

**MINUTES**  
**Regular Council Meeting**  
**Monday, February 13, 2023**  
**Council Chambers 7:30pm**

**CALL THE MEETING TO ORDER**

Council President Criscuolo called the meeting to order at 7:32pm.

**SALUTE TO FLAG**

Council President Criscuolo asked all in attendance to join him in a Salute to the Flag.

**SUNSHINE LAW STATEMENT**

Council President Criscuolo 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 Tolomeo, Councilman Ben-Yishay, Councilman Donovan, Councilwoman Sieg and Council President Criscuolo were present.

**Also present:** Mayor Mark Bromberg, Business Administrator/CFO Gennaro Rotella, Township Attorney Silvana Raso, Township Engineer Chris Statile, and Township Clerk Karen Campanelli.

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**Mayor's Comments**

Mayor Bromberg reported that the River Vale Police Department is one of the (4) Towns in the Regional High School District that will be participating in a pilot program. He explained that former River Vale resident, Stu Krentzman, prepared a study regarding Police protocol and tactics during a school shooting. The study suggests changes in training protocols and tactics, and to instead provide a quicker medical response and tend to the wounded. Mayor Bromberg further explained that a certain percentage of the officers responding will tend to the wounded, which will hopefully reduce any fatalities. The Mayor added that our Police Department will be at the forefront of this initiative and offered he offered their support to the department.

Chief Bulger added that he will keep the Mayor and Council updated on the program. He added that this could become a nationwide model for the program as well. Additionally, the article had a lot of merit and thought, and we are working towards a better solution.

**Council Comments**

Councilman Tolomeo agreed with Chis Bulger, that we need to evolve and change. He added that he works for PSE&G and this past Wednesday the was a shooting in one of his offices and someone was killed. Councilman Tolomeo continued that the timing for this program is perfect and this is a credit to our Police Department.

Councilman Tolomeo reported that he had the unfortunate pleasure of dealing with one of our Police Officers on Saturday night when he was in a motor vehicle accident. He read an email he sent to Chris Bulger after the accident into the record.

"...Good morning Chris, I'm writing this email to commend P.O. Krasic and the RVPD as a whole on my interaction with him Saturday night, February 11, 2023. I had the unfortunate pleasure of dealing with P.O Krasic when I struck a parked car on Caruso Lane. I immediately called dispatch when the accident occurred as I was not able to determine the owner of vehicle and P.O. Krasic arrived on the scene moments later. I was upset and a bit frazzled when he showed up and that continued to grow as I had problems with some of my documentation. P.O. Krasic was so very understanding and did everything in his nature to calm me down and keep this very upsetting

situation as calm as possible. I've been a supervisor with PSE&G for 15 years and you cannot train the calming demeanor that P.O. Krasic possesses. After getting my information squared away, he went door to door looking for the owner of the car and this was well after 11:00pm on a Saturday night. He was able to locate the owner and complete his report which also aided me in giving my contact information to said owner aside from having to leave a note on this poor guy's windshield. The actions of P.O. Krasic are in line with everything I've come to love about RVPD but I'd feel remiss if I didn't reach out to you to let you know. If appropriate I ask you to please extend my thanks to P.O. Krasic and stress how appreciative I am of him, his duty and his compassion. In closing, Chris, I will say the actions of P.O. Krasic are a direct result of your leadership..."

Councilman Tolomeo added that he thinks everyone feels the same way he does, and he whole heartedly feels that this is how Officer Krasic handles himself in every situation.

Councilman Ben-Yishay had no comments this evening.

Councilman Donovan had no comments this evening.

Councilwoman Sieg commented that she is glad Jim and his family are ok and agreed that they have the best Police Department. She also agreed that in a time of crisis they do have the ability to calm the situation down. Councilwoman Sieg read Stu Krentzman's report, adding that our world is changing, and we need to be aware that when you go to a movie, outdoor concert or school, that something could happen to you or your loved one. Councilwoman Sieg is looking forward to hearing more about this program and how productive it is, as this has become a very common occurrence.

Council President Criscuolo had no comments at this time.

Mayor Bromberg added that Captain Bulger will be taking over as Acting Police Chief until Sean Scheidle's contract is finished.

Council President Criscuolo congratulated Chris on his appointment to Acting Chief and thanked him for his continued service to the Township. He added that Chris has an exemplary record, and he has no doubt that this will continue in his new role.

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### **Business Administrator Report**

Mr. Rotella reported on a few agenda items, the first they will be awarding the contract for the Land Lease of a Cell Tower Use bid to Gaelic Communications. He explained that the contract will be for a 10-year lease with (2) 10 year options which creates a longevity of rental income for the Township. Mr. Rotella added that the new tower will set the foundation for the area, for both the new Police Department and enhancing cell coverage in the area.

He next reported on Resolution #80, authorizing the Mayor to sign the addendum to the DPW shared Services Agreement with Montvale. Mr. Rotella explained that he negotiated a different capital contribution increasing from \$60,000 to \$200,000 starting this year.

### **Township Engineer Report**

Mr. Statile reported that he has been working with Gennaro and the contractor, Z-Tech, for the new Driving Range Netting Confinement project. Gennaro added that they'll be installing a cage with netting on the top, to prevent golf balls from the driving range traveling onto the Meskers property where Townhomes are to be built. Council President Criscuolo clarified that the cage will alleviate the need for the poles. Mr. Rotella agreed adding that this is also a more affordable option.

Councilman Ben-Yishay asked how far the ball can travel before reaching the netting. Gennaro responded probably 100 yards, adding that the cage will be 130 feet wide and 60-70 feet high.

Mr. Stile next reported that he is also working with Gennaro on the new storage building at the Golf Course. He is also working with Veolia on the acquisition of the property behind the DPW garage. Mr. Statile has completed the presentation, which he received approval from Veolia. This Spring it will be presented to the Watershed Board for their approval.

He next gave an update on the New Public Safety Complex. He's negotiating with PSE&G on relocating the utility poles at no cost to the Township. Mr. Statile next recounted the grant money awarded to the Township to be used toward the new LED Lighting at Mark Lane. Thus far the Township has been awarded \$85,000 from Bergen County Open Space, \$35,000 for the State and \$11,000 from the Energy Saver Program with PSE&G.

