



## **AGENDA**

*Regular Meeting of the Township Council*

*Tuesday, October 10, 2023*

*Council Chambers 7:30pm*

**Mayor Mark Bromberg**

Council President Paul Criscuolo, Council Vice President Denise Sieg,  
Councilman Ari Ben-Yishay, Councilman John Donovan, Councilman Jim Tolomeo

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

### **SALUTE TO FLAG**

### **SUNSHINE LAW STATEMENT**

In accordance with the provisions set forth in the Open Public Meetings Law, notification of this meeting has been sent to all officially appointed Township newspapers and notice is posted at the Municipal Office.

### **ROLL CALL**

1. Township Council
2. Municipal Officials Present

### **TOWNSHIP COMMUNICATION**

1. Mayor's Comments
2. Township Council Comments

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### **Administrator's Report**

### **Engineer's Report**

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**HEARING OF THE PUBLIC**

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

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**RESOLUTIONS**

- #2023-217—Approve Minutes September 12, 2023, Council meeting
  - #2023-218—Approve Chapter 159 Pasch Park Barrier Free Improvements
  - #2023-219—Authorize Amending the Employee Handbook
  - #2023-220—Authorize Refund Yoga Class Registration Fees
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**ORDINANCES**

Ordinance for 1<sup>st</sup> Reading

Ordinance #418-2023—ORDINANCE OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN, NEW JERSEY, APPROVING APPLICATION FOR LONG TERM TAX EXEMPTION AND AUTHORIZING THE EXECUTION OF FINANCIAL AGREEMENT WITH LAKE TAPPAN URBAN RENEWAL LLC, PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ.

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There are no ordinances 2<sup>nd</sup> Reading

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

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**ADJOURNMENT**



Resolution offered:	No. 2023-217
Resolution seconded by:	

**RESOLUTION APPROVING MINUTES SEPTEMBER 12, 2023, COUNCIL MEETING**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the minutes of the September 12, 2023, Council 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"/>	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"/>	TOLOMEO	<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"/>					

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

Dated: October 10, 2023

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

held on: \_\_\_\_\_, 2023 Attest: \_\_\_\_\_

Karen Campanelli, Township Clerk



Resolution offered:	No. 2023-218
Resolution seconded by:	

**RESOLUTION**  
**CHAPTER 159**  
**Pasch Park Barrier Free Improvements**

**WHEREAS, N.J.S.A.** 40A:4087 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item has been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS,** the Director may also approve the insertion of an item of appropriation for equal amount.

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of River Vale hereby requests that the Director of Local Government Services approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$ 70,745.00 which is now available from the Community Development Block Grant Program for the Pasch Park Barrier Free Improvements Project.

**BE IT FURTHER RESOLVED** that the sum of \$70,745.00 is hereby appropriated under the caption of Public and Private Programs.

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"/>	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"/>	TOLOMEO	<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"/>					

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Karen Campanelli, Township Clerk



Resolution offered:	No. 2023-219
Resolution seconded by:	

**RESOLUTION AMENDING THE EMPLOYEE HANDBOOK  
(NON-CIVIL SERVICE JURISDICTION)**

**WHEREAS**, on October 25, 2021, the Township adopted an Employee Handbook as recommended by the Municipal Excess Liability Joint Insurance Fund (MEL) to serve as a comprehensive document containing essential information for all employees; and,

**WHEREAS**, the Administration is recommending the Employee Handbook be amended to ensure compliance with current JIF requirements and sound practice in regard to administration by the Township.

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of River Vale that the amendments to the Employee Handbook 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"/>	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"/>	TOLOMEO	<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"/>					

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Karen Campanelli, Township Clerk



Resolution offered:	No. 2023-220
Resolution seconded by:	

**REFUND**

**(Yoga Class Registration Fees)**

**WHEREAS**, due to low enrollment the Yoga classes were cancelled, and the following residents have requested a refund of their registration fees; 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 refunds are approved and the Treasurer is hereby authorized to issue municipal checks payable as follows:

**Payable to:**  
 Anastasia Barnett  
 661 Woodside Ave.  
 River Vale, NJ

**Payable to:**  
 Janice Orr  
 540 Wittich Terrace  
 River Vale, NJ

**Payable to:**  
 Laura Favorito  
 723 Beechcrest Drive  
 River Vale, NJ

**Refund Amount: \$ 40.00**

**Refund Amount: \$ 40.00**

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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"/>	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"/>	TOLOMEO	<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"/>					

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Karen Campanelli, Township Clerk



**Township of River Vale**  
County of Bergen  
State of New Jersey

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**ORDINANCE #418-2023**

Date of 1 <sup>st</sup> Reading: October 10, 2023	Motion to Introduce:
Date of Public Hearing:	Motion Second:

**ORDINANCE OF THE TOWNSHIP OF RIVER VALE, COUNTY OF BERGEN, NEW JERSEY, APPROVING APPLICATION FOR LONG TERM TAX EXEMPTION AND AUTHORIZING THE EXECUTION OF FINANCIAL AGREEMENT WITH LAKE TAPPAN URBAN RENEWAL LLC, PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ.**

