**MINUTES**
**Regular Council Meeting**
**Tuesday, October 13, 2026**
**Council Chambers 7:30pm**

**CALL THE MEETING TO ORDER**

Council President Criscuolo called the meeting to order at 7:30pm.

**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 and on the Township website."*

**ROLL CALL**

Councilman Ziccarelli, Councilman Tolomeo, Councilman Ben-Yiahy, Council Vice President 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 unfortunately for the second time the Baylor Massacre Memorial event has been canceled by the County due to weather. This event will hopefully be rescheduled for some time next year.

He next announced that Town day went off well and was very well attended. Mayor Bromberg was very impressed with the number of cheerleaders in the program. He commended Amy Salib, our Social and Cultural Affairs Director, on the event. The Mayor also thanked the CERT Team for having a great presence at Town Day and handling any issues that arose.

## Council Comments

Councilman Ziccarelli reported that as news of his appointment travels, he is fielding many phone calls. The one issue most people want to talk about is the deer and what they are planning to do. He added that this issue is clearly on the minds of the residents. Councilman Ziccarelli suggested putting a standing item on the agenda to tract progress on their discussions regarding the deer issue and report back to the residents. He feels this should be done until this issue reaches its logical conclusion which he believes will be a hunt or culling.

Councilman Tolomeo agrees with Councilman Ziccarelli. He recalled his comments from the last meeting that it costs him $1,400 a year to keep the deer off his property. Councilman Tolomeo wished all a happy Columbus Day and he was very happy to announce that for the first time in his life he marched in the New York City Columbus Day parade with the Sons of Italy Rockland Lodge.

Councilman Ben-Yishay had no comments this evening.

Council Vice President Sieg commented that it's wonderful that Jim marched in the Columbus Day Parade. She next commented that the deer have been an ongoing issue for a long time. Councilwoman Sieg cherishes her memories when she marched in the Memorial Day Parage with Mark and Joe Blundo.

Councilman Ben-Yishay added to Councilman Ziccarelli's comments about the deer. He explained that obviously it's a very difficult and challenging problem and there's no easy solution. Councilman Ben-Yishay noted that Hillsdale is doing a drone study and it would be interesting to see their deer

numbers. He also stressed that besides the destruction of the eco-system there's a new illness from ticks carried by the deer that is increasing rapidly. Councilman Ben-Yishay further explained the illness is called alpha-gal syndrome, it's untreatable, there are no antibiotics and will make you allergic to red meat. He stated that there are thousands of cases; increasing specifically in Bergen County. Councilman Ben-Yishay added that hopefully with the Mayor's help and talking to other Towns we can work on options and have on our agenda at some point.

Council President Criscuolo had no comments this evening.

Mayor Bromberg thanked the Fire Department for their presence at Town Day, the residents really enjoy seeing the Fire Department and their equipment. He next commented on the letter from the County that they all received in response to the resolution asking for County help regarding the deer. The Mayor explained that the letter reiterated the fact that what can be done with the deer is in the hands of the Department of Environmental Protection Division of Fish, Game and Wildlife, who own the deer and are responsible for the management. He further explained that this year they are looking at getting more participation from neighboring towns. Mayor Bromberg is currently the President of the Pascack Valley Mayor's Association, and he has some influence as to who their speakers are. He reported that for their November meeting they have scheduled a speaker form the Department of Enviornmental Protection and he is also planning to have someone speak about deer management programs. Mayor Bromberg hopes they can join forces and it's not just one town taking on this task. He would also like the Council to consider budgeting for a drone study to better monitor the situation. The Mayor stressed that health issues are the biggest concern with the deer right now and he will keep everyone updated.

Councilman Ben-Yishay recalled the previous drone study done 5 to 6 years ago and the results came back showing 1,000 deer in 10 square miles. He further added that a healthy and sustainable number of deer per square mile is 6 to 7. Councilman Ben-Yishay noted that we had 100 deer per square mile. A new drone study will show if the deer population is growing or are we just more aware of them. Councilman Ben-Yishay feels the population is growing dramatically; there are no predators and they still have food.

Mayor Bromberg noted that the Township did pass an ordinance that it is illegal to feed the deer which exacerbates the problem.

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**Business Administrator Report**

Mr. Rotella reported that they are looking for a new street name for the development at Meskers which will then need to be solidified by Resolution. He reported that there was support from the Council for Dr. Ferraro who was very prominent in Town.

He next reported that at this time of year the municipality is directed by the State to submit their Best Practices Inventory a copy of which has been distributed to the Council. Mr. Rotella explained that the checklist includes numerous questions and depending upon response will affect the Township's State Aid. He reported that the Township always meets the criteria and we should receive our State Aid.

Mr. Rotella had also provided the Council with a copy of an analysis prepared by our Auditor of the Fairways at Edgewood development and how it has affected the municipal revenue. He encouraged the Council to review the document and let him know if they have any questions. Mr. Rotella noted that the analysis does not address the expenses that transpire each year. He can only speak to the municipal piece (22%) not the school or County and that they've timed the debt service payments around the Edgewood development to lessen the impact on the taxes.

Mr. Rotella stated that he owes Councilman Ziccarelli budget information. Councilman Ziccarelli added that the analysis was well done.