Mr. Statile announced that PSE&G has agreed to pay the Township \$725,000 for road restoration for all the gas main work. He further reported that this money will be included with this year's Road Program funds. He is also working on securing a CDBG grant for handicap accessibility to Pasch Park.

Councilman Donovan questioned if the grants for Mark Lane Lighting are matching, Mr. Statile responded that the \$85,000 Bergen County Open Space is a matching grant. He also questioned if Pasch Park has always had that name. Mr. Rotella responded that there is a plaque at the park memorializing it and the area will be great for fishing. Additionally, sidewalks will be installed from Beck to the Park for easier access.

Mayor Bromberg clarified that it's the Old Tappan Bridge under repair and not Orangeburg Road. He also questioned the status of the DPW building sprinklers and if we're waiting on the contractor. Mr. Statile responded that then need to make the connection between the Township pipes and Veolia's. The Mayor also asked if the Board meeting for the DPW property purchase is in April. Mr. Rotella confirmed that the meeting is in April.

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### **1st Hearing of the Public**

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

There being no questions or comments from the public. Motion by Councilwoman Sieg; second by Councilman Ben-Yishay to close the hearing of the public.

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### **RESOLUTIONS**

Motion by Councilman Donovan; second by Councilwoman Sieg to approve Resolutions #2023-67 through #2023-81 as a Consent Agenda as follows:

#### **Resolution #2023-67**

##### **RESOLUTION APPROVING MINUTES JANUARY 3, 2023, REORGANIZATION MEETING**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the minutes of the January 3, 2023, Reorganization meeting of the Township Council are hereby approved.

#### **Resolution #2023-68**

##### **RESOLUTION APPROVING MINUTES JANUARY 23, 2023, COUNCIL MEETING**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that the minutes of the January 23, 2023, Council meeting of the Township Council are hereby approved.

#### **Resolution #2023-69**

##### **RESOLUTION CONFIRMING THE APPOINTMENT OF THE ACTING POLICE CHIEF**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale that Captain Christopher Bulger is hereby appointed as the Acting Police Chief of the River Vale Police Department effective February 1, 2023.

#### **Resolution #2023-70**

**RESOLUTION GRANTING TAX EXEMPT STATUS  
DISABLED VETERAN AND AUTHORIZING REFUNDING PROPERTY TAXES PAID**

**WHEREAS**, Joseph R. Seier, who resides at and is the owner of 564 Thurnau Drive (Block 807, Lot 2) in the Township of River Vale has been deemed a 100% permanently disabled veteran in accordance with the provisions of N.J.S.A. 54:4-3.30; and,

**WHEREAS**, Joseph R. Seier made the appropriate claim for tax exemption through the River Vale Tax Assessor's Office as a 100% permanently disabled veteran and was approved effective June 30, 2022; and,

**WHEREAS**, Mr. Seier submitted an official letter from the Department of Veterans Affairs with the River Vale Tax Assessor confirming this information; and,

**WHEREAS**, Mr. Seier is seeking a refund for property taxes paid as follows:

<b><u>Refund:</u></b>	
Q3 2022:	\$3,763.72
Q4 2022:	\$3,735.55
Q1 2023:	<u>\$3,662.33</u>
<b>Total Refund:</b>	\$11,161.60

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of River Vale that the property known as 564 Thurnau Drive (Block 807, Lot 2) is hereby designated as a tax-exempt property as the property owner, Joseph R. Seier, is a 100% permanently disabled veteran effective June 30, 2022.

**BE IT FURTHER RESOLVED** that all property taxes on said property are hereby cancelled.

**BE IT FURTHER RESOLVED**, by the Township Council of the Township of River Vale that a refund of property taxes paid is hereby granted and the Treasurer is authorized to issue a municipal check payable as follows:

**Payable to:**

"Joseph R. Seier"  
564 Thurnau Drive  
River Vale, NJ 07675

**Total Refund Amount \$ 11,161.60**

**Resolution #2023-71**

**RESOLUTION AWARDING THE BID FOR THE LAND LEASE FOR CELL TOWER USE**

**WHEREAS**, on January 26, 2023, the Township received bids for the lease of ground space for Cell Tower Use for the property located at 640 Rivervale Road, Block 701, Lot 8 in the Township of River Vale; and

**WHEREAS**, the one bid received from Gaelic Communications, LLC, 65 Mechanic Street, Suite 201, Red Bank, New Jersey has been reviewed and is hereby accepted as the most responsible bidder at the price of

**Primary Bid (minimum \$40,000.00/year)**

\$ 51,360/Year

**Percentage of Escalator Clause (minimum of 2.5% per year)**

2.75%/Year

**NOW THEREFORE BE IT RESOLVED** the bid from Gaelic Communications, LLC is hereby accepted, and the Mayor and Township Clerk are authorized to execute a Contract on behalf of the Township of River Vale for

the Land Lease for Cell Tower Use as described in the Bid Specifications.

**Resolution #2023-72**

**RESOLUTION**

(TRANSFERS)

**WHEREAS**, there exists a need to make transfers in the 2022 Budget Appropriations Reserves, and there exists balances from which to make said transfers.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of River Vale that the Chief Financial Officer hereby be authorized to make the following transfers to the 2022 Budget Appropriations Reserves.

