouse as well as the construction of the DPW building. The Bond also includes the Road Improvement Program. He stated that a committee has been formed to discuss possibility of building a turf field which is up for currently discussion. Both the schools and public will have an opportunity to offer their input.

2. Council Comments

Councilman de Stefan commended all the people who responded to the Holiday Farm water break. He also stated his support of the budget. Councilman de Stefan had two additional comments, one regarding proposed legislation that would change the time of decision rule to the time of application. This type of change could potentially hurt the town and he recommended that at the next meeting a resolution opposing the bill be sent to the Senate. Councilman de Stefan also recommended moving forward at the next meeting with the Zoning Board of Adjustments recommended changes.

Councilman Matos commented on the budget introduction this evening. He stated that there are still many steps in the approval process and that certain items have to be prioritized.

Councilwoman Sieg complimented the Emergency Services Volunteers on their response to the water main break at Holiday Farms and how well the evacuation went. Councilwoman Sieg added her reassurance to the residents of River Vale that they are working on behalf of the taxpayers to be both cautious and supportive.

Councilman Bromberg gave additional thanks and compliments to all the emergency service personnel. He added that Mayor Blundo was on the scene however; he did not micromanage and let the professionals take care of the situation. In addition, Councilman Bromberg commented on how well the budget process has one. There has been transparency and openness as well as all the great presentation by the department heads. Everyone has been working well together and encouraged people to come out and make their voices heard.

Council President Jasionowski thanked the department heads for their presentations. The Councilman President thanked Bob Gallione for all his work with regard to preparing the budget documents. In addition, he thanked the Council for the time they spent working on the budget.

HEARING OF THE PUBLIC

Motion by Councilman de Stefan; seconded by Councilman Matos to open the meeting to the public.

Council President Jasionowski read the following statement into the record.

"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 member 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.”

Howard Lawrence - 607 Montview Place– commented on the flooding that takes place on his property due to what he felt was a Township construction project. The Township Attorney stated that until that Council should not comment on this situation until the engineers determines the problem.

Gina Susek – 549 Roosevelt Avenue–had questions regarding the increase in the municipal budget and supervision of the children attending Camp Have Some Fun.

Mayor Blundo responded that there could be a possible 9% tax increase or \$250 per household. The Township has applied for Extraordinary Aide from the State to hopefully get some relief.

Myrna Monacelli – 744 Tiffany Avenue – commented on her neighbors RV that is parked under her window. Mrs. Monacelli feels that it’s dangerous and a hazard.

Mayor Blundo said that he would have the Building Inspector look at the situation. The Township Attorney added that there is nothing in the Code Book that addresses this issue and agreed that Mike Sartori should go out and look at where the RV is parked.

Brian O’Neill – 705 Orange Court – commented on the Steep Slope Ordinance and a possible subdivision. His engineer has determined a way to help with the drainage problem on Orange Court. He added that he wants to minimize the problems and be a good neighbor.

Councilman de Stefan added that this person has an application before the Planning Board and therefore the Council should not comment.

The Township Attorney added that the ordinance is not placed properly in the Code Book—needs to be in Zoning.

There being no questions or comments from the public; motion by Councilman de Stefan; seconded by Councilman Bromberg to close the meeting to the public.

ORDINANCES 1ST Reading

Motion by Councilman Matos; seconded by Councilwoman Sieg to Introduce Ordinance #176-2007, as follows:

TOWNSHIP OF RIVER VALE BERGEN COUNTY, NEW JERSEY CALENDAR YEAR 2007 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 2.5% 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 Township Council of the Township of River Vale in the County of Bergen finds its advisable and necessary to increase its CY 2007 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 Township Council hereby determines that a 1.0% increase in the budget of said year, amount to \$70,550 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Council 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 Township Council 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 2007 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 \$246,926, and that the CY 2007 municipal budget for the Township of River Vale be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that 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 de Stefan, Councilman Matos, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes.

