

**MINUTES**  
**Combined Meeting of the Mayor and Council**  
**Wednesday, April 10, 2013**  
**7:30 PM**

**CALL THE MEETING TO ORDER –**

Mayor Bazela called the meeting to order at 7:30 PM in the Council Chambers of the Municipal Building located at 116 Paris Avenue, Northvale, New Jersey 07647.

**STATEMENT –**

Mayor Bazela read the “Sunshine Statement” into the record, as follows:

*“This is a Combined Meeting of the Mayor and Council of the Borough of Northvale. The date, time and location of this meeting has been advertised in the official Newspapers of the Borough, filed with the Borough Clerk and posted on the bulletin board in the Municipal Building. All notice requirements of the Open Public Meetings Act for this meeting have been fulfilled. Please note the fire exits as required by law at public meetings.”*

**SALUTE TO THE FLAG – SILENT PRAYER –**

Mayor Bazela asked everyone to stand for a Salute to the Flag and then asked Pastor Joel to lead in prayer.

**ROLL CALL -**

Mayor Bazela, Councilwoman Libby, Councilman Marana, Councilman Piehler, Councilman Shepard, Councilman Sokoloski and Councilman Sotiropoulos were present.

Also present: Mr. Steven Kleinman for Attorney Paster, Mr. Paul Niehoff, Borough Engineer and Wanda A. Worner, Borough Clerk.

**APPOINTMENTS & PERSONNEL CHANGES –**

Motion by Councilman Sokoloski; seconded by Councilman Piehler to approve the appointment of Richard J. Goddin of 418 West Avenue, to the Northvale Junior Fire Department, effective immediately.

ROLL CALL VOTE: All present in favor.

**AWARDS AND PRESENTATIONS –**

**Pastor Joel Van Briggie**

Mayor Bazela made a statement with regard to Pastor Van Briggie and all the he and his family have done for the Borough of Northvale over the years. He stated that he will miss the Pastor very much and he knows that everyone will. Mayor Bazela stated that the Pastor has served the town in various capacities and that he has always been there for the town. He presented Pastor Van Briggie with a Proclamation from the Mayor and Council.

County Clerk Hogan also made a presentation to Pastor Van Briggie. He stated that when the Pastor arrived in Northvale, the Pastor expressed that he would be available for anything that the town would need. He stated that at Christmas there wasn't any entertainment and the Pastor rose to the occasion and provided the entertainment for the town. County Clerk Hogan also stated that Pastor Joel also attended his inauguration when he was sworn in as County Clerk. Mr. Hogan stated that he will miss the Pastor very much and wished him well in his future endeavors.

**Northvale Girl Scouts:**

**Northvale Senior Health Fair**

**Sofia Abate  
Courtney Brunet  
Kaci Kopek**

Mayor Bazela made a presentation to Sofia Abata and Courtney Brunet for the work that they did at the Health Fair that was held at the McGuire Senior Center last April. He stated that both of the girls have received their Silver Awards. He stated that it is a pleasure to present the girls with a token of the Council's appreciation and asked that the families come up to have their pictures taken with the girls.

**APPROVAL OF MINUTES –**

Motion by Councilman Marana; seconded by Councilman Sotiropoulos to approve the following minutes on Consent Agenda:

December 12, 2012  
March 13, 2013  
March 27, 2013

ROLL CALL VOTE: All present in favor. Councilman Sokoloski abstained on the Minutes for March 27, 2013.

**MONTHLY REPORTS – (Correspondence on file in Borough Clerks Office)**

Mayor Bazela stated that the following reports are on file in the Borough Clerk's office and can be viewed by the public Monday through Friday, between the hours of 9:00 a.m. and 4:00 p.m.

Tax Collector – March  
Police Department – March  
Fire Prevention – March  
Municipal Court – March  
Building Department – March

**FOR DISCUSSION –**

1. Letter – Bidly O'Malley's – March 17, 2013  
re: Outdoor Dining – Furniture Removal Requirements

Mayor Bazela stated that there is a resolution on the agenda this evening for this matter. Resolution #2013-43. He stated that Bidly's has been a good neighbor to Northvale and that Mr. O'Malley really takes care of his restaurant and property.

2. Letter – Great Clips – April 10, 2013  
re: Request for Grand Opening Signs and Festivities

The consensus of the council is that they can put a sign in the store window only and not do the rest. They may have the sign in their window for 30 days only. Motion by Councilman Sokoloski; seconded by Councilman Marana.

ROLL CALL VOTE: All present in favor.