**Township Engineer Report**

Mr. Statile reported that the 2026 Road Program is complete except for the Farmers Market parking lot, Mark Lane and Florence Street. The contractor plans to mill and pave this Friday and Monday. Mr. Statile reported that the TCO has been issued and the CO is pending for the New Public Safety Complex. They are waiting on the Department of Corrections to inspect and sign off. Additionally, Dobco is taking care of Epic Management's punch list items.

Mr. Statile next reported that on the Piermont and Rivervale Road traffic signalization project. He explained that the Township has to provide a topographic survey to the County who then will handle the entire project.

Mr. Rotella added that when this intersection was improved, they anticipated traffic lights and installed conduits in the ground.

Councilman questioned when they will have a traffic light at Prospect.

Mr. Rotella responded that the Piermont traffic light will be a two-year endeavor. They have asked for Prospect already and this will not happen anytime soon. Chris Statile added that they have to acquire the easements for the County's equipment from the property owners, which also tends to slow the process down.

Mr. Statile reported that he is meeting with Rich regarding the final layout of the DPW Storage Building.

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**1st Hearing of the Public**

Motion by Councilman Ben-Yishay second by Councilwoman Sieg to open the meeting to the public.
All in Favor: Aye

There being no questions or comments from the public. Motion by Councilman Tolomeo second by Councilman Ben-Yishay to close the hearing of the public.
All in Favor: Aye

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**RESOLUTIONS**

Motion by Councilman Ben-Yishay second by Councilman Tolomeo to approve Resolutions #2026-206 through Resolution #2026-209 as a Consent Agenda as follows:

**Resolution #2026-206**

**RESOLUTION APPROVING MINUTES SEPTEMBER 28, 2026, COUNCIL MEETING**

**BE IT RESOLVED**, by the Township Council of the Township of River Vale, that the minutes of the September 28, 2026, Council meeting of the Township Council are hereby approved.

**Resolution #2026-207**

**RESOLUTION AWARDING THE CONTRACT TO PURCHASE A PIERCE ENFORCER CHASSIS, TANDEM REAR AXLE, MID-MOUNTED 100' PLATFORM TRUCK PURSUANT TO A COOPERATIVE AGREEMENT WITH THE**

**HOUSTON-GALVESTON AREA COUNCIL(HGAC)**

**WHEREAS,** the Township of River Vale is entered into a cooperative pricing agreement with the Houston-Galveston Area Council (HGAC) for the purchase of goods and services pursuant to *N.J.S.A. 52:34-6.2(b)(3)*; and

**WHEREAS**, the Township of River Vale wishes to purchase a Pierce Enforcer Chassis, Tandem Rear Axle, Mid-Mounted 100' Platform Tower truck manufactured by Pierce Manufacturing, Inc., 2600 American Drive, Appleton, WI, 54912 for a price of $ 2,149,835.11 per HGAC's Pricing Contract #FS12-23; and

**WHEREAS**, the Business Administrator recommends the utilization of this contract on the grounds that it represents the most cost-efficient solution for the purchase of the needed fire apparatus; and

**WHEREAS**, the Chief Financial Officer has certified the funds are available in the Capital Account to purchase the Tower truck through HGAC.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of River Vale that the Mayor is hereby authorized to sign the contract documents necessary to purchase a Pierce

Enforcer Chassis, Tandem Rear Axle, Mid-Mounted 100' Platform Tower truck from Pierce Manufacturing Inc.

## Resolution #2026-208

**RESOLUTION CANCELLING CURRENT FUND GRANT RECEIVABLE AND UNEXPENDED APPROPRIATIONS**

**WHEREAS**, certain grants receivable balances remain on the Current Fund Balance Sheet; and,

**WHEREAS**, unexpended grant appropriation balances also remain in the Current Fund; and,

**WHEREAS**, it is necessary to formally cancel said grants receivable and unexpended budget appropriation balances from the Current Fund Balance Sheet.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Township of River Vale, that the following grants receivable and unexpended budget appropriation balances be hereby cancelled:

| Grant Description | Receivable Balance | Unexpended Appropriation |
|---|---|---|
| NJDOT 2024 Road Improvements | $317.00 | $317.00 |
| NJDOT 2017 Municipal Aid Program | $1,264.00 | $1,264.00 |
| Community Development Block Grant ADA Improvements | $3,696.00 | $3,696.00 |
| US Department of Justice Bulletproof Vests | $356.00 | $356.00 |
| Body Armor Replacement (State) | $257.00 | $257.00 |
| Municipal Alliance on Alcohol and Drug Abuse | $10,194.00 | $10,194.00 |
| **TOTAL** | $16,084.00 | $16,084.00 |

## Resolution #2026-209

**Payment of Bills**

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

| | |
|---|---|
| **CURRENT ACCOUNT** claims in the amount of: | $ 357,542.15 |
| **RESERVE CURRENT ACCOUNT** claims in the amount of: | $ 10,642.74 |
| **GOLF COURSE UTILITY OPERATING ACCOUNT** claims in the amount of: | $ 63,844.58 |
| **RESERVE GOLF COURSE UTILITY OPERATING ACCT** claims in the amount of: | |
| **HOUSING TRUST ACCOUNT** claims in the amount of: | $ 5,347.20 |
| **TRUST ACCOUNT** claims in the amount of: | |
| **SNOW REMOVAL TRUST** claims in the amount of: | |
| **ANIMAL TRUST ACCOUNT** claims in the amount of: | |
| **RECREATION TRUST ACCOUNT** claims in the amount of: | $ 3,039.33 |
| **PRIVATE DUTY TRUST ACCOUNT** claims in the amount of: | |
| **STATE & FEDERAL GRANT** claims in the amount of: | $ 10,833.00 |