Motion by Councilman de Stefan; seconded by Councilwoman Sieg to Introduce Ordinance #177-2007, as follows:

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 \$1,615,125 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,534,369 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 \$1,615,125, including the aggregate sum of \$80,756 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 \$1,534,369 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: Purchase of computer equipment for the Township's Police Department, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 37,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 35,150
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 1,850

- (b) Purpose: Acquisition of equipment, including, but not limited to, Turnout gear, S.C.B.A equipment and upgrades and portable radios and pagers, all for the Fire Department, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 70,625
<u>Maximum Amount of Bonds or Notes:</u>	\$ 67,094
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 3,531

- (c) Purpose: Acquisition of various equipment for the Municipal Court, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 5,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 4,750
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 250

- (d) Purpose: Acquisition of various equipment and trucks for the Public Works Department, as per a list on file in the office of the Township Clerk,

and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 300,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 285,000
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$ 15,000

- (e) Purpose: Crack sealing of various roads in the Township, a complete 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>	\$ 10,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 9,500
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 500

- (f) Purpose: Pavement overlay of various roads in the Township, a complete list of which is 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>	\$ 200,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 190,000
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 10,000

- (g) Purpose: Construction and/or reconstruction of sidewalks at various locations, as per a list on file in the office of the Township Clerk, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 25,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 23,750
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 1,250

- (h) Purpose: Construction and/or reconstruction of curbs at various locations, as per a list on file in the office of the Township Clerk, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 20,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 19,000
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 1,000

- (i) Purpose: Improvements to various fields in the Township, as per a list on file in the office of the Township Clerk, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 20,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 19,000
<u>Period or Average Period of Usefulness:</u>	15 years

Amount of Down Payment:

\$ 1,000

- (j) Purpose: Replacement of the stormwater catch basin, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 25,000
Maximum Amount of Bonds or Notes: \$ 23,750
Period or Average Period of Usefulness: 15 years
Amount of Down Payment: \$ 1,250

- (k) Purpose: Construction of a Department of Public Works garage in and for the Township as shown on and in accordance with the specifications on file in the office of the Township Clerk, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 400,000
Maximum Amount of Bonds or Notes: \$ 380,000
Period or Average Period of Usefulness: 40 years
Amount of Down Payment: \$ 20,000

- (l) Purpose: Renovations to Field Houses in and for the Township as shown on and in accordance with the specifications on file in the office of the Township Clerk, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 20,000
Maximum Amount of Bonds or Notes: \$ 19,000
Period or Average Period of Usefulness: 20 years
Amount of Down Payment: \$ 1,000

- (m) Purpose: Purchase and installation of lighting at various parks in the Township, as per a list on file in the office of the Township Clerk, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 62,500
Maximum Amount of Bonds or Notes: \$ 59,375
Period or Average Period of Usefulness: 15 years
Amount of Down Payment: \$ 3,125

- (n) Purpose: Various parking and drainage improvements at the Senior Center and North Firehouse, as per plans on file in the office of the Township Clerk, and including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 320,000
Maximum Amount of Bonds or Notes: \$ 304,000
Period or Average Period of Usefulness: 15 years
Amount of Down Payment: \$ 16,000

- (o) Purpose: Renovations to the North Firehouse, as per plans on file in the office of the Township Clerk, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 100,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 95,000
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 5,000

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

(q) 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 not less than 99% of par and accrued interest, 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 18.25787 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 \$1,534,369, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) The Township reasonably expects to commence acquisition and/or construction of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the 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. 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 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The foregoing bond ordinance is hereby approved.

ROLL CALL VOTE: Councilman de Stefan, Councilman Matos, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes.

RESOLUTIONS –

Motion by Councilman Bromberg; seconded by Councilman de Stefan to approve Resolutions 2007-73 through 2007-77, as follows:

Resolution #2007-73

Re: Introduction of 2007 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 2007.

BE IT FURTHER RESOLVED, that said budget be published in the Ridgewood News in the issue of March 16, 2007, and that a hearing on the Budget will be held at the Municipal Complex on June 11, 2007 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 2007.