**RESOLUTIONS –**

Motion by Councilman Marana; seconded by Councilman Sotiropoulos to approve Resolution #'s #2013-34 through #2013-45, on Consent Agenda, as follows:

**RESOLUTION #2013-34**

**Approve the Application of the McGuire Senior Center for Bingo License**

BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that the application for a bingo license for the James McGuire Senior Center is hereby approved.

**RESOLUTION #2013-35**

**Approve the Tonnage Grant Report and Application for 2012**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing the municipality to apply for such tonnage grants (for calendar year 2012) will memorialize the commitment of the municipality to recycling and to indicate the assent of the Northvale Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Northvale hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Jeffry Marcason, Recycling Coordinator, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

**RESOLUTION #2013-36**

**Approve the Redemption of Tax Sale Certificates #67 for Block 104, Lot 8.**

BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that the Tax collector shall conduct the Redemption of Tax Sale Certificate #67, by BAC Tax Services Corporation, the mortgage holder US Bank Cust/Emp IV, CAP One., the lienholder according to N.J.S.A. 54:5-54. The breakdown is as follows:

Block 104 Lot 8 – Robert & Suzanne McGowan – 409 Semino Road

Tax Sale Certificate #67	\$ 7,522.81
0% Interest	0.00
4% Redemption Penalty	300.91

Recording Fee	43.00
Search Fee	12.00
6% Year End Penalty	601.43
Interest on 6% Year End Penalty	138.33
Subsequent 2011 Tax & Interest	9,776.25
Interest on Subsequent Tax	2,480.97
Subsequent 2012 Tax & Interest	11,003.62
Interest on Subsequent Tax	<u>302.60</u>
Total	\$32,184.92
Premium	8,600.00
Total refund to Empire	\$40,784.92

The Chief Financial Officer shall issue a check in the amount of \$40,784.92 to:

US Bank Cus/Emp IV, Cap One  
 2 Liberty Place  
 50 South 16<sup>th</sup> Street, Suite 1950  
 Philadelphia, PA 19102-2513

**RESOLUTION #2013-37**

**Authorize the Chief Financial Officer to Issue a Refund due to the Overpayment of Taxes**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Northvale that a warrant be drawn as indicated below in the designated amount representing a duplicate tax payment as follows:

<b>Block/Lot</b>	<b>Name /Address</b>	<b>Date Paid</b>	<b>Amount</b>
703/3	Wells Fargo Home Mortgage 1 Home Campus MAC X2502-011 Des Moines, IA 50328-0001	1/18/2013	\$2,479.67

**BE IT FURTHER RESOLVED** that the mortgage holder has advised that they want the refund because the payment was made on behalf of the prior owner.

**RESOLUTION #2013-38**

**Authorize Submission of an Application for Northvale Municipal Alliance Grant for 2013**

WHEREAS, the Mayor and Council of the Borough of Northvale in the County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Mayor and Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Mayor and Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Northvale, County of Bergen and State of New Jersey hereby recognizes the following:

1. The Mayor and Council does hereby authorize submission of an application for the Northvale Municipal Alliance grant for calendar year 2013 in the amount of \$9,520.00.

2. The Mayor and Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**RESOLUTION #2013-39**

**RESOLUTION AUTHORIZING A CONTRACT FOR THE PURCHASE OF COMMUNICATIONS EQUIPMENT (RADIOS) FOR VARIOUS DEPARMTNETS IN THE AMOUNT OF \$172,555.44 UNDER NJ STATE CONTRACT # A53804**

WHEREAS, the Borough of Northvale pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Northvale has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Borough of Northvale intends to enter into a contract with Motorola Solutions, Inc. of Montvale, New Jersey, through this resolution, which shall be subject to all the conditions applicable to the current State contract, for the purchase of Communications Equipment (Radios).

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Northvale authorizes the purchase of communications equipment (radios) pursuant to all conditions of the State contract at a cost of \$172,555.44.

**RESOLUTION #2013-40**

**Waive Building Department Fees for Northvale Public Schools**

BE IT RESOLVED, that the Building Inspector is hereby authorized to waive the building department fees for the reconstruction of the soccer field for the Northvale School field project.

**RESOLUTION #2013-41**

**Resolution of the Borough of Northvale County of Bergen, state of New Jersey Authorizing Permit for Fireworks Display at Hogan Park**

WHEREAS, application 11-01 was received from Legion Fireworks Co., Inc. of 10 Legion Drive, Wappingers Falls, NY 12590 has applied for a permit to perform a ground to air fireworks display on May 26, 2013; and

WHEREAS, the vendor has provided necessary surety guarantees required by N.J.S.A. 21:3-5 and submitted the necessary permit application consistent with that section and all supporting materials; and

WHEREAS, the Chief of Police and Fire Chief of the Borough of Northvale have reviewed the application and have approved the issuance of the permit.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Northvale, County of Bergen, State of New Jersey that the application of Legion Fireworks Company for a permit to perform a ground to air fireworks display at Hogan Park on May 26, 2013, be and is hereby approved, with said permit to be issued in the name of the Mayor and Council of Northvale, upon preparation by the Borough Clerk, subject to execution by the Fire Chief and Chief of Police; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to provide a copy of this resolution to the New Jersey Department of Labor's Office of Safety Compliance, the vendor and the Chief's of the Fire and Police Departments of the Borough of Northvale.