**Inside CAP:**

**From:**

General Admin SW	\$ 1,500.00
Finance SW	\$ 2,000.00
Tax Assessor OE	\$ 3,000.00
Code Enforcement OE	\$ 5,000.00
Insurance OE	\$ 6,000.00
Group Health OE	\$ 7,000.00
Patrol SW	\$ 5,000.00
Fire Prevention OE	\$ 5,000.00
<u>Solid Waste &amp; Recycling OE</u>	<u>\$ 24,800.00</u>
<b>Total</b>	<b>\$ 59,300.00</b>

**Inside CAP:**

**To:**

Police OE	\$ 25,000.00
Accumulated Leave OE	\$ 32,000.00
<u>Tax Collection OE</u>	<u>\$ 2,300.00</u>
<b>Total</b>	<b>\$ 59,300.00</b>

**Resolution #2023-73**

**RESOLUTION**

**APPROVE THE LOSAP QUALIFIERS FOR THE YEAR 2022 FOR THE FIRE DEPARTMENT  
AND AMBULANCE CORPS**

**WHEREAS**, the Volunteer Fire Department and Ambulance Corps have notified the Chief Financial Officer of the LOSAP Qualifiers for the year 2022 in writing; and

**WHEREAS**, the Mayor and Council must approve the certified list of qualifiers after review and backup information has been provided; and

**WHEREAS**, the Plan Administrator is satisfied that the substantiated information has been provided.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council hereby approve the following as qualifiers for LOSAP for the year 2022:

**River Vale Volunteer Fire Department:**

Affrunti, Michael	Cannata, Steve	Centinaro, Michael	Delmage, Christopher
Fahey, Thomas	Goodell, Gregory Sr.	Goodell, Kellie	Hanna, James
Karalewich, Vasili	Koons, Michael	Kraus, Michael	Lentino, Frank
Manke, Ron	Marcellari, Michael	Marsh, Gerard	Plescia, Glenn
Scherer, Nick	Scott, Len	Shine, Thomas Jr.	Shine, Thomas Sr.
Tarna, Charles	Tobin, John	Van Saders, Timothy	Velthaus, Matthew
Stephen, Velthaus	Voorhis, Scott	Wayne, Peter	Whelan, John

**River Vale Volunteer Ambulance Corps:**

Eldosougi, Isra	Miles, Nancy A	O'Donnell, John	Schleier, Curt
Skiba, Victor	Vasconcellos, Lynne	Velthaus, Andrea	

**BE IT FURTHER RESOLVED** that the list as certified has been posted by both departments and that there have not been any appeals.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer is hereby authorized to issue a check in the amount of \$54,285.00 Lincoln Financial for Investment on behalf of the individuals listed above.

**BE IT FURTHER RESOLVED** that the Township Clerk forward a copy of this resolution to the River Vale Volunteer Fire Department and Ambulance Corps, the Chief Financial Officer and Lincoln Financial.

**\*Note:** 35 members @1,551.00 = \$54,285.00

**Resolution #2023-74**

**RESOLUTION CONFIRMING APPOINTMENT OF FIRE PREVENTION INSPECTOR**

**BE IT RESOLVED** by the Township Council of the Township of River Vale that the appointment of Danessa Real as a Fire Prevention Inspector is hereby confirmed for the year 2023:

**Danessa Real**

**Fire Prevention Inspector**

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Department of Community Affairs Division of Fire Safety.

**Resolution #2023-75**

**RESOLUTION CONFIRMING JOINT PLANNING BOARD**

**PROFESSIONAL SERVICES APPOINTMENTS**

**WHEREAS**, on January 25, 2023, the Joint Planning Board held their Annual Reorganization meeting; and

**WHEREAS**, at this meeting the Joint Planning Board by Resolution appointed both their Board Attorney and Engineer as follows:

- **Marc E. Leibman, Esq., Chiesa Shahinian & Giantomasi, PC—Joint Planning Board Attorney**
- **Christopher P. Statile, Statile Associates PA—Joint Planning Board Engineer**
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**NOW THEREFORE BE IT RESOLVED** that the Township Council of the Township of River Vale confirms the Joint Planning Board appointments for a term of one (1) year ending on December 31, 2023.

**Resolution #2023-76**

**RESOLUTION EXTENDING THE SHARED SERVICES AGREEMENT WITH THE BOROUGH OF PARAMUS FOR THE PROVISION MAINTENANCE AND REPAIRS FOR THE RIVER VALE FIRE DEPARTMENT TRUCKS (2023)**

**WHEREAS**, N.J.S.A. 40:8A-1, et seq., known as the “Interlocal Services Act,” authorizes Interlocal Services Agreements between public entities to share services; and

**WHEREAS**, on June 10, 2019, the Township entered into a Shared Services Agreement with the Borough of Paramus for the provision of maintenance and repair services for the River Vale Fire Department trucks; and

**WHEREAS**, the Township wishes to renew and extend this Agreement for an additional year; and

**NOW THEREFORE BE IT RESOLVED** that the Mayor is hereby authorized to sign the Shared Services Agreement with the Borough of Paramus for the provision of maintenance and repairs services for the River Vale Fire Department trucks for a period commencing January 1, 2023, through December 31, 2023.

**Resolution #2023-77**

**RESOLUTION**

**REFUND 1<sup>st</sup> QUARTER PROPERTY TAX PAYMENT**

**(Disabled Veteran)**

**WHEREAS**, property owner, Lobsang T. Salaka, a 100% Permanently Disabled Veteran was deemed tax exempt by Resolution 2022-160 approved at the July 11, 2022, Council meeting; and,

**WHEREAS**, Mr. Salaka’s bank paid the 1<sup>st</sup> Quarter 2023 Property taxes in error.

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

Block 1501.02, Lot 1.01

396 Cedar Lane

River Vale, NJ 07675

**Refund \$2,943.23**

Check payable and mailed to:

Wells Fargo Real Estate Tax Services

PO Box 14506

Des Moines, IA 50328

**Resolution #2023-78**

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN BERGEN COUNTY OPEN SPACE TRUST FUND GRANT AGREEMENT**

**MARK LANE LIGHTING REPLACEMENT: LED FIELD LIGHTING UPGRADES**

**BE IT RESOLVED**, that the Mayor and Council of the Township of River Vale wish to enter into a Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using a \$85,001.00 matching grant award from the 2022 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled Mark Lane Lighting Replacement: LED Field Lighting Upgrades, located at the Mark Lane Athletic Complex (Block 1301, Lot 28), on the tax maps of the Township of River Vale; and,

**BE IT FURTHER RESOLVED**, that the Township Council hereby authorizes Mayor Mark Bromberg to be a signatory to the aforesaid Contract; and,

**BE IT FURTHER RESOLVED** that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about December 14, 2024; and,

**BE IT FURTHER RESOLVED**, that the Mayor and Council acknowledge that the grant

will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund's requirements; and,

**BE IT FURTHER RESOLVED**, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible construction costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund's requirements. Professional Services Costs may be reimbursed from grant awards unexpended balance, should there be a balance.