| | |
|---|---|
| **OPEN SPACE TRUST ACCOUNT** claims in the amount of: | $ 68,020.20 |
| **CAPITAL ACCOUNT** claims in the amount of: | $ 352,775.03 |
| **UTILITY CAPITAL ACCOUNT** claims in the amount of: | $ 8,700.00 |
| **ACCUMULATED ABSENCE TRUST ACCOUNT** claims in the amount of: | |
| **PROJECT/BUILDERS ESCROW ACCOUNT** claims in the amount of: | $ 5,687.00 |
| **PLANNING BOARD TRUST ACCOUNT** claims in the amount of: | |
| **SPECIAL TRUST ACCOUNT** claims in the amount of: | $ 3,255.00 |
| **ZONING BOARD TRUST ACCOUNT** claims in the amount of: | |

**TOTAL CLAIMS TO BE PAID $ 889,736.23**

**BE IT FURTHER RESOLVED,** by the Township Council of the Township of River Vale that the following claims have been paid by the Business Administrator prior to the Bills List Resolution in the following amounts:

| | |
|---|---|
| **CURRENT ACCOUNT** claims in the amount of: | $ 4,227,535.65 |
| **RESERVE CURRENT ACCOUNT** claims in the amount of: | $ 555.00 |
| **GOLF COURSE UTILITY OPERATING ACCOUNT** claims in the amount of | $ 668,529.99 |
| **RESERVE GOLF COURSE UTILITY OPERATING ACCT** claims in the amount of: | |
| **HOUSING TRUST ACCOUNT** claims in the amount of: | |
| **STATE & FEDERAL GRANT** claims in the amount of: | $ 3,585.73 |
| **PAYROLL AGENCY ACCOUNT** claims in the amount of: | |
| **RECREATION TRUST ACCOUNT** claims in the amount of: | $ 9,663.00 |
| **OPEN SPACE TRUST ACCOUNT** claims in the amount of: | $ 48,251.85 |
| **ACCUMULATED ABSENSES ACCOUNT** claims in the amount of: | |
| **PRIVATE DUTY TRUST ACCOUNT** claims in the amount of**:** | $ 74,015.24 |
| **UNEMPLOYMENT TRUST ACCOUNT** claims in the amount of: | |
| **GOLF COURSE UTILITY CAPITAL ACCOUNT** claims in the amount of: | |
| **CAPITAL ACCOUNT** claims in the amount of: | |
| **TRUST ACCOUNT** claims in the amount of: | $ 300.00 |
| **PLANNING BOARD TRUST ACCOUNT** claims in the amount of: | $ 2,605.58 |
| **SPECIAL TRUST ACCOUNT** claims in the amount of: | $ 2,481.79 |
| **ZONING BOARD TRUST ACCOUNT** claims in the amount of: | |
| **PERFORMANCE BOND** claims in the amount of: | |

**TOTAL CLAIMS PAID $ 5,037,523.72**

**TOTAL BILLS LIST RESOLUTION $ 5,927,259.95**

**MANUAL DISBURSEMENTS BILLS LIST OCTOBER 13, 2026**

| | |
|---|---|
| 09/30/2026 Transfer Payroll | $ 419,614.28 |
| **TOTAL STATUTORY DISTRIBUTIONS** | **$ 419,614.28** |

**ROLL CALL VOTE**

Councilman Ziccarelli, Councilman Tolomeo, Councilman Ben-Yishay, Council Vice President Sieg and Council President Criscuolo voted yes.

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**Ordinances for 1st Reading**

**ORDINANCE #484-2026**

**Motion to Introduce:** Councilman Tolomeo

**Second:** Councilman Ben-Yishay

**AN ORDINANCE AMENDING CHAPTER 142 OF THE CODE ENTITLED "LAND USE" PART 9, ARTICLE LII, OF THE MUNICIPAL CODE OF THE TOWNSHIP OF RIVER VALE TO CREATE THE AFFORDABLE HOUSING ZONE AH-2**

**WHEREAS,** the Township of River Vale has the authority to regulate land uses within its municipal boundaries under the Municipal Land Use Law, N.J.S.A. 40:55D-1, et. seq.;

**WHEREAS**, on March 20, 2024, Governor Murphy signed P.L.2024. c.2 into law, establishing a new framework for determining and enforcing a municipality's affordable housing obligation under the New Jersey Supreme Court's Mount Laurel doctrine and New Jersey's Fair Housing Act (the "FHA") (N.J.S.A. 52:27D-301, *et al.*); and

**WHEREAS**, the Township of River Vale pursuant to the FHA adopted a resolution on January 27, 2025, establishing the "present need" obligation and seeking a deviation from the "prospective need"; and

**WHEREAS**, Incandescent Development, LLC ("Incandescent") filed a challenge to the Township's calculation; and

**WHEREAS**, on March 31, 2025, settled with Incandescent to include their property located at Block 813, Lot 18 as identified in the municipal tax maps to contain a total of 75 units with 20% affordable housing; and

**WHEREAS,** the Township of River Vale adopted its Housing Plan Element and Fair Share Plan ("HEFSP") on June 30, 2025; and