**RESOLUTION #2013-42**

**Waive Fire Prevention Fee for the Memorial Day Fireworks**

BE IT RESOLVED that the above mentioned fee is hereby waived.

**RESOLUTION #2013-43**

**Authorize Bidly O'Malley's to Store Outdoor Dining Furniture on Sidewalk During the Outdoor Dining Season – 2013**

WHEREAS, Bidly O'Malley's is an and Irish Bistro and Bar located at 191 Paris Avenue; and

WHEREAS, Bidly O'Malley's has availed itself of the requirements of Ordinance #908-2012 an "Ordinance to Provide for Open Air Sidewalk Cafes on a Limited Basis Within the Borough of Northvale"; and

WHEREAS, Section 5 E of the Ordinance requires that all items be removed from the sidewalk at the close of business each day; and

WHEREAS, the owner has informed the Mayor and Council that this requirement is creating unnecessary wear and tear on his outdoor furniture and therefore, is requesting that he be allowed to keep said furniture on the sidewalk for the Outdoor dining "season";

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby grant permission to Bidly O'Malley's to keep their outdoor furniture on the sidewalk for the entire outdoor dining "season";

BE IT FURTHER RESOLVED, that all other sections of Ordinance #908-2012 remain in full force and effect.

**RESOLUTION #2013-44**

**Authorize Mayor Bazela to Sign a Shared Services Agreement with the Northern Valley School Districts and Municipalities for an Early Warning Lightning Detection System**

WHEREAS, the Northern Valley Regional School Districts and Municipalities seek to enter into a Shared Services Agreement pursuant to the provisions of the Uniform Shared Services and Consolidation Act, P.L. 2007,c.63 (C:40A:65-1, et seq.) and

WHEREAS, the Northern Valley Region School District and Municipalities recognize a need for a fully automated Early-Warning Detection System for the purposes of public safety; and

WHEREAS, Harrington Park shall serve as the Lead Agent in this agreement; and

WHEREAS, the total cost to the Borough of Northvale for installation of said early warning devices at Veterans Park and Hogan Park is not to exceed \$14,185.00; and

WHEREAS, the Chief Financial Officer certifies that funds are available from the capital account; and

NOW, THEREFORE, BE IT RESOLVED that Mayor Bazela is hereby authorized to sign this agreement on behalf of the Borough of Northvale.

**RESOLUTION #2013-45**

**Payment of Bills**

**WHEREAS**, claims have been submitted to the Borough of Northvale in the following amounts under various funds of the borough:

Current Appropriations (2013)	\$94,327.91
Appropriation Reserves (2012)	\$ 0.00
General Capital Fund	\$ 1,103.00
Animal License Trust	\$243.20
Community Development Trust	\$ 0.00
Developer's Escrow Trust	\$ 0.00
Food Trust	\$ 0.00
Recreation Trust	\$1,854.00
Summer Recreation	\$ 0.00
<b>TOTAL</b>	<b>\$97,528.11</b>

**WHEREAS**, above claims have been listed and summarized in the attached Bills List Report, and the corresponding vouchers have been reviewed and approved by the department head, council liaison, finance committee, and the chief financial officer; and

**WHEREAS**, the Chief Financial Officer has determined that the funds have been properly appropriated for such purposes and are available in the Borough of Northvale, and that the claims specified on the schedule attached hereto, following examination and approval by the finance committee, be paid and checks issued accordingly; and

**WHEREAS**, claims have already been paid in the following amounts for the purpose specified below:

Payroll	03/01/13	\$117,173.24
Payroll	03/15/13	\$132,907.17
Payroll	03/29/13	\$121,162.82
Health Benefits	March 2013	\$ 40,666.38
School Taxes – Local	March 2013	\$703,025.00
School Taxes – Regional	March 2013	\$623,817.00
<b>TOTAL</b>		<b>\$1,738,751.61</b>

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Northvale that the claims totaling **\$1,836,279.72** and ratified respectively.