Resolution #2007-74

Resolution Re: 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, 2006.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that the following Deferred School Taxes be hereby increased for the year ended December 31, 2006 as follows:

	Deferred Local District School Taxes
Amount Deferred December 31, 2006	\$1,837,136
Amount Deferred December 31, 2005	<u>1,537,136</u>
Amount of Increase	<u>\$ 300,000</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 #2007-75

RESOLUTION OF THE TOWNSHIP OF RIVER VALE MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-26(e)

WHEREAS, the Governing Body desires to make application to the Local Finance Board for its review and/or approval of a proposed non-conforming maturity schedule; and

WHEREAS, the Township believes:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, wealth, convenience or betterment of the inhabitants of the local unit;
- (c) the amount to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of River Vale, in the County of Bergen, New Jersey, as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Township's Auditor/Financial Advisor and Bond Counsel, along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

Section 2. The Township Clerk is hereby directed to prepare and file a copy of this resolution with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

Resolution #2007-76

Resolution of The Township of River Vale Making Application To The Local Finance Board Pursuant To N.J.S.A 40A:4-45.3 et seq.

WHEREAS, the Governing Body of the Township of River Vale in the County of Bergen desires to make application to the Local Finance Board for its approval of a proposed budget cap waiver pursuant to N.J.S.A. 40:4-45.3 and,

WHEREAS, the Governing Body believes that:

- (a) it is in the public interest to accomplish such purpose; and,
- (b) the cap waiver is for the health, wealth, convenience or betterment of the inhabitants of the Township of River Vale; and,
- (c) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Township of River Vale and will not create an undue financial burden to be placed upon the Township of River Vale.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Township of River Vale as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Chief Financial Officer, along with other representatives of the Township of River Vale are hereby authorized to prepare such application and to represent the Township of River Vale in matters pertaining thereto.

Section 2. The Municipal Clerk of the Township of River Vale is hereby directed to file a copy of the proposed cap waiver with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

Resolution #2007-77

RESOLUTION ATTACHED

Council Discussion

Dieter Lerch recommended changing the public hearing date for the adoption of the budget. It was agreed to be changed to the June 11th council meeting. Councilman Matos had questions regarding the Resolution 2007-77 – Temporary Capital Budget. Mr. Lerch explained that a Temporary Capital Budget allows the administration to expedite the capital program without the adoption of the budget.

ROLL CALL VOTE: Councilman de Stefan, Councilman Matos, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes.

REVALUATION

Mayor Blundo spoke briefly about the upcoming revaluation. He stated that by order of Bergen County River Vale is required to perform a revaluation. The average home in River Vale is assessed at \$280,000 well below market value.

Denis McGuire, the Township’s tax assessor gave a brief synopsis of the revaluation process. In 2002 the River Vale was ordered to conduct a revaluation by both Bergen County and the New Jersey Division of Taxation. In 2003 the administration hired Realty Appraisal Co. to perform the revaluation for the Township. In addition, the tax maps and contracts have been approved by the state.

Neil Rubenstein of Realty Appraisal gave a thorough explanation of the revaluation process as well as distributed a pamphlet with additional information. He explained that their methods of appraising and they are mandated by the Division of Taxation. The company will conduct the visits to the residents' homes Monday through Saturday in both the morning and evening. When all the information is gathered the company will provide a letter explaining the new assessment. Mr. Rubenstein noted that the letter does not inform you of how much the tax increase could be. In addition, Mr. Rubenstein stated that there is no law saying you must let the Appraisal Company in your home. However, if you don't let them in your home you will receive the highest assessment. If a resident is not pleased with the assessment they do have the option to appeal.

Mayor Blundo requested that he would like to see the information provided in the pamphlet post on the Township Website.

Motion by Councilman Bromberg; seconded by Councilman Matos to take a five (5) minute recess (9:40pm)

The Meeting reconvened at 9:45pm.

ROLL CALL

Councilman Bromberg, Councilman Matos, Councilman de Stefan, Councilwoman Sieg, and Council President Jasionowski were present.

RESOLUTIONS-

Motion by Councilman de Stefan; seconded by Councilman Bromberg to approve Resolution 2007-71, as follows:

Resolution 2007-71

RESOLUTION APPROVING MINUTES – February 12, 2007

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the February 12, 2007 Regular Meeting of the Township Council are hereby approved.