**WHEREAS,** Fair Share Housing Center (FSHC) was the only challenger who did not formally challenge the HEFSP but identified items that need to be provided; and

**WHEREAS**, on October 30, 2025, the Township furnished the documentation, and

**WHEREAS,** on December 19, 2025, **t**he Township of River Vale and FSHC filed a consent order noting that Township is in compliance with the Fair Housing Act and the Mount Laurel Doctrine so long as the conditions set forth in the consent order were met; and

**WHEREAS,** on February 18, 2025, the Township adopted an amended HEFSP; and

**WHEREAS,** the Township adopted an ordinance on March 16, 2026, to rezone the property located at Block 813, Lot 18 which is referred to as the "Forcellati/Incandescent" site in the Housing Element and Fair Share Plan of the Township of River Vale; and

**WHEREAS,** the Township is required to amend the building height for the townhouse units to effectuate the affordable housing plan and the project on the Forcellati/Incandescent site to be compliant with the Consent Order Final Compliance Certificate dated June 29, 2026.

**NOW, THEREFORE BE IT ORDAINED** by the governing body of the Township of River Vale, Bergen County, New Jersey, that Chapter 142 of the Municipal Code of the Township of River Vale, is hereby amended, with this Ordinance, to create to the "Affordable Housing Zone 2 AH-2" Zone District. Section 142-236.6 entitled "**Block 813, Lot 18 Affordable Housing Zone AH-2"** is hereby created to read as follows.

(Added text is **emboldened**, and text being eliminated is shown in ~~*strikethrough italics*~~.)

**§ 142-236.6 Block 813, Lot 18 Affordable Housing Zone AH-2**

A. Purpose. The AH-2 District includes the property at Block 813, Lot 18 in the Township of River Vale. The purpose of this district is to provide for redevelopment of the site with an inclusionary residential development that will address a portion of the Township's Fourth Round affordable housing obligation in a manner consistent with the settlement agreement between the Township and property owner.

B. Permitted Uses. In the AH-2 District no building shall be used, and no building shall be erected or altered which is arranged, intended or designed to be used, and no land shall be used, except for one or more of the following permitted uses:

   (1) Multiple-family dwellings

   (2) Townhouses

   (3) Surface parking as an accessory to the inclusionary residential development.

   (4) Private garages as an accessory to townhouses

   (5) Accessory buildings and structures customarily incidental to any use permitted by this section, provided that such accessory building shall be on the same site with the building to which it is accessory and also provided that such accessory building shall not be used for residence purposes.

C. Minimum lot area requirement. 5 acres

D. Minimum lot frontage requirement. 200 feet along a public street.

E. Minimum lot depth requirement. 700 feet.

F. Residential Density Requirement: A maximum of 75 dwelling units are permitted in the AH-2 Zone, consisting of market rate units and affordable units.

G. Affordable Housing requirement.

   (1) A minimum of 20 percent of the units on site shall be deed restricted as "family rental" units affordable to low- and moderate-income households. Affordable units shall be allocated, restricted, marketed and controlled in accordance with Section 142-235 and Chapter 43 of the Township Code, the Uniform Housing Affordability Controls (UHAC), the Fair Housing Act, and any other applicable regulations.

   (2) The units restricted for low- and moderate-income households shall be permitted to be exclusively apartment units in multi-family buildings provided the affordable units are sized and distributed in a manner consistent with UHAC requirements at N.J.A.C. 5:80-26.1 et seq so as not to be distinguishable from market-rate units.

H. Building height requirements.

   (1) Multi-family buildings shall not exceed 3 stories and 45 feet in height

      (a) Each building shall have its height calculated individually. Building height shall be measured from the average elevation of the existing grade measured at ten-foot intervals around the outer perimeter of the proposed building footprint, beginning at the low point to the tallest point of the roof.

   (2) Townhouse buildings shall not exceed 3 stories and ~~*35*~~ **40** feet in height

(a) Townhouse height shall be measured for each unit individually due to the sloped nature of the property.

(b) Height shall be measured from the average elevation of the existing grade measured at ten-foot intervals around the outer perimeter of the proposed building footprint, beginning at the low point of each dwelling unit to the highest point of the roof of that unit.

(3) Roof-mounted mechanical equipment shall be permitted to exceed the permitted height by up to four feet provided the following requirements are met:

(a) The equipment shall be setback from the building façade a distance greater than its height above the roof deck.

(b) The equipment shall be architecturally screened from view at the site property lines by a parapet, sloped roof, mansard, or other similar feature.

(c) Equipment shall not occupy an area greater than 25% of the roof surface.

I. Minimum yard requirements:

(1) Principal Structure Setbacks:

(a) Front yard: 40 feet

(b) Rear yard: 50 feet

(c) Side yard: 30 feet

(2) Yard Exceptions

(a) Patios, which shall not include permanent roofed structures but may include pergolas, awnings, etc. shall be permitted to encroach up to 8 feet in any required setback area.

(b) Stormwater management facilities and utilities shall be permitted in any required yard area but shall not be closer than 10 feet to any property line.

J. Internal setback requirements:

(1) Principal structures shall be separated a distance of at least 30 feet from one another.