The bill list is as follows:

vendor	checkno	chktotal	description
MGL PRINTING SOLUTIONS	134	188.00	EXPENDITURES ANIMAL TRUST
GERBER AUTO REPAIR,INC	583	28.00	ORD 912-12 DPW EQUIPMENT
SESI CONSULTING ENGINEERS	584	1075.00	ORD 911-12 SCHOOL RECR FIELDS
WATER WORKS SUPPLY CO.	7650	-327.78	Sewer
LEGACY TOURS LLC	7715	-5450.00	Recreation Senior Bus Trips
MINUTEMAN PRESS	7722	-440.00	McGuire Senior Center O/E
LEGACY TOURS LLC	7746	625.00	Recreation Senior Bus Trips
WATER WORKS SUPPLY CO.	7747	-334.02	Sewer
A.C. DAUGHTRY, INC.	7752	1272.22	Buildings & Grounds
BECKERLE LUMBER SUPPLY CO.	7753	877.99	VARIOUS
CAROLYN ESPOSITO	7754	60.00	McGuire Senior Center O/E
CDW GOVERNMENT	7755	375.00	Administrative & Executive O/E
CDW-GOVERNMENT,INC	7756	605.00	Tax Collection O/E
CERTIFIED PRODUCTS COMPANY	7757	646.50	DPW Streets & Roads O/E
CERTIFIED SPEEDOMETER SVC INC.	7758	713.00	VARIOUS
CLIFFSIDE BODY CORPORATION	7759	380.73	DPW Streets & Roads O/E
DEARBORN NATIONAL	7760	88.20	Employee Group Insurance
DEBORAH KANIECKI	7761	160.00	McGuire Senior Center O/E
DELTA DENTAL PLAN OF N.J.,INC	7762	4755.24	Employee Group Insurance
DELUXE SALES AND SERVICE,INC	7763	338.69	VARIOUS
DIANE FROHLICH	7764	500.00	Appropriated Grants
DOLORES ALFIS	7765	131.98	McGuire Senior Center O/E
DOROTHY GARRY	7766	200.00	McGuire Senior Center O/E
DURIE LAWN MOWER & EQUIP INC	7767	459.25	Parks & Playgrounds
FERGUSON ENTERPRISES INC.	7768	57.96	DPW Streets & Roads O/E
GE CAPITAL	7769	834.00	VARIOUS

INTERSTATE BATTERY OF NEW JERS	7770	293.90	Recycling O/E
JACQUELINE WALKER	7771	236.94	Appropriated Grants
JEFFRY MARCASON	7772	21.19	Buildings & Grounds
KAY PRINTING & ENVELOPE CO.	7773	86.46	Construction Code O/E
LA CASA FORMOSA	7774	1637.50	McGuire Senior Center O/E
LISA SALERNO	7775	140.00	McGuire Senior Center O/E
MARGARET RASO	7776	663.00	Appropriated Grants
MAUREEN FELICI	7777	425.00	McGuire Senior Center O/E
METRO PEST SOLUTIONS	7778	50.00	Buildings & Grounds
MGL PRINTING SOLUTIONS	7779	448.00	Administrative & Executive O/E
MINUTEMAN PRESS	7780	30.00	McGuire Senior Center O/E
MOORE MEDICAL CORP.	7781	268.28	Police O/E
N.J. DEPT OF COMMUNITY AFFAIRS	7782	663.00	DUE TO STATE UCC FEES
N.J. DIVISION OF WEIGHTS AND	7783	190.00	Police O/E
NORTH JERSEY MEDIA GROUP	7784	270.28	VARIOUS
NORTHERN VALLEY REG. HIGH SCHO	7785	750.00	VARIOUS
NORWOOD CAR CARE	7786	127.10	Police O/E
OAK TREE PRINTING,INC.	7787	73.00	VARIOUS
ONE CALL CONCEPTS, INC.	7788	7.98	Sewer
POLAND SPRING WATER CO.	7789	111.69	Administrative & Executive O/E
PROFESSIONAL GOVT EDUCATORS,IN	7790	270.00	Tax Collection O/E
PSE&G CO.	7791	5000.78	Natural Gas
PUMPING SERVICES INC.	7792	4234.10	Sewer
QUALITY VACUUMS	7793	160.00	Buildings & Grounds
RACHLES / MICHELE'S OIL CO,INC	7794	8903.11	Gasoline
RICK CARBAUGH	7795	700.00	VARIOUS
ROBERT CARLISLE	7796	147.00	McGuire Senior Center O/E
ROSS BROTHERS	7797	449.00	DPW Streets & Roads O/E
SCHULTZ FORD,INC.	7798	424.73	DPW Streets & Roads O/E
SHERWIN WILLIAMS CO.	7799	496.47	Buildings & Grounds
STAPLES BUSINESS ADVANTAGE	7800	597.70	VARIOUS
STORR TRACTOR COMPANY	7801	760.38	Parks & Playgrounds
SUZANNE BURROUGHS	7802	26.00	Tax Collection O/E
TANYA DMITRUK	7803	200.00	McGuire Senior Center O/E
TCTA MEMBERSHIP SERVICES	7804	330.00	Tax Collection O/E
TILCON NEW YORK INC.	7805	166.25	DPW Streets & Roads O/E
TREASURER, STATE OF NJ	7806	368.00	Buildings & Grounds
TROOPER FOODS	7807	80.85	Appropriated Grants
UNITED WATER NEW JERSEY	7808	95.85	Water
UNITED WATER NEW JERSEY	7809	6974.57	Fire Hydrants Service
US BANK CUST/EMP IV, CAP ONE	7810	40784.82	VARIOUS
VERIZON WIRELESS	7811	441.70	VARIOUS
VERIZON/BELL ATLANTIC	7812	106.12	Telephone
VINYL GRAPHICS	7813	7.27	Police O/E
WELLS FARGO HOME MORTGAGE	7814	2479.67	TAX OVERPAYMENTS
D'ERCOLE FARM & GARDEN CENTER	7815	46.46	Buildings & Grounds
L. ROSS DISTRIBUTORS,INC	7816	135.00	Buildings & Grounds
TREASURER, STATE OF NJ	7817	368.00	Buildings & Grounds
SPORTS TIME INC.	10069	-936.87	RESERVE RECREATION BASKETBALL
COMPOUND SIGNS	10074	140.00	RESERVE RECREATION HOGAN'S
HELEN BOTTARI	10075	50.00	RESERVE RECREATION BASEBALL
JEFF PANDICH	10076	114.00	RESERVE RECREATION BASEBALL
RICK BEDFORD	10077	1550.00	RESERVE RECREATION BASKETBALL