**Resolution #2023-79**

**RESOLUTION AUTHORIZING NOT TO EXCEED LIMITATIONS FOR  
VFS ENVIRONMENTAL, INC. (DPW REMEDIATION 330 RIVERVALE ROAD)**

**WHEREAS**, on February 8, 2023, the Township Environmental Consultant, VFS Environmental, Inc. submitted a proposal regarding the installation of additional ground water monitoring wells at the River Vale DPW property located at 330 Rivervale Road for the proposed amount of;

**\$ 141,700.00**

**WHEREAS**, this work is part of the continued remediation of the property located at 330 Rivervale Road as required by the NJDEP; and,

**WHEREAS**, the Chief Financial Officer has certified the availability of funds in the Capital 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 \$141,700.00 for VFS Environmental, Inc.

**Resolution #2023-80**

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE ADDENDUM TO THE  
DPW SHARED SERVICES AGREEMENT WITH THE BOROUGH OF MONTVALE**

**WHEREAS**, on August 27, 2013, the Township of River Vale entered into a Shared Services Agreement with the Borough of Montvale whereas River Vale provides shared Department of Public Works services to Montvale in accordance with the Uniform Shared Services and Consolidation Act, P.L. 2007, c.63 (C.40A:65-1, *et seq.*); and,

**WHEREAS**, on or about September 24, 2019, both parties agreed to revise and extend the agreement for an additional 10-year term commencing on January 1, 2020; and,

**WHEREAS**, Section IV.C of the Shared Services Agreement is amended, increasing Montvale's contribution to the capital reserve fund; and,

**WHEREAS**, the Township Attorney has reviewed and approved said addendum.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of River Vale that the addendum to the agreement is hereby approved.

**BE IT FURTHER RESOLVED**, by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the addendum to the Shared Services Agreement with the Borough of Montvale.

**Resolution #2023-81**

**RESOLUTION**

**(Performance Bond Reduction)**

**WHEREAS**, the developer/owner of the Fairways at Edgewood, LLC had posted a Performance Guarantee of \$ 236,761.20 as required by the Developers Agreement for a new development located at Block 1201, Lots 5 & 6; and



**WHEREAS**, the developer/owner of The Fairways at Edgewood, LLC is requesting a reduction of their Performance Guarantee; and,

**WHEREAS**, the Township Engineer prepared a letter dated January 24, 2023, and is recommending that the Performance Guarantee be released with the acceptance of a two-year maintenance Guarantee in the amount of 15% of the cost of the original Performance Guarantee or \$35,514.14.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of River Vale that the Performance Guarantee be reduced.

**ROLL CALL VOTE**

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

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**There are no ordinances for 1<sup>st</sup> Reading**

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**Ordinances for 2<sup>nd</sup> Reading and Public Hearing**

**ORDINANCE #408-2023**

Motion to Adopt: Councilman Tolomeo

Seconded: Councilman Donovan

Motion by Councilman Donovan, second by Councilwoman Sieg to open the public hearing on Ordinance #408-2023.

There being no questions or comments from the public, motion by Councilwoman Sieg, second by Councilman Donovan to close the public hearing on Ordinance #408-2023.

**AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY AMENDING CHAPTER 142 OF THE CODE ENTITLED "LAND USE" PART 9 ZONING, ARTICLE XLIX "ADMINISTRATION AND PROCEDURES"**

**BE IT ORDAINED** by the Township Council of the Township of River Vale that the Chapter 142-216 of the Code is hereby amended as follows:

**§ 142-216. Enforcement.**

Add:

**B. No parcel of land**, building or structure shall be erected, added to or structurally altered in the Township of River Vale until there has been filed with the Zoning Officer a plan in duplicate, drawn to scale, showing the actual dimensions, radii and angles of the lot to be built upon, the exact size and location on the lot of the main and accessory buildings to be erected, the exact size and location of the sanitary plant and such other information as may be necessary to determine and provide for the enforcement of this Part 9. One copy of such plan shall be returned to the owner when approved by the Zoning Officer. [Amended 2-23-1995 by Ord. No. 0-2-95]

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

**ROLL CALL VOTE**

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

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**ORDINANCE #409-2023**

Motion to Adopt: Councilman Ben-Yishay

Seconded: Councilwoman Sieg

Motion by Councilman Ben-Yishay, second by Councilwoman Sieg to open the public hearing on Ordinance #409-2023.

There being no questions or comments from the public, motion by Councilwoman Sieg, second by Councilman Ben-Yishay to close the public hearing on Ordinance #409-2023.

**AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY AMENDING CHAPTER 90 OF THE CODE ENTITLED CONSTRUCTION CODES, UNIFORM SECTION 90-4 "FEES"**

**BE IT ORDAINED** by the Township Council of the Township of River Vale that the Chapter 90-4 of the Code is hereby amended as follows:

**§ 90-4. Fees.**

**A.** The fee for a construction or zoning permit shall be the sum of the subcode fees listed in Subsection **A(1)** through **(5)** of this section and shall be paid before the permit is issued.

**(1) Building subcode fees:**

**(a)** New construction or additions:

**[1]** Per cubic foot of volume: ~~\$0.06~~. \$0.07

[Amended 7-26-2021 by Ord. No. 384-2021]