**WHEREAS, LAKE TAPPAN URBAN RENEWAL LLC**, an urban renewal entity formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. (the "Long Term Tax Exemption Law"), having its principal office at 103 Magazine Street, Newark, New Jersey, 07105 ("Entity"), submitted to the Mayor of the **TOWNSHIP OF RIVER VALE**, a municipal corporation of the State of New Jersey, having its principal office at 406 Rivervale Road, River Vale, New Jersey 07675 ("Township") an Application for the approval of a plan for the construction, maintenance and operation of a housing project consisting of twenty-four (24), 100% affordable rental housing units (the "Project") on land identified on the Tax Maps of the Township as Block 701, Lot 8.02 (the "Project Site" or "Property"); and

**WHEREAS**, the Township entered a settlement agreement dated September 8, 2017 ("Settlement Agreement") with Fair Share Housing Center ("FSHC") in the Matter of the Application of the Township of River Vale, Docket No. BER-L-6277-15 for the Township's compliance with the Mount Laurel Doctrine and Fair Share Housing Act of 1985, N.J.S.A. 52:27D-301 et seq., through the Third Round; and

**WHEREAS**, the Project is part of the satisfaction of the Township's obligation under the Settlement Agreement with FSHC; and

**WHEREAS**, there was also submitted to the Mayor by the Entity a Financial Agreement (copy attached hereto) requesting tax exemption of the Project; and

**WHEREAS**, the Mayor has submitted the Application and accompanying Financial Agreement to the Township with his recommendation.

**NOW THEREFORE, BE IT ORDAINED** by the Town Council of the Township of River Vale, New Jersey, that:

1. The Town Council makes the following findings:

A. The Project satisfies the Township's obligation under the Settlement Agreement with FSHC as it relates to the Project Site. The Project also complies with the Township's Housing Element and Fair Share Plan for the development of twenty-four (24), 100% affordable rental housing units at the Property.

B. The Project represents a desired use of the Project Site and will result in significant infrastructure improvements within the Township.

C. The Property currently generates \$0 in real estate tax revenue to the Township as the Property is owned by the Township and tax exempt. The projected Annual Service Charge over the term of the tax exemption will generate an average annual revenue to the Township of approximately \$50,157.00.

D. The Project will create 79 jobs during the period of construction.

E. The tax exemption authorized by this Ordinance is necessary for the successful completion of the Project because, among other reasons, (1) the relative stability and predictability of the annual service charges will make the Project financially feasible, and (2) the relative stability and predictability of the service charges will allow the Entity to stabilize its operating budget, allowing a high level of maintenance to the improvement over the life of the Project, which will insure the likelihood of the success of the Project.

2. The Application of Lake Tappan Urban Renewal LLC for the development, maintenance and operation of an affordable housing project described in the Application is hereby approved in accordance with the Mayor's recommendation.

3. An exemption from taxation as set forth in the Financial Agreement is hereby granted to the Entity, with respect to the Project on the Property for the term set forth in the Financial Agreement, but in no event shall the tax exemption exceed the earlier of (i) thirty-five (35) years from the date of execution of the Financial Agreement or (ii) to the extent permitted by N.J.S.A. 40A:20-13, thirty (30) years from the Entity's receipt of a Certificate of Occupancy for the Project and only so long as the Entity remains subject to and complies with the Financial Agreement and the Long Term Tax Exemption Law and upon the further condition that the Entity does not file a petition of tax appeal for the premises on which the Project is to be located, excepting any appeal filed prior to the adoption of this Ordinance.

4. This Ordinance does not exempt the Entity from the obligation to pay special improvement district assessments or other assessments which may be imposed on the Project Site by law.

5. The Mayor is hereby authorized to execute, on the Township's behalf, the Financial



Agreement.

6. The executed copy of the Financial Agreement shall be certified by the Township Clerk and filed with the Office of the Township Clerk.

7. The Project shall conform with all Federal and State law and ordinances and regulations of the Township relating to its construction and use.

8. The Entity shall in the operation of the Project comply with all laws so that no person shall, because of race, religious principles, color, national origin or ancestry, gender or sexual orientation, be subject to any discrimination.

9. The Entity shall, from the time the Annual Service Charge becomes effective, pay the Annual Service Charge as set forth in Section 4.01 in the Financial Agreement.

10. The following occurrences are express conditions to the grant of this tax exemption to be performed by the Entity:

(a) The Entity shall not, without prior consent of the Township as set forth in the Financial Agreement, convey, mortgage or transfer all or any part of the Project which would sever, disconnect or divide the improvements being tax exempted under the Financial Agreement from the land underlying the exempted improvements.

(b) The Entity shall complete the Project within the timeframes set forth in the Redevelopment Agreement.

11. The Township shall be paid an administrative fee amounting to 2% of the Annual Service Charge pursuant to N.J.S.A. 40A:20-10(d) for the processing of any request for municipal consent made pursuant to N.J.S.A. 40A:20-10(a), (b), or (c).

12. The Entity shall submit a certified construction cost audit to the Township within thirty (30) days of the completion of the Project.

13. The Entity shall submit a certified total project cost audit to the Township within ninety (90) days following issuance of the certificate of occupancy or the completion of the Project.

14. The Mayor and/or Township Administrator are hereby authorized to execute and/or amend, modify or make such necessary changes to the Application, the Mayor's Recommendation, the Financial Agreement and any other agreements necessary to effectuate the Financial Agreement, provided that such changes do not substantially alter any provisions of the Financial Agreement.

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