### RESOLUTION #2013-46

**Resolution Recommending Release of Performance Bond for Block 909, Lot 24 – 194 Livingston Street – Hyon Lee**

WHEREAS, the owner/developers for 194 Livingston Street has requested the release of their Performance Bond; and

WHEREAS, the Developer's Agreement requires the owner/developer to post a maintenance bond for a period of two (2) years from the date of acceptance; and

WHEREAS, a TCO was issued on December 23, 2011 and said date signifies the date of acceptance, therefore requiring that a maintenance bond needs to be in place until December 23, 2013; and

WHEREAS, the Borough Engineer has reviewed this request and recommends the release of the \$141,258.00 Performance Bond; and

WHEREAS, the Borough Engineer further recommends the holding of \$15,725.28 in cash to serve as the Maintenance Bond until December 23, 2013..

NOW, THEREFORE, BE IT RESOLVED that the Performance Bond be released to 194 Livingston Street in the amount of \$141,258.00 and that the Borough retain \$15,725.28 to serve as a Maintenance Bond until December 23, 2013.

#### **RESOLUTION #2013-47**

#### **FORM OF TAX ABATEMENT RESOLUTION**

WHEREAS, Northvale Senior Residence, LP (hereinafter referred to as the "Sponsor") proposes to construct an affordable supportive rental housing development for seniors consisting of 30 units in a single building (hereinafter referred to as the "Project") pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1 et seq., and all applicable guidelines (the foregoing hereinafter referred to as the "HMFA Requirements") within the municipality of Northvale (hereinafter referred to as the "Municipality") on a site described as Lot 1, Block 913 as shown on the Official Assessment Map of the Borough of Northvale, Bergen County and commonly known as 199 Walnut Street, Northvale, New Jersey, 07647; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

WHEREAS, the Project will be subject to requirements of the New Jersey Department of Community Affairs (hereinafter referred to as the "Department of Community Affairs"), Neighborhood Preservation Balanced Housing Program in accordance with N.J.S.A. 52:27D-320 and applicable rules promulgated thereunder at N.J.A.C. 5:43-1.1 et seq., and the mortgage and other loan documents executed between the Sponsor and the Commissioner of the Department of Community Affairs; and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality; and

WHEREAS, the Sponsor has presented to the Municipal Council a revenue projection for the Project which sets forth the anticipated revenue to be received by the Sponsor from the operation of the Project as estimated by the Sponsor and the Agency, a copy of which is attached hereto and made a part hereof as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Northvale (the "Council") that:

(1) The Council finds and determines that the proposed Project will meet or meets an existing housing need;

(2) The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provisions of the HMFA Requirements with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own and operate the Project; and