**[2]** Minimum fee (principal building): \$950.

**[3]** Minimum fee (accessory building): \$750.

**[4]** Modular structures: \$30 per \$1,000 of estimated cost.

**(b)** Alterations, repairs, renovations, reconstruction and change of use:

**[1]** Per \$1,000 of estimated cost: \$25.

**(c)** Roofing, reroofing, and siding: Structures other than R5.

(1) Per \$1,000 of estimated cost: \$25

**(d)** Demolition:

**[1]** Residential.

**[a]** Principal building: ~~\$850~~. \$950.

**[b]** Accessory building: \$300.

**[2]** Nonresidential/mixed use.

**[a]** Principal: \$950.

**[b]** Accessory building: \$400.

**[3]** Interior demolition/alteration

(a) Per \$1,000 of estimated cost: \$25

**(e)** State surcharge: calculated upon current state fees N.J.A.C. 5:23-4.19(b).

**(f)** Lead hazard abatement with certificate of clearance: \$145 (state mandated).

**(g)** Asbestos abatement with administrative certificate: \$160 (state mandated).

**(h)** Certificate of occupancy - U.C.C.:

**[1]** Residential (new construction or rehabilitation): \$150.

**[2]** Nonresidential: \$250.

**(i)** Temporary certificate of occupancy - U.C.C., initial issuance: no fee.

**[1]** Each subsequent renewal and request for certificate of occupancy: \$30 (state mandated).

**(j)** Change of contractor: ~~\$35~~ \$85 plus any additional items or cost.

**(k)** Plan review fee: 20% of the anticipated permit fee which is nonrefundable (state mandated).

**(l)** Withdrawn permit administrative fee: 20% includes plan review (state mandated).

**(m)** Reinstatement of lapse permit fee: 80% of original fee.

**(n)** Certificate of continued occupancy - U.C.C., applicant requested:

**[1]** General visual inspection by all subcode officials: \$125 per subcode.

**(o)** Uniform Construction Code variations:

**[1]** Residential: \$150.

**[2]** Commercial/mixed use: \$300.

**(p)** Zoning review fee(s) (requires survey, a current survey depicts as exists):

[Amended 7-26-2021 by Ord. No. 384-2021]

**[1]** Habitable space: \$80.

**[2]** Non-habitable space: \$40.

**(q)** Retaining walls, plus zoning review fee:

**[1]** Under four feet in height, zoning permit: \$40.

**[2]** Over four feet in height, per \$1,000 of estimated cost: \$22.

**(r)** Patios: \$60 plus zoning review fee.

**(s)** Fences, plus zoning review fee:

**[1]** Not associated with pool:

**[a]** Fifty feet of fencing or less in length:

**[1]** With a current property survey: \$40.

**[b]** More than 50 feet in length: \$60.

**[2]** Pool fence/barrier or fence over six feet high:

**[a]** With a current property survey, per \$1,000 of estimated cost: \$25.

**[b]** Without a current property survey: not permitted.

**(3).** Pool barrier fence: \$25 per \$1,000.00 or fraction thereof of the estimated cost of the work provided that the minimum fee shall be \$85 for use groups R-3 and R-5 and minimum fee for all other use groups shall be \$125.

**(t)** Swimming pool: Building permit only, does not include fence/barrier; permit also requires zoning review fee:

**[1]** Aboveground: \$200.

**[2]** Semi-in-ground: \$500. Also requires soil movement permit.

**[3]** Inground

(a) In-ground: per \$1,000 of estimated cost: \$25. Also requires soil permit. (Township Engineer plan review, soil moving application review and inspections shall follow ordinance 142-180)

**(u)** Signs, plus zoning review fee: (\$40.00)

- [1] Up to 24 square feet: \$85 per sign.
- [2] Twenty-five to 50 square feet: \$150 per sign.
- [3] Fifty square feet and above: \$200 per sign.
- [4] Freestanding sign: \$300 two sided.
- [5] Other than free standing sign: \$100.
- [6] Awning signs: \$150

**(v)** Trailers used for construction offices and storage, plus zoning review fee:

- [1] Residential: \$100 each.
- [2] Nonresidential/mixed use: \$300 each.

**(w)** Sidewalks:

- [1] Public new/replacements/repairs over 25%: \$50.
- [2] Private walkways: zoning review fee only.

**(x)** Driveways, plus zoning review fee:

- [1] Resurface same size:
  - [a] With a current property survey: \$40.
  - [b] Without current property survey: \$70.
- [2] Enlargement:
  - [a] With a current property survey: \$70.
  - [b] Without a property survey: not permitted.
  - [c] Curb cut and/or apron: \$25.

**(y)** Change of tenancy/occupancy zoning, plus fire prevention fees:

- [1] Residential: \$100 plus \$50 each per additional unit.
- [2] Nonresidential or mixed: \$200 plus \$100 per additional unit.

**(z)** Shed (only two permitted if under 150 square feet), plus zoning review fee:

- [1] Under 200 square feet:
  - [a] Under 150 square feet with a current property survey: \$60.
  - [b] Over 151 square feet to 199 square feet with a current property survey: \$80.
  - [c] Without a property survey: not permitted.
- [2] Over 200 square feet up to 600 square feet, plus zoning review fee; may also require soil movement permit and foundation:
  - [a] With a current property survey: \$25 per \$1,000 of estimated cost.
  - [b] Without a current property survey: not permitted.

**(aa)** Temporary tents:

[1] Over 900 square feet or 30 feet of length in one direction: \$200.

**(bb)** Storage tanks in gallons per installation:

[1] Up to 330: \$175.

[2] 331 to 660: \$250.

[3] 661 to 1,000: \$400.

[4] 1,001 to 5,000: \$800.

[5] 5,001 or more: \$1,500.

**(cc)** Tank demolition, per tank:

[1] Residential: \$125.

[2] All other uses and commercial: \$200.

**(dd)** Certificate of compliance, annual inspection for public swimming pools, spas and hot tubs: \$150.

**(ee)** Relocation of structure, plus zoning review fee: no permit required.

**(ff)** Special inspection fee request, for emergency/extraordinary situations:

[1]

Special inspection fees. Any person, partnership or corporation who requests and obtains a required code inspection either before or after regular Building Department hours of business or on holidays and weekends shall be required to pay, in addition to any established permit and certificate fees, the current contractual hourly compensation rate (1 1/2 times their normal hourly salary) for the Code Officials performing the inspections, plus an administrative surcharge of 20% of said calculated amount. Said fee shall be calculated and based on the amount of time required for said inspections with payment for a minimum inspection time of no less than two hours with the calculated surcharge.

**(gg)** Search of Township records. Current year and back two years: no retrieval fee, only the per page copy charges. Beyond two years from the date of request: \$50 per hour or part thereof retrieval fee, plus copy charges per page.