K. Maximum coverage standards:

(1) Building Coverage: 30%

(2) Impervious Coverage: 60%

L. Parking and Circulation. Parking, driveway, and circulation design shall be in accordance with Article LIX (Sections 142-268 through 142-279) of the Township Code with the following exceptions:

(a) Minimum parking spaces required shall be provided consistent with R.S.I.S. (N.J.A.C. 5:21 et seq.)

(b) Drive aisles for 90 degree parking stalls shall be a minimum of 24 feet.

M. Signs. One multifamily identification sign shall be permitted in accordance with Section 142-242. of the Township Code, except that a maximum area of 32 square feet shall be permitted.

N. Lighting. Site lighting shall comply with the design standards set forth in section 142-158 of the Township Code.

O. Landscaping and buffer areas. Site landscaping and buffers shall comply with the design standards set forth in section 142-159 of the Township Code.

P. Fencing. Fencing shall comply with the zoning requirements in section 142-248 of the Township Code, except that fences at least 50% open, up to 4 feet in height shall be permitted in a front yard.

Q. Retaining Walls.

(1) Shall be permitted as needed to accommodate the grading of the site

(2) Shall be fenced as required by code

(3) Shall be landscaped in accordance with section 142-161.A

(4) Shall be permitted in any yard area and within required buffer areas

R. Steep Slopes. Inclusionary development in the AH-2 zone shall be exempt from the steep slope disturbance restrictions in section 142-309 of the Township Code. The improvements and grading on the property at the time of the adoption of this ordinance are the result of decades of use as a garden center / landscape contractor business. The AH-2 zone does not contain any undisturbed, naturally occurring steep slopes, whose protection is the purpose of the Township's steep slope disturbance regulations.

S. Environmental Impact Study. An inclusionary residential development in the AH-2 zone shall be exempt from the requirement to provide an Environmental Impact Study at Section 142-298 of the Township Code. The AH-2 zone encompasses property previously used for a landscaping business / garden center that occupied nearly the entire site. As the site has been disturbed and re-graded as part of the previous operations for many years, there are no naturally occurring sensitive environmental features present. Absent sensitive environmental features, requiring the submission of the study is an inappropriate cost generating requirement for the inclusionary residential development.

T. Garbage and trash services. Garbage, refuse and trash removal and disposal services for multifamily units shall be arranged privately by or on behalf of the occupants of a development and shall conform to the standards as prescribed by the State of New Jersey and the Township of River Vale for recycling of solid waste. Unless otherwise prohibited by state law, garbage, refuse and trash removal from multifamily units shall not be an obligation of the Township. The provisions of Chapter 186, Recycling, of the Code of the Township of River Vale are incorporated herein as though set forth at length.

(1) Refuse enclosures shall be setback a minimum of 30 feet from a side or rear lot line and shall not be permitted closer to a public right-of-way than any principal structure.

(2) Refuse enclosures shall be designed with a concrete pad, and the enclosure walls shall be of the same colors and materials as the buildings with a vinyl fence gate. Landscaping shall be provided to screen the three sides of the enclosure.

(3) Refuse enclosures shall be adequately sized to provide space for trash and recycling for all site occupants and shall be positioned throughout the site for ease of use by residents.

U. Snow and ice removal. Every development shall conform to the standards and procedures applicable to planned residential developments set forth in § 142-117 of this chapter.

V. Common recreation areas and open space

(1) Design and layout of common recreation areas and open space shall be reviewed so as to provide an aesthetically pleasing design with an emphasis on health and safety.

(2) Area required for recreation and open space shall be a total of 30% of any individual parcel. Stormwater management facilities such as bio-retention basins may be included in the open space calculation.

**REPEALER**

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**SEVERABILITY**

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

**EFFECTIVE DATE**

This Ordinance shall take effect upon passage and publication as provided by law.

**ROLL CALL VOTE**

Councilman Ziccarelli, Councilman Tolomeo, Councilman Ben-Yishay, Council Vice President Sieg and Council President Criscuolo voted yes.

**Ordinance for 2nd Reading and Public Hearing**

**ORDINANCE #483-2026**

**Motion to Adopt:** Councilwoman Sieg

**Second:** Councilman Ben-Yishay

Motion by Councilwoman Sieg second by Councilman Tolomeo to open the Public hearing on Ordinance #483-2026.

There being no questions of comments from the public. Motion by Councilman Ben-Yishay and second by Councilwoman Sieg to close the Public Hearing on Ordinance #483-2026.

**AN ORDINANCE OF THE TOWNSHIP OF RIVER VALE, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING CHAPTER 181 OF THE CODE ENTITLED " PROPERTY MAINTENANCE"**

**BE IT ORDAINED**, by the Township Council of the Township of River Vale, that Chapter 181 of the Township Code is hereby amended as follows:

§ 181-1 **Title.**

This chapter shall be known as the "Property Maintenance Code Residential and Nonresidential of the Township of River Vale" and may be referred to in this chapter as the "Property Maintenance Code Residential and Nonresidential" or as "this code."

§ 181-2 **Purpose; International Property Maintenance Code.**

**A.** The purposes of this chapter are:

**(1)** To provide for the public: health, safety and welfare.

**(2)** To avoid, prevent and eliminate the maintenance or creation of hazards to the public health or safety.

**(3)** To avoid, prevent and eliminate conditions which, if permitted to exist or continue, will depreciate or tend to adversely impact adjacent or surrounding properties.