(3) The Council does hereby adopt the within Resolution with the further intent and purpose that from the date of execution of the Agency mortgage, the proposed Project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Requirements, provided that payments in lieu of taxes for municipal services supplied to the Project are made to the municipality in such amounts and manner set forth in the Agreement for Payments in Lieu of Taxes attached hereto as Exhibit "B"; and

(4) The Council hereby authorizes and directs the Mayor of the Borough of Northvale to execute, on behalf of the municipality, the Agreement for Payments in Lieu of Taxes in substantially the form annexed hereto as Exhibit "B"; and

(5) The Council understands and agrees that the revenue projections set forth in Exhibit "A" are estimates and that the actual payments in lieu of taxes to be paid by the Sponsor to the municipality shall be determined pursuant to the Agreement for Payments in Lieu of Taxes executed between the Sponsor and municipality.

#### **RESOLUTION #2013-48**

#### **Resolution of the Borough Council of the Borough of Northvale, County of Bergen Requesting the Borough Planning Board to Review and Provide Recommendations as to Whether 199 Walnut Street in the Borough of Northvale Satisfies the Criteria to be Designated as an Area in Needs of Rehabilitation**

**WHEREAS**, the *Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.* (the "**LRHL**") authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation; and

**WHEREAS**, in accordance with the *LRHL* the Mayor and Borough Council of the Borough of Northvale (the "**Borough Council**") believes that the approximately 1.1 acre site at 199 Walnut Street described as Lot 1, Block 913 on the official assessment map of the Borough of Northvale (the "**Rehabilitation Area**") satisfies the criteria to be designated as an area in need of rehabilitation and should be designated as an area in need of rehabilitation; and

**WHEREAS**, *N.J.S.A. 40:12A-14* requires planning board review of the resolution designating the area in need of rehabilitation; and

**WHEREAS**, the Northvale Borough Planning Board (the "**Planning Board**") is requested to review pursuant to *N.J.S.A. 40A:12A-14*, the proposed Resolution to be adopted by the Borough attached hereto as Exhibit "A" and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Northvale as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough Council hereby authorizes and directs the Planning Board to review the proposed Resolution designating the Rehabilitation Area as an area in need of rehabilitation, and provide its recommendations to the Borough Council.
3. The Borough Council further authorizes and directs the Borough Engineer and/or the Planning Board Engineer and the Borough Planner and/or Planning Board Planner to conduct such studies and provide such plans as may be required by the Planning Board to make such recommendations.

4. A copy of this resolution shall be available for public inspection at the offices of the Borough Clerk.
5. This Resolution shall take effect immediately.

**RESOLUTION #2013-49**

**EXHIBIT "A"**

**Resolution of the Borough of Northvale, County of Bergen Designating 199 Walnut Street Within the Borough as an Area in Need of Rehabilitation**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "*LRHL*") authorizes municipalities to determine whether certain parcels of land in the municipality constitute 'areas in need of rehabilitation', as defined in the *LRHL*; and

**WHEREAS**, in accordance with the *LRHL* the Municipal Council of the Borough of Northvale (the "**Borough Council**") has determined to investigate whether 199 Walnut Street, also described as Lot 1, Block 913 on the official assessment map of the Borough of Northvale (the "**Rehabilitation Area**") should be designated as an area in need of rehabilitation; and

**WHEREAS**, *N.J.S.A. 40:12A-14* provides that prior to the adoption of a resolution designating the *Rehabilitation Area* as an area in need of rehabilitation (the "Designation Resolution"), the *Borough Council* must first submit a copy of the Designation Resolution to the Borough Planning Board (the "**Planning Board**") for review and recommendation; and

**WHEREAS**, on April 10, 2013, the *Borough Council*, acting by resolution, referred a copy of the Designation Resolution, substantively as written herein, to the Borough *Planning Board* for review and comment pursuant to *N.J.S.A. 40A:12A-14*; and

**WHEREAS**, in accordance with the requirements of *N.J.S.A. 40A:12A-14*, the *Borough Council* confirmed that the majority of the water and sewer infrastructure in the Borough and serving the *Rehabilitation Area* is at least 50 years old and in need of repair and substantial maintenance; and

**WHEREAS**, the *Planning Board* found that the statutory criteria to designate the *Rehabilitation Area* as an area in need of rehabilitation is satisfied; and

**WHEREAS**, the designation of the *Rehabilitation Area* as an area in need of rehabilitation is expected to promote the overall development of the Borough in accordance with the requirements of *N.J.S.A. 40:12A-14*; and

**WHEREAS**, on \_\_\_\_\_ 2013, by resolution referred to the *Borough Council*, the *Planning Board* reviewed the Designation Resolution and recommended its adoption and the designation of 199 Walnut Street, also described as Lot 1, Block 913 on the official assessment map of the Borough of Northvale (the *Rehabilitation Area*) as an area in need of rehabilitation in accordance with *N.J.S.A. 40A:12A-14*; and

**NOW, THEREFORE, BE IT RESOLVED**, by the *Borough Council* of the Borough of Northvale as follows:

1. Designation of the Area. The *Borough Council* hereby designates 199 Walnut Street, also described as Lot 1, Block 913 on the official assessment map of the Borough of Northvale (the *Rehabilitation Area*) as an area in need of rehabilitation.