ROLL CALL VOTE: Councilman de Stefan, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes. Councilman Matos abstained.

Resolution 2007-72

Councilman Bromberg requested that the minutes of the February 26, 2007 meeting be amended to reflect comments from Mrs. Lorraine Waldes.

Motion by Councilman de Stefan; seconded by Councilman Bromberg to approve Resolution 2007-72, with changes as follows:

RESOLUTION APPROVING MINUTES – February 26, 2007

BE IT RESOLVED, by the Township Council of the Township of River Vale that the minutes of the February 26, 2007 Regular Meeting of the Township Council are hereby approved.

ROLL CALL VOTE: Councilman de Stefan, Councilman Matos, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes.

Council Discussion

The Business answered questions regarding the Rivervale Road sidewalk improvement

project. He explained the location of the proposed sidewalk and funding.

Motion by Councilman Bromberg; seconded by Councilwoman Sieg to approve Resolutions 2007-78 and 79, as follows:

Resolution 2007-78

RESOLUTION AUTHORIZING THE MAYOR TO SIGN DOT APPLICATION/AGREEMENT IN THE AMOUNT OF \$150,000 FOR THE RIVERVALE ROAD SIDEWALK IMPROVEMENT PROJECT

BE IT RESOLVED by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the above mentioned agreement.

Resolution 2007-79

RESOLUTION AUTHORIZING THE MAYOR TO SIGN INTERLOCAL AGREEMENT WITH THE TOWNSHIP OF WASHINGTON FOR HEALTH SERVICES

WHEREAS, the Township of River Vale contracts with the Township of Washington for Health Services for the year 2007; and

WHEREAS, these services include, but are not limited to the Administrative Services of a full-time Health Officer, Administrative Services of a Nurse Supervisor, Sanitarian and other such related services;

NOW, THERE, BE IT RESOLVED, by the Township Council of the Township of River Vale that the Mayor is authorized to sign the above mentioned agreement.

ROLL CALL VOTE: Councilman de Stefan, Councilman Matos, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes.

Resolution 2007-81

Council Discussion

The Township Attorney explained the legislative power of the Planning Board and that they can appoint and establish compensation for their professionals. The Council can only authorize the Mayor to sign an agreement and ratify that the funds are appropriated. If the Council chooses to not approve you could possibly create a conflict with the Planning Board but otherwise it would have no bearing.

Councilman Bromberg questioned the paying the Planning Board professionals and whether the funds come out of the Township budget. The Township Attorney stated that the Planning Board Engineer is paid from Escrow accounts and the Attorney is paid out of the Township budget.

Motion by Councilman de Stefan; seconded by Councilman Matos to approve Resolution 2007-81, as follows:

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR LEGAL SERVICES FOR THE PLANNING BOARD

WHEREAS, the Township of River Vale has a need to acquire the services of a Planning Board Attorney as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, the Business Administrator has determined and certified in writing that the value of the contract will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year; and,

WHEREAS, Paul Kaufman, Esq. has submitted a proposal indicating he will act as the Planning Board Attorney at the rates set forth in the 2007 Schedule of Billing Rates attached to Paul Kaufman's proposal; and,

WHEREAS, Paul Kaufman, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Paul Kaufman has not made any reportable contributions to a political or candidate committee in the Township of River Vale in the previous one year, and that the contract will prohibit Paul Kaufman from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified the availability of funds required for this contract pursuant to *N.J.A.C. 5:30-5.4*.

NOW THEREFORE, BE IT RESOLVED that the Township Council of the Township of River Vale authorizes the Mayor to enter into a contract with Paul Kaufman and the Township of River Vale as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to cause a copy of this resolution to be published as required by law.

ROLL CALL VOTE: Councilman de Stefan, Councilman Matos, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes.