**(4)** To prevent the creation, continuation, extension or aggravation of blight and public nuisance.

**(5)** To preserve property values in the Township.

**(6)** To prevent the physical deterioration or progressive downgrading of the quality of housing facilities in the Township.

**(7)** To maintain the value and economic health of the commercial and residential properties and businesses that serve and operate in the Township.

**(8)** To prevent and eliminate physical conditions in or on property which constitute nuisances and thereby are dangerous or hazardous to the life, health or safety of persons on or near the premises which such conditions exist.

**(9)** To establish minimum standards governing the maintenance and condition of land, buildings, structures and premises in the Township of River Vale.

**(10)** To fix responsibilities and duties thereof upon owners, lessees, operators and occupants of property.

**(11)** To provide for administration and enforcement.

**(12)** To fix penalties for the violation of this code.

**B.** Any requirements or regulations not specifically discussed herein shall be referred to the Most current edition of the International Property Maintenance Code and shall be enforced by the Township of River Vale as an extension of Chapter 181.

§ 181-3 **Definitions.**

For the specific purposes of this code, the following terms, whenever used herein or referred to in this code, shall have the respective meanings assigned to them hereunder, unless a different meaning clearly appears from the context:

**EXTERIOR OF PREMISES**

Those portions of a building or structure which are exposed to public view or are visible from adjoining or adjacent lots, including all outside surfaces and appurtenances thereto, and the open land space of any premises outside of any building or structure erected thereon.

**NUISANCE**

**A.** Any public or private condition that the River Vale Construction Official, Code Enforcement Officer, Health, Fire or Police Departments find to be a nuisance under the statues, laws and regulation of the State of New Jersey, its governmental agencies or this chapter.

**B.** Any physical condition existing in or on the exterior of premises, which is potentially dangerous, detrimental or hazardous to the life, health or safety of persons on, near or passing within the proximity of the premises where said condition exists.

**OCCUPANT**

Any person residing, living or sleeping in or on the premises or having actual possession, use or occupancy of a dwelling premises or any person or entity in possession of or using any premises, or part thereof, whether or not the owner thereof and regardless of the duration of time of such possession, use or occupancy.

**OPERATOR**

Any person, persons or entity, not the owner, who has charge, care or control of a dwelling or premises, or a part thereof, with or without the knowledge, consent or authority of the owner.

**OWNER**

Any person, persons or entity who shall have legal title in any form whatsoever to any premises or part thereof, with or without accompanying actual possession thereof, or who shall have charge, care or control of any lot, premises, building, structure or part thereof, as owner or agent of the owner, or as a fiduciary, trustee, receiver, guardian, lessee or mortgagee in possession, regardless of how such possession was obtained. Any person, group of persons or entity who is a lessee, sublessee or assignee of a lessee of any part or all of any building, structure or land shall be deemed to be a co-owner with the lessor for the purposes of this chapter and shall have responsibility over the portion of the premises so sublet, leased or assigned.

**PREMISES**

A lot, plot or parcel of land, right-of-way or multiples thereof, including the buildings or structures thereon.

**REFUSE or RUBBISH**

All discarded, useless, unusable, unused or worthless solid waste matter or materials, combustible or noncombustible, including but not limited to garbage, trash, ashes, dead fallen trees, paper, paper goods and products, wrappings, cans, bottles, containers, yard clippings, garden waste, debris, junk, glass, boxes, crockery, wood, mineral matter, plastic, rubber, leather, furniture, household goods, appliances, bedding, scrap lumber, scrap metal, construction material, inoperable machinery or parts thereof, garden or farming implements and supplies, dead or rotting vegetation, tires, abandoned, inoperative or unusable automobiles and vehicles and solid commercial or industrial waste.

**STRUCTURE**

A combination of materials which forms a construction, such as buildings, platforms, sheds, swimming pools, sports courts of all types and fences, whether above, below or at ground level.

§ 181-4 **Compliance required.**

**A.** Every residential and nonresidential building, structure, lot and the premises or part of the premises on which it is situated in the Township of River Vale, previously or presently used or intended to be used for dwelling, commercial, business, recreational, service, transportation,

institutional, religious, charitable, quasi-public, professional or industrial occupancy and uses accessory thereto, shall comply with the provisions of this code, whether or not any such building or structure shall have been constructed, altered or repaired before or after the enactment of this code and irrespective of any permits or licenses which may have been issued for the use on occupancy of such building or for the installation or repair of equipment or facilities prior to the effective date of this code. Vacant lots, land and premises are also required to comply with the provision of this chapter.

**B.** In furtherance of the purposes of this chapter, it shall be the duty and legal responsibility of the owner, operator or occupant of premises to comply with any or all of the requirements and standards of this chapter, to keep the premises free of conditions which constitute violations hereof and to promptly remove, prevent or abate such conditions.

§ 181-5 **Conflict with other provisions.**

In any case where the provisions of this code impose a higher or stricter standard than set forth in any other ordinance or regulation of the Township of River Vale or under the laws or regulations of the State of New Jersey or any of its agencies, then the standards as set forth herein shall prevail; but if the provisions of this code impose a lower or lesser standard than any other regulation or ordinance of the Township of River Vale or of the laws and regulations of the State of New Jersey or any of its agencies, then the higher standard contained in any such other ordinance, regulation or law shall prevail.

§ 181-6 **Compliance as defense.**

Compliance with this code shall not constitute a defense against any violation of any other ordinance of the Township of River Vale applicable to any structure or premises, nor shall any one act of compliance constitute a defense against any subsequent or other violation of this code.