2. Transmittal of Resolution to State Department of Community Affairs. The *Borough Council* hereby directs that the Borough Clerk transmit a copy of this Resolution to the Commissioner of the Department of Community of Affairs for review in accordance with the *LRHL*.

3. Effective Date. This resolution shall take effect immediately.

ROL CALL VOTE: All present in favor.

**ORDINANCES – 2<sup>nd</sup> reading –**

**BOROUGH OF NORTHVALE  
County of Bergen  
State of New Jersey**

**ORDINANCE #920-2013**

**AN ORDINANCE TO FIX THE SALARIES, WAGES AND COMPENSATION OF  
DPW CONTRACT EMPLOYEES OF THE BOROUGH OF NORTHVALE,  
COUNTY OF BERGEN AND STATE OF NEW JERSEY**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE  
BOROUGH OF NORTHVALE, COUNTY OF BERGEN, STATE OF NEW  
JERSEY, as follows:**

**Section 1.** The Department of Public Works Contract Employees shall consist of one (1) Working Foreman/DPW Worker and as many DPW workers as may be deemed necessary, and the following annual salaries shall be paid retroactive to January 1, 2013.

**DEPARTMENT OF PUBLIC WORKS SALARY SCHEDULE  
EMPLOYEES HIRED BEFORE JANUARY 1, 1995**

<b>2013</b>	<b>2013</b>
Less than 1 year of service	\$36,053.07
Beginning 2nd year of service	\$56,433.51
Beginning 3rd year of service	\$63,070.32
Beginning 4th year of service and thereafter	\$69,707.12
Working Foreman	\$6,133.72
C-2 License	\$700.00

**DEPARTMENT OF PUBLIC WORKS SALARY SCHEDULE  
EMPLOYEES HIRED AFTER JANUARY 1, 1995**

<b>2013</b>	<b>2013</b>
Less than 1 year of service	\$39,814.90
Beginning 2nd year of service	\$46,740.01
Beginning 3rd year of service	\$56,433.51
Beginning 4th year of service	\$63,070.32
Beginning 5th year of service	\$69,707.12
Working Foreman	\$6,133.72
C-2 License	\$700.00

All Employees, regardless of date of hire, in this bargaining unit shall receive a CDL stipend payable by separate check, before June 1 of the year in which it is due as follows:

Effective 1/1/13	\$1,000.00
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**Section 2.** In addition to the compensation set forth in Section 1, each full time employee of the Borough of Northvale shall receive longevity pay as follows:

**EMPLOYEES HIRED BEFORE JANUARY 1, 1995**

- 2% of the base annual pay after 5 years of service
- 4% of the base annual pay after 9 years of service
- 6% of the base annual pay after 13 years of service
- 8% of the base annual pay after 17 years of service
- 10% of the base annual pay after 21 years of service

**EMPLOYEES HIRED AFTER JANUARY 1, 1995**

Effective January 1, 1995, longevity pay will no longer be granted to any employees hired after January 1, 1995.

This shall be paid in two installments with first pay check in July and first pay check in December of each year, and is not to exceed \$7,500.00 in any one year. Retroactive longevity is to be paid to each employee for 2013 and is not to exceed \$7,500.00.

**Section 3.** The Superintendent of Public Works will designate a member of the Department each week to be available on a Saturday, Sunday or Holiday. Such time will be classified as “Stand By” time and shall be paid at the rate of \$125.00 per day.

**Section 4.** Each new and existing employee of the Department of Public Works shall receive \$1,125.00, effective January 1, 2013 for clothing allowance. Clothing allowance shall be paid by separate check in 2 (two) equal installments. The 1<sup>st</sup> (first) payment shall be in the 1<sup>st</sup> (first) pay period of each year and the 2<sup>nd</sup> (second) payment shall be during the 1<sup>st</sup> (first) pay period in July of each year.

**Section 5.** Time in excess of forty (40) hours per week for all full time employees is to be paid at the rate of time and one-half.