**Minimum Building Fee Residential: \$80**

**Minimum Building Fee Commercial: \$150**

**(2) Electrical Subcode Fees.**

**(a)** Receptacles and fixtures (lighting fixtures, receptacles, switches, detectors, light poles, motors-fractional horsepower, emergency and exit lights, communication points and alarm devices/fire alarm control panel):

[1] One to 25 units: \$70.

[2] Each additional 25 or fraction thereof: \$30.

**(b)** Motors and electrical devices over one horsepower up to:

[1] One horsepower to 10 horsepower: \$75.

[2] From 11 horsepower to 50 horsepower: \$150.

[3] From 51 horsepower to 100 horsepower: \$300.

[4] Greater than 101 horsepower: \$450.

**(c)** Transformers and generators over one kilowatt up to (equipment and appliances, including electrical range oven, dishwasher, dryer, water heater, boiler, furnace, baseboard heat, space heaters, transfer switches, or any other fixed or plug in appliance) each:

- [1] One kilowatt to 10 kilowatts: \$75.
- [2] Over 11 kilowatts to 45 kilowatts: \$150.
- [3] Over 46 kilowatts to 112.5 kilowatts: \$300.
- [4] Over 112.5 kilowatts: \$450.

**(d) Service panels, entrances and subpanels:**

- [1] Less than or equal to 200 amps: \$100.
- [2] 201 amps or equal to 400 amps: \$300.
- [3] 401 amps or equal to 1,200 amps: \$450.
- [4] Over 1,201 amps: \$1,000.
- [5] Additional meters included in service: \$75.

**(e) Air-conditioning units (disconnect, compress/condenser and air handler):**

- [1] Each: \$75.
- [2] Replacement of any system part: \$50.

**(f) Burglar alarm system (complete): \$75.**

**(g) Hydromassage tub (interior whirlpool tub/spa): \$50.**

**(h) Swimming pools (includes receptacle, switch, trench, bonding and equip potential bonding matt):**

- [1] Aboveground: \$100.
- [2] Semi-in-ground: \$150.
- [3] In-ground: \$300.
- [4] Light, each: \$50.

**(i) Hot tub or spa (exterior): \$150.**

**(j) Certificate of compliance (annual inspection for public swimming pools, spas and hot tubs): \$150.**

**(k) Photovoltaic Systems**

1. Solar Modules

- a. 1 to 20 modules: \$75.
- b. Each additional module: \$35.

2. Solar Systems & Energy Storage Systems KW

- a. 1 to 10 kilowatts: \$75.
- b. 11 to 45 kilowatts: \$150.
- c. 46 to 112.5 kilowatts \$300.
- d. Greater than 112.5 kilowatts: \$450.

3. Disconnects, solar meters & inverters

- a. Up to 100 amps, each: \$75.
- b. 101 to 200 amps, each: \$125.

**Minimum Electrical Fee Residential: \$80**

**Minimum Electrical Fee Commercial: \$150**

**(3) Plumbing Subcode fees\_**

**(a) Fixtures Which Include the Following (This Is Not an All-Inclusive List)**

- 1 Water Closet/Bidet/Urinal: \$25 each
- 2 Bathtubs: \$25 each
- 3 Lavatory/Sink: \$25 each
- 4 Shower/Floor Drain: \$25 each
- 5 Washing Machine: \$25 each
- 6 Dishwasher – Residential: \$50 each
- 7 Dishwasher – Commercial: \$100 each
- 8 Water Heater All Fuels (Residential) New Install Otherwise Mechanical: \$100 each
- 9 Water Heater (Commercial) All Fuels New and Replacement: \$150 each
- 10 Hose Bibs: \$30 each
- 11 Water Cooler: \$30 each
- 12 Garbage Disposal: \$30 each
- 13 Indirect Connection: \$30 each
- 14 Stacks: \$40 each
- 15 Drinking Fountain: \$25 each
- 16 Gas Piping – Residential
  - a. First Appliance: \$75 each
  - b. Every Appliance After That: \$30 each
- 17 Gas Piping - Commercial
  - a. First Appliance: \$150 each
  - b. Every Appliance After That: \$40 each

**(b) Special Devices**

1. Grease Trap: \$100 each
2. Oil Separators: \$100 each
3. Water-cooled air conditioners: \$100 each
4. Refrigeration Units: \$75 each
5. Water Service connection: \$100 each
6. Sewer Service Connection: \$100 each
7. Backflow Preventer (Residential): \$75 each
8. Backflow Preventer (Commercial): \$100 each
9. Hot Water Boiler/Steam Boiler (Residential) New Install Otherwise Mechanical:\$100 each & fee
10. Hot Water Boiler/Steam Boiler (Commercial) New and Replacement: \$175 each
11. Gas Connection (per connection): \$50 each
12. Active solar systems: \$50 each
13. Sewer Pump – residential: \$75 each
14. Sewer Pump - commercial/industrial: \$125 each
15. Interceptors – residential: \$75 each
16. Interceptors - commercial/industrial: \$125 each
17. Fuel Oil Piping: \$100 each
18. Medical gas piping (per station): \$100 each
29. Condensate lines: \$50 each
20. Storm Drain line systems: \$75 each
21. AC Condensate Drains, Condenser and Air Handler New System Only (New House)

- Otherwise, Mechanical: \$75 each new line
22. Commercial HVAC Systems Including RTU Systems: 150 each
  23. Heating and Colling Equipment Such as Ground Source, Heat Pump Systems, Heat Pumps, Solar Thermal Systems but Not Limited to These Systems: \$125 each
  24. Liquid Propane Tank: \$50 each
  25. Water Softener and Filtering Equipment: \$75 each
  26. Sump Pump and Pits (New Only): \$75 each
  27. Inground Pool/Main Drains: \$100 each
  28. Above Ground Pool: \$75 each
  29. Pool Heaters: \$100 each
  30. Hydronic & Radiant Heat Piping: \$100 each
  31. Septic Tank Abandonment: \$100 each
  32. Ice Maker (Residential): \$25 each
  33. Ice Maker (Commercial): \$100 each