Motion to table Resolution #2007-80 by Councilman de Stefan; seconded Councilwoman Sieg

Resolution 2007-80

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ENGINEERING SERVICES FOR THE PLANNING BOARD

WHEREAS, the Township of River Vale has a need to acquire the services of a Planning Board Engineer as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, the Business Administrator has determined and certified in writing that the value of the contract will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year; and,

WHEREAS, Christopher Statile has submitted a proposal indicating he will act as the Planning Board Engineer at the rates set forth in the 2007 Schedule of Billing Rates attached to Christopher Statile's proposal; and,

WHEREAS, Christopher Statile has completed and submitted a Business Entity Disclosure Certification which certifies that Christopher Statile has not made any reportable contributions to a political or candidate committee in the Township of River Vale in the previous one year, and that the contract will prohibit Christopher Statile from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified the availability of funds required for this contract pursuant to *N.J.A.C. 5:30-5.4*.

NOW THEREFORE, BE IT RESOLVED that the Township Council of the Township of River Vale authorizes the Mayor to enter into a contract with Christopher Statile and the Township of River Vale as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to cause a copy of this resolution to be published as required by law.

ROLL CALL VOTE: Councilman de Stefan, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes. Councilman Matos voted no.

Ordinances 1ST Reading

Motion by Councilman de Stefan; seconded by Councilman Matos to Introduce Ordinance #178-2007, as follows:

AN ORDINANCE AMENDING STEEP SLOPE ORDINANCE NUMBER 144-2006, FINALLY ADOPTED MARCH 13, 2006 REGULATING THE INTENSITY

OF USE IN AREAS OF STEEPLY SLOPING TERRAIN IN THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY

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

The Steep Slope Ordinance No. 144-2006 of the Township of River Vale, in the County of Bergen and State of New Jersey, finally adopted March, 2006, (the "Prior Ordinance") is hereby amended in its entirety to provide as follows:

Part 9 "Zoning" of Chapter 175 "Land Use" of the Township of River Vale shall be amended to create a new section Article LVIII, B "Regulation of the Intensity of the Use in Areas of Steeply Sloping Terrain" as follows:

Section 1. PURPOSE.

The purpose of this ordinance is to regulate the intensity of use in areas of steeply sloping terrain in order to limit soil loss, erosion, excessive storm water runoff, the degradation of surface water and to maintain the natural topography and drainage patterns of land.

Section 2. APPLICABILITY.

This ordinance shall be applicable to any, subdivision, site plan, or land disturbance application located in the Township as defined in the Township Land Use Law or any project defined by the Soil Erosion and Sediment Control Act. Land Disturbance for the purpose of this ordinance shall mean any activity involving the clearing, cutting, excavation, grading, filling, storing, transporting, or the covering by artificial or natural materials, of land or any other activity which causes land to be exposed to the danger of erosion.

Section 3. SLOPE CLASS REQUIREMENTS.

(A) Except as set forth in Section 3(F), on slopes of 25% or greater, no land disturbance, re-grading or stripping of vegetation shall be permitted. Land disturbance for roadway crossings, utility, or storm or sanitary sewer construction in areas of 25% slopes or greater are considered variance conditions and the applicant must affirmatively demonstrate that the roadway or utility improvements are necessary in the sloped area and that alternate means are not. The sloped area to be developed, re-graded or stripped of vegetation shall be drawn on the development plans for each individual lot.

(B) The maximum disturbance allowed in slope areas between 20.0% to 24.9% shall be 15%.

(C) The maximum disturbance allowed in slope areas between 15.0% and 19.9% shall be 30%.

(D) The maximum disturbance allowed in slope areas between 0 to 14.9% may be 100%.

(E) Site design and grading on slopes greater than 15% shall provide the minimum disruption of view corridors and scenic vistas and shall preserve significant natural topographic features to the greatest extent possible.

(F) Steep Slope disturbance of an area less than four hundred (400) square feet shall be permitted on any parcel.

Section 4. SITE PLAN SUBMISSION REQUIREMENTS.

All earth moving or disturbance activities on existing, pre-development slopes of ten (10%) percent or greater, shall be accompanied by a site plan prepared by a Licensed Professional Engineer and shall be submitted with all site plan and subdivision

applications, and all other land development applications. For land disturbances not part of land development applications, a site plan shall be submitted to the Construction Official, who shall refer it to Township Engineer for review and determination of completeness. The Township Engineer shall recommend within 45 days receipt of a complete application either acceptance, rejection, and/or provide recommendations for compliance with the slope ordinances. Site Plans will include at a minimum the following:

(A) Slopes in classes of 0-14.9%, 15-24.9%, and greater than 25% based on two foot (2') contours analyzed on ten foot (10') vertical intervals.