§ 181-7 **Responsibilities of owner, operator and occupant.**

Owners, operators and occupants shall have all the duties, obligations and responsibilities prescribed in this code, and no such person or entity shall be relieved of any duty, obligation or responsibility hereunder nor be entitled to assert as a defense against any charge made against him or them for violation of this code the fact that another owner, operator or occupant or any other third person or entity is also responsible therefor and in violation hereof.

§ 181-8 **Compliance with building and zoning regulations.**

**A.** Any alterations to buildings, structures or appurtenances thereto or change of use therein which may be caused directly or indirectly by the enforcement of this code shall be done in accordance with all applicable sections of the Uniform Construction Code.

**B.** Nothing contained in this code or any requirement of compliance herewith shall be deemed to alter, impair or affect the application of any zoning laws of the municipality.

§ 181-9 **Existing remedies.**

Nothing in this code shall be deemed to abolish or impair existing remedies of the Township or its officers or agencies relating to the removal or demolition of any buildings or structures which are deemed to be dangerous, unsafe or unsanitary.

§ 181-10 **Maintenance standards.**

The exterior of premises shall be kept free of the following matter, materials or conditions.

**A.** Refuse and rubbish, as hereinabove defined.

**B.** The garbage and rubbish to be collected at the curb shall not be placed there earlier than 6:00 p.m. on the day previous to the day established for pickup. Such receptacles shall be removed from the curb no later than 9:00 p.m. on the day of pickup.

**C.** Abandoned, uncovered or structurally unsound wells, shafts, towers, exterior cell openings, basement hatchways, septic tanks, oil tanks, foundation or excavations.

**D.** Abandoned iceboxes, refrigerators, boilers, hot-water heaters, televisions sets and other similar major appliances.

**E.** Structurally unsafe or unsound buildings, structures or fences.

**F.** Rodents, vermin, pest infestations or rodent harborages.

**G.** Animal excrement.

**H.** Stagnant surface or ground water accumulations which create or are likely to create mosquitoes or other insect breeding areas.

**I.** Nuisances, as hereinabove defined.

**J.** Vehicles or parts thereof, including boats and trailers, motorized or not, licensed or unlicensed, registered or unregistered, which vehicles or parts thereof are or have been junked, abandoned or dismantled or are in a state of visible disrepair.

**K**. No construction materials, machinery, equipment, or similar apparatus shall be stored or maintained on a property unless it is being actively utilized in connection with an active and validly permitted project on the premise.

**L**. All fencing shall be maintained in a clean upright sound condition.

**M.** Exterior Building/Structure Maintenance. All exterior surfaces of any or structure shall be maintained in good repair and shall be kept free from peeling, flaking, blistering, or otherwise deteriorating paint or protective coatings. Exterior siding, cladding, trim, and other exterior finishes shall be properly installed, securely attached, weather-resistant, and maintained in good condition, free from significant deterioration, damage, loose or missing components, or conditions that permit the intrusion of water or otherwise adversely affect the appearance or structural integrity of the building.

**N.** Missing Exterior Siding, Roofing or Finishes. Where exterior siding, cladding, or other weather-protective exterior finish has been removed or is otherwise missing from any building or structure, the exposed area shall be restored with weather-resistive exterior finish within a period not exceeding **six (6) months** from the date the siding or finish was removed or became missing. The issuance of a building permit, construction permit, or other approval for work shall not extend, toll, or otherwise alter the **six (6) month** period, unless an extension is expressly granted by the enforcing authority pursuant to this chapter.

**O.** Captured Water; Prohibited Discharge. No person shall collect, capture, concentrate, divert, or otherwise direct stormwater or other surface onto or across any public right-of-way, sidewalk, street, roadway, or other public property, or onto or across any adjoining or neighboring property, in a manner that causes or is likely to cause flooding, ponding, erosion, property damage, or an unreasonable interference with the use and enjoyment of such property

§ 181-11 **Numbering of buildings.**

It shall also be the duty and responsibility of owners, occupants or operators to assure that all premises are properly identifiable with a street number as assigned by the appropriate official of the Township of River Vale, which number shall be clearly visible from the street at all times.

§ 181-12 **Enforcing official.**

The Construction Official of the Township of River Vale is hereby designated as the officer charged with enforcement of this chapter and is hereinafter referred to as "Building Inspector."

§ 181-13 **Enforcement.**

**A.** Whenever the Construction Official, Code Enforcement Official or their authorized agent determines that there is or has been a violation of any provision of this chapter, he shall give notice of such violation to the persons or entities responsible under this chapter.

**B.** Such notice shall be in writing and shall include a concise statement of the reasons for its issuance. Such notice shall be deemed to be properly and sufficiently served if a copy thereof is sent by registered or certified mail to the last known address of the person or entity upon which the same is served, as shown by the most recent tax lists of the Township; or a copy thereof handed to said person or persons; or a copy thereof left at the usual place of abode or office of said persons or entities. Notice

shall be given as aforesaid within or without the Township. The notice shall also state that, unless the violation is abated, removed, cured, prevented or desisted from within 10 days of the date of service of such notice (exclusive of the date of service), a summons shall issue for such violation.