**Minimum Plumbing Fee Residential: \$80**

**Minimum Plumbing Fee Commercial: \$150**

**(4) Fire Protection Subcode Fees.**

- 1) Fire protection fees.
  - (a) Sprinklers.
    1. One to 20 heads: \$100.
    2. Twenty-one to 100 heads: \$200.
    3. One hundred one to 200 heads: \$300.
    4. Two hundred one to 400 heads: \$600.
    5. Four hundred one to 1,000 heads: \$750
    6. Over 1,000 heads: \$900.
  - (b)Heat/smoke detectors.
    1. One to 12 detectors: \$125.
    2. Each additional five: \$35.
  - (c) Each standpipe: \$300.
  - (d) Each independent pre-engineered system: \$150.
  - (e) Each kitchen exhaust system: \$100.
  - (f) Each gas- or oil-fired appliance: \$75.
  - (g) Hot-tar kettle roof: \$75.
  - (h) Fireplace/wood stoves: \$75 each.
  - (i) Emergency lights/exit signs: \$10 each.
  - (j) Minimum fee: \$80.
  - (k) Fire main:
    1. Pipes up to 4 inches: \$250
    2. Pipes over 4 inches: \$400
  - (l) Fire alarm panel installation: \$250
  - (m) Radio/cellular communicator: \$100
  - (n) Automatic fire alarm system
    - (1) 1 to 10 devices: \$150
    - (2) 11 to 50 devices: \$250
    - (3) 51 to 100 devices: \$350
    - (4) 101 to 200 devices: \$450
    - (5) 201 to 400 devices: \$550
    - (6)401 to1000 devices: \$650
    - (7) Over 1000 devices: \$850



- (o) Fuel storage equipment & tanks: installation, removal, or abandonment:
  - (1) Tanks under 1001 gallons: \$150
  - (2) Tanks over 1001 gallons: \$300
- (p) Active solar system installation: the fee shall be \$200 for use groups R-3 and R-5 and all other groups \$400.
- (q) Penalty for failure to obtain a certificate of smoke detector and carbon monoxide alarm compliance: \$150

**Minimum Fire Fee Residential: \$80**

**Minimum Fire Fee Commercial: \$150**

**(5) Mechanical Subcode Fees.**

1. Mechanical Fee Is For R-3-R-5 Only Minimum Fee: \$100
2. Replacement of Heating and Cooling Equip Such as Ground source, Heat Pump Systems, Heat Pumps Solar: \$150
3. Furnace Central: Direct Replacement/New Installation Existing Dwelling R-3, R-5: \$125
4. Boiler Central All Fuels: Direct Replacement/New Installation, Existing Dwelling R-3, R-5 Includes Backflow: \$150
5. Gas Piping: Direct Replacement/New Installation, Existing dwelling R-3, R-5
  - a. First Appliance: \$75
  - b. Every Appliance After That: \$30
6. Condensing Unit Ac Units and Mini Splits, Direct Replacement/New Installation, Existing Dwelling R-3, R-5
  - a. First Unit: \$150
  - b. Every Unit After That: \$75
7. Water Heater - All Fuel Direct Replacement/New Installation, Existing Dwelling R-3, R-5
  - a. First Heater: \$100
  - b. Every Heater After That: \$50
8. Oil Piping - Direct Replacement, New Installation, Existing Dwelling R-3, R-5: \$100
9. Heating Venting System, Chimney Liners, Direct Replacement New Installation, Existing Dwelling R-3, R-5: \$125
10. Duct System - New Installation Existing Dwelling R-3, R-5: \$100
11. Gas Fireplace Logs & Decorative Fireplaces/Direct Replacement New Installation, Existing Dwelling R-3, R-5: \$100
12. Generator - Direct Replacement/New Installation, Existing Dwelling R-3, R-5 Includes Gas Piping: \$150
13. Pool Heaters - Direct Replacement, New Installation, Existing Dwelling R-3, R-5: \$100
14. Refrigeration Systems - Direct Replacement, New Installation, Existing Dwelling R-3, R-5: \$75
15. Liquid Propane Tank Direct Replacement, New Installation, Existing Dwelling R-3, R-5: \$75
16. Hydronic and Radiant Heat Piping/New Installation, Existing Dwelling R3, R5: \$100

**Minimum Mechanical Fee Residential: \$80**

**Minimum Mechanical Fee Commercial: \$150**

**(6) Elevator Subcode Fees. NEW SECTION**

1. The fee for elevators will be the third-party fee, plus additional fee of 15% with the minimum Township fee being \$25.
2. 95% OF D.C.A. (A/O 2017) NEW ELEVATOR FEE SCHEDULE
3. 40% ADMINISTRATION FEE

A = client fee            B = DCA fee            C = admin. fee

1.The fee for a permit to install an elevator device shall be a flat fee. The fee may vary for different types of inspections, tests, and elevator devices. N.J.A.C. 5:23-4.18(g)1.

2.The categories of municipal elevator fees shall be identical to the categories of elevator fees listed in N.J.A.C.5:23-12.6(a) and (b).

3.The fee for Plan Review for elevator devices in structures use group R-3, R-4 or R-5 and for elevator wholly in dwelling units in structure of group R-2 shall be: N.J.A.C. 5:23-4.20(C)6.

- A: \$ 94.00
- B: \$ 67.00
- C: \$ 27.00

4.The fee for Plan Review for elevator devices in structures in use groups other than R-3, R-4 or R-5 shall be: N.J.A.C. 5:23-4.20(c)7.

- A: \$486.00
- B: \$347.00
- C: \$139.00

5.Acceptance tests, Fees for witnessing acceptance tests and performing inspections on new and altered elevator devices shall be as follows: The basic fees for elevator devices in structures not of Group R-3, R-4, or R-5, or in an exempted structure of Group R-2, shall be:

	A	B	C
Traction and winding drum elevators;			
One to ten floors	\$452.00	\$323.00	\$129.00
Over ten floors	\$755.00	\$539.00	\$216.00
Hydraulic elevators	\$402.00	\$287.00	\$115.00
Roped Hydraulic elev.	\$452.00	\$323.00	\$129.00
Escalator & Moving walks	\$402.00	\$287.00	\$115.00
Dumbwaiter	\$101.00	\$72.00	\$29.00
Stairway Chair, incline and vertical			
Wheelchair lift and man lifts	\$101.00	\$72.00	\$29.00

5a. Additional charges for devices equipped with the following features shall be as follows: N.J.A.C.5:23-12.6(A)2. i thru iii.