(B) Location of all existing natural and topographic features, water bodies including but not limited to streams, lakes, and wetlands and their respective transition areas as affirmed by the New Jersey Department of Environmental Protection.

(C) Location of all proposed and existing buildings, impervious surfaces and streets.

(D) Location of all existing vegetation including meadow, forest and scrub lands broken down by those areas of vegetation which will be removed as well as vegetation to be preserved; specifications for re-vegetation shall also be included.

(E) Soil erosion and sedimentation controls shall be in accordance with the current edition of the "Standards for Soil Erosion and Sediment Control in New Jersey" by the NJ Soil Conservation Committee.

(F) A statement and description of the stability of the soils on site and the appropriateness of the construction method proposed.

(G) Hydrology, drainage and flooding analysis to include a statement on the effect of the proposed development upon water bodies or wetlands in the vicinity of the project.

(H) A statement describing the underlying geology attesting to the stability of the site.

(I) Calculations of the area of proposed disturbance of each slope class on each proposed lot as well as within any proposed road right-of-way.

(J) Grading plan for the construction site and all access routes.

(K) The Township Engineer shall render a report to the Construction Official to accept or reject the plan as submitted and/or require specific conditions be complied with in order for the plan to meet approval. No construction or soil movement permits shall be issued and no grading or site clearing shall occur until a site plan including all of the above items has been reviewed and approved by the Township Engineer.

Section 5. PERFORMANCE STANDARDS.

All development proposals which propose development on steep slopes shall conform to the following performance standards:

(A) Lands to be preserved in one-hundred (100%) percent open space due to the presence of steep slopes may be offered for dedication to the Township, a private land trust, or a non-profit agency in order to preserve and maintain the area in its natural state or,

(B) Shall be preserved in perpetuity through the preparation of deed restrictions filed with the County Recording Officer in the form and description approved by the Township Engineer.

Section 6. EXEMPTIONS.

Land development plans which were granted and perfected final approval prior to the adoption date of this ordinance shall be exempt from these requirements.

Section 7. COMPATIBILITY WITH OTHER PERMIT AND ORDINANCE REQUIREMENTS.

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals under the subdivision and site plan review process and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by other applicable codes, rules, acts or ordinances. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, general welfare and the protection of water quality.

Section 8. SEVERABILITY.

If the provisions of any part 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 this ordinance.

ROLL CALL VOTE: Councilman de Stefan, Councilman Matos, Councilman Bromberg, Councilwoman Sieg and Council President Jasionowski voted yes.

HEARING OF THE PUBLIC

Motion by Councilman Matos; seconded by Councilman Bromberg to open the meeting to the public.

Gina Susek – 549 Rockland Avenue – questioned the purpose of a CAP bank, the Business Administrator answered her questions.

John Donovan – 63 Rivervale Road – also had questions regarding the CAP bank which were answered by the Business Administrator.

There being no questions or comments from the public; motion by Councilman de Stefan; seconded by Councilman Bromberg to close the meeting to the public.

The Business Administrator had further updates regarding the upcoming Easter Egg Hunt which is taking place on Saturday April 7th. They are planning an indoor event and one of the schools.

Mayor Blundo thanked the Fire Department for offering the use of their building for the Easter event.

The Business Administrator gave additional updates on the Memorial Day Parade, scheduled for May 26th at 10:00 and the possibility of holding a baci tournament in River Vale.

Motion by Councilman Matos; seconded by Councilman Bromberg to enter into closed session to discuss litigation. No action will be taken (10:05PM)

ADJOURNMENT –

Motion by Councilman de Stefan; seconded by Councilman Matos to adjourn the meeting from closed session at 11:00pm.

Glen Jasionowski
Council President

ATTEST:
Karen Padva, Deputy Clerk