**C.** The Construction Official, Code Enforcement Official or their authorized agent may, at the time he/she issues the notice, extend the period for compliance with the violation stated in the notice for a period in excess of the aforesaid 10 days if, in his judgment, the abatement, removal, prevention, cessation of or cure of the condition violated cannot reasonably be effected within the ten-day period; and in such cases, the Construction Official, Code Enforcement Official or their authorized agent shall state such reasonably required extended period in the notice, which shall then be applicable instead of the aforesaid 10 days.

**D.** In the event the violation is not abated, removed, cured, prevented or desisted from or otherwise fully remedied within said ten-day period or within such extended period as set forth in the notice, pursuant to the foregoing, a summons shall then issue against the person, persons, entity or entities so notified.

**E.** Procedure upon failure. If within three days after receipt of the ten-day notice to remove all grass, dead and fallen trees, weeds, impediments, debris, etc., a property owner or agent fails to remove same, the Township may proceed to utilize municipal employees and/or bid and/or obtain private contractors, if said cost does not exceed the bid threshold for the removal of any such grass, weeds, impediments, debris, etc. Upon completion of the Township cleanup, the Township officer shall submit a certification to the Council as to the actual cost of removing said grass, weeds, impediments, hedges, debris, etc. The Council, upon resolution, shall direct the Township Tax Collector to charge the cost incurred by the township as a lien upon lands in the form of property taxes to be assessed or levied upon such lands, same to bear interest at the same rate as taxes and collected and enforced by officers in the same manner as taxes. The afore stated provisions are consistent with N.J.S.A. 40:65-12 and 40:48-2.27.

§ 181-14 **Emergency conditions.**

**A.** Whenever the Construction Official, Code Enforcement Official or their authorized agent finds that an emergency condition in violation of this chapter exists, which condition requires immediate attention in order to protect the public health or safety, he may issue an order by service of notice as set forth in § **181-13**, Enforcement, reciting the existence of such an emergency condition and requiring that such action be taken by the violator as soon as is reasonably necessary to meet the emergency.

**B.** Notwithstanding any other provision of this chapter, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, but upon objection, in writing, to the Building Inspector, any such person shall have the right to seek a judicial stay of enforcement before the New Jersey Superior Court.

§ 181-15 **Violations and penalties.**

Any person or entity who or which shall violate any of the provisions of this chapter or any notice or order promulgated hereunder shall, after a summons is issued under the terms hereof, upon conviction, be punishable as provided in the general penalty provisions of the Township of River Vale Code.

§ 181-16 **Costs to become lien.**

**A.** The amount of the cost of the filing of legal papers, expert witnesses' fees, search fees and advertising charges incurred in the course of any proceeding taken under this code determined in favor of the Township and the cost of any such repairs, alterations or improvements or vacating and closing or removal or demolition, if any, undertaken pursuant hereof or the amount of the balance thereof remaining after deduction of the sum, if any, realized from the sale of materials derived from such building or from any contract for removal or demolition thereof shall be a municipal lien against the real property upon which such cost was incurred.

**B.** If the building is removed or demolished by the Public Officer, he shall sell the materials of such building. There shall be credited against the cost of the removal or demolition thereof the proceeds of any sale of such materials or any sum derived from any contract for the removal or demolition of the building. If there are no credits or if the sum total of such costs exceeds the total of such credits, a detailed statement (herein called the "municipal lien certificate") of the aforesaid costs and the amount so due shall be filed by the Public Officer with the Township Tax Collector of the Township,

and a copy thereof shall be forthwith forwarded by the Public Officer to the owner by registered mail. If the total of the credits exceed such costs, the balance remaining shall be deposited with the Clerk of the Superior Court by the Public Officer, shall be secured in such manner as may be directed by such Court and shall be disbursed according to the order of judgment of the Court to the persons found to be entitled thereto by final order or judgment of such Court; provided, however, that nothing contained in this code shall be constructed to limit or impair in any way the power of the Township to define and declare nuisances and to cause their removal or abatement, by summary proceedings or otherwise. Any owner or party of interest may, within 60 days from the date of the filing of the municipal lien certificate, proceed in a summary manner in the Superior Court to contest the reasonableness of the amount or the accuracy of the costs set forth in the Township lien certificate.

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

**ROLL CALL VOTE**

Councilman Ziccarelli, Councilman Tolomeo, Councilman Ben-Yishay, Council Vice President Sieg and Council President Criscuolo voted yes.

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**2nd Hearing of the Public**

Motion by Councilman Tolomeo second by Councilman Ben-Yishay to open the meeting to the public.
All in Favor: Aye

John Whelan–Deputy Fire Chief- 303 Spring Street —Deputy Chief Whelan thanked the Mayor and Council for their support of the new ladder truck. The Deputy Chief next provided a brief report on what the Fire Department has been up to. They just had Fire Prevention Week; they visited all the elementary schools and day care centers and held their Open House at the Firehouse which was very successful.

Council President Criscuolo thanked Deputy Chief Whelan for the update and all the work he put in regarding the ladder truck.

There being no further questions or comments. Motion by Councilman Ben-Yishay second by Councilman Tolomeo to close the meeting to the public.
All in Favor: Aye

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**ADJOURNMENT**

Motion by Councilman Tolomeo second by Councilwoman Sieg to adjourn the meeting 8:08pm.
All in Favor: Aye

Council President Criscuolo

ATTEST: *Karen Campanelli, Township Clerk*