	A	B	C
Oil Buffers	\$80.00	\$57.00	\$23.00
Cwt. governor and safeties	\$200.00	\$143.00	\$57.00
Auxiliary power generator	\$151.00	\$108.00	\$43.00

6.The witnessing acceptance fee for elevator devices in structures Use Group R-3, R-4 or R-5 or otherwise exempt devices in structures of Group R-2, shall be: N.J.A.C. 5:23-12.6(a)3.

A	B	C
\$302.00	\$216.00	\$86.00

6a. Dumbwaiters, stairway chairlifts, and inclined and vertical wheelchair lifts shall be:

A	B	C
\$101.00	\$72.00	\$29.00

7.The fee for witnessing acceptance tests of minor work shall be: N.J.A.C. 5:23-12.6(a)4

A	B	C
\$101.00	\$72.00	\$29.00

8.The fee for Routine, six-month tests and inspections of escalators shall be as follows: N.J.A.C.5:23-12.6(b)1. i thru iv.

	A	B	C
Escalator and Moving Walk	\$280.00	\$200.00	\$80.00

9.The fee for one-year Periodic Inspection and Witnessing of tests of elevator devices, shall be: N.J.A.C. 5:23-12.6(b)2. i thru vii.

	A	B	C
Traction and winding drum elevators:			
One to ten floors	\$402.00	\$287.00	\$115.00

Over ten floors	\$482.00	\$344.00	\$138.00
Hydraulic elevators	\$302.00	\$216.00	\$86.00
Roped hydro	\$402.00	\$287.00	\$115.00
Escalator, Moving walk	\$644.00	\$460.00	\$184.00
Dumbwaiters	\$160.00	\$114.00	\$46.00
Manlifts, stairway chair lifts, incline and vertical wheelchair lifts	\$244.00	\$174.00	\$70.00

10. Additional yearly Periodic inspection charges for elevator devices equipped with the following features shall be as follows: N.J.A.C.5:23-12.6(b)3. i thru iii.

	A	B	C
Oil Buffers, per buffer	\$ 80.00	\$ 57.00	\$23.00
Cwt. governor and safeties	\$160.00	\$114.00	\$46.00
Auxiliary power generator	\$101.00	\$ 72.00	\$29.00

10a. The fee for the three year or five-year inspection of elevator devices shall be as follows: N.J.A.C. 5:23-12.6(b)4. i and ii.

	A	B	C
Traction and winding drum elevators:			
One to ten floors (five-year inspection)	\$682.00	\$487.00	\$195.00
Over ten floors five-year inspection)	\$860.00	\$614.00	\$246.00
Hydraulic and roped hydraulic elevators:			
Three-year inspection	\$515.00	\$368.00	\$147.00
Five-year inspection	\$302.00	\$216.00	\$ 86.00

11. The fee for any reinspection of an elevator device shall be billed separately from the above fees upon the issuance of a Notice of Violation necessitating a reinspection.

	A	B	C
Reinspection of an elevator device	\$270.00	\$193.00	\$ 77.00

**(7) Items not covered. NEW SECTION**

Any items not covered in the above fee schedule shall be charged as per N.J.A.C. 5:23-4.20 of the New Jersey Uniform Construction Code.

**B.** Certificate fee schedule shall be:

**(1)** For a certificate of ~~continued occupancy (CCO)~~ resale and/or rental:

**(a)** Residential: \$100 in addition to Fire Prevention fees.

**(b)** Commercial: \$200.

**C.** The Construction Official shall, with the advice of the subcode officials, prepare and submit to the Township Council biannually a report recommending a fee schedule based on the operating expenses of the agency and other expenses of the municipality fairly attributable to the enforcement of the State Uniform Construction Code Act (N.J.S.A. 52:27D-119 et seq.).

**D.** In order to provide for the training, certification and technical support programs required by the State Uniform Construction Code Act and regulations, the enforcing agency shall collect, in addition to the fees specified hereinbefore, a surcharge of \$0.00190 per cubic foot of volume of new construction and additions. The fee for all other construction shall be \$0.00371 per \$1,000 of value of construction.

**E.** Exemption from fees for improvements to aid disabled persons.

**(1)** Definition. "Disabled person" means a person who has the total and permanent inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment, including blindness, and shall include, but not be limited to, any resident of this

state who is disabled pursuant to the Federal Social Security Act (42 U.S.C. § 416) or the federal Railroad Retirement Act of 1974 (45 U.S.C. § 231 et seq.), or is rated as having a 60% disability or higher pursuant to any federal law administered by the United States Veterans' Act. For purposes of this subsection "blindness" means central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central visual acuity of 20/200 or less.

**(2)** No person shall be charged a construction permit surcharge fee or enforcing agency fee for any construction, reconstruction, alteration, or improvement designed and undertaken solely to promote accessibility by disabled persons to an existing public or private structure or any of the facilities contained therein.

**(3)** A disabled person, or a parent or sibling of a disabled person, shall not be required to pay any municipal fee or charge in order to secure a construction permit for any construction, reconstruction, alteration or improvement which promotes accessibility to his own living unit.

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

**ROLL CALL VOTE**

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

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**2nd Hearing of the Public**

Motion by Councilman Tolomeo, second by Councilwoman Sieg to open the meeting to the public.

There being no questions or comments from the public. Motion by Councilwoman Sieg, second by Councilman Donovan to close the hearing of the public.

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**RESOLUTION**

**Resolution #2023-82**

Motion by Councilman Donovan; second by Councilwoman Sieg to approve Resolution #2023-82 as follows:

**RESOLUTION AUTHORIZING THE 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 to discuss Litigation matters.

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

**ROLL CALL VOTE**

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

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Motion by Councilwoman Sieg, second by Councilman Donovan to adjourn from Closed Session.

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**ADJOURNMENT**

Motion by Councilman Tolomeo; second by Councilman Donovan to adjourn the meeting at 8:27pm.

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Council President Paul Criscuolo

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ATTEST:

*Karen Campanelli, Township Clerk*