**Section 6.** All full time employees of the Department of Public Works shall be paid bi-weekly.

**Section 7.** All ordinances and parts of ordinances inconsistent herewith are repealed.

**Section 8.** This Ordinance shall take effect immediately after passage and publication according to law.

**Motion:** Councilman Piehler

**Second:** Councilman Sokoloski

**Open Public Hearing –**

Mayor Bazela opened the public hearing on Ordinance #920-2013.

**Close Public Hearing –**

There being no questions or comments from the public on Ordinance #920-2013; Mayor Bazela closed the public hearing on Ordinance #920-2013.

**Council Comments –**

**ROLL CALL VOTE:** All present in favor.

**MAYOR & COUNCIL REPORTS –**

**Mayor Bazela** – asked Mr. Marcason to report on the activities of the Department of Public Works so far this year. Mr. Marcason stated that tall the ball fields have been mowed and edged and new clay has been put down. He stated that the chipper is out weekly through October. Mayor Bazela stated that he has asked Mr. Marcason to have the ball fields lined because of the lack of volunteers. Mayor Bazela further asked Mr. Marcason about the fencing on Field #4. He feels that there is a safety issue there. He asked the Borough Engineer to look into this also as the grade of the field has been lowered. Mayor Bazela stated that Mr. Marcason has gotten a price from Yaboo fencing, but that he would like to see one or two more prices.

**Councilman Sotiropoulos** – Reported that overtime in the Police Department is down due to the hiring of new officers. He further stated that the Ambulance Corps has 3 or 4 more new members and that they are still looking for more.

**Councilman Sokoloski** – Reported that the Planning/Zoning Board has been active. They had an application for the expansion of Shop Rite that has been approved. He stated that RAB Electric is becoming a great asset to the town. He stated that they will be doubling the size of another building in Northvale. He stated that this will help with the revenue for the building department. Councilman Sokoloski reported that the seniors in town came out to hear the application for the new senior housing at St. Anthony's Church and it appeared that the application was very well received. Councilman Sokoloski and Mayor Bazela explained the plans for the Deluxe Cleaners property and stated that this matter will come before the Planning/Zoning Board on May 1<sup>st</sup>.

**Councilwoman Libby** – Reported that there will be a chicken and rib dinner at the Senior Center on April 18<sup>th</sup> from 5:30 – 7:30. She stated that she hopes everyone will attend. She further reported on the Town Wide Garage Sale that is to be held on Saturday, April 20<sup>th</sup>. She stated that so far they have 30 to 35 vendors who have expressed their interest for the day.

**Councilman Marana** – Reported that the building department fees so far this year is \$20,000. He feels that it will get much better as the year progresses.

**Councilman Piehler and Councilman Shepard** – Had nothing to report this evening.

#### **BOROUGH ENGINEER REPORTS –**

Mr. Niehoff reported that the Paris Avenue, Livingston Street project is at a stand still. He stated that the lights are up and the County will be working on our project in the near future. He feels that once the project is started again that it should take about four (4) weeks to complete.

Mr. Niehoff further reported that he had a meeting at Hogan Park with the contractor and that the meeting went well. He agrees with the Mayor about the fence and he thinks that it was just an oversight on the total design of the project.

Mayor Bazela reported that the school field project has begun. He stated that he would like someone from Maser Consulting to look in on the project from time to time to make sure everything is going well. Mr. Niehoff stated that he could do that and that he would submit a quote for the approval of the Mayor and Council.

#### **BOROUGH ATTORNEY REPORTS –**

Mr. Kleinman made a report on behalf of the Borough Attorney. He stated that Mr. Paster is working with the necessary parties for the Redevelopment Plan for Deluxe Cleaners and St. Anthony's.

#### **CLOSED SESSION –**

Motion by Councilman Shepard; seconded by Councilman Sotiropoulos to approve Resolution #2013-50, as follows:

#### **RESOLUTION #2013-50**

#### **Providing for a Meeting not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act**

WHEREAS, the Council of the Borough of Northvale is subject to certain requirements of the Open Public Meetings Act, NJSA 10:4-6, et seq; and

WHEREAS, the Open Public Meetings Act, NJSA 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by resolution; and

WHEREAS, it is necessary for the Council of the Borough of Northvale to discuss in session not open to the public certain matter relating to an item or items authorized by NJSA 10:4-12b, as listed below:

1. Matters required by law to be confidential
2. Matter involving individual privacy
3. Matters relating to a collective bargaining agreement

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Northvale that immediately after the adoption of this resolution the Council shall enter into closed session.

Mr. Kleinman stated that action may be taken after the closed session.

ROLL CALL VOTE: All present in favor.

Motion by Councilman Marana; seconded by Councilman Sotiropoulos to return to open session and approve Resolution #2013-51, as follows:

BE IT RESOLVED, that days paid to a department of public works employee shall be charged to 2014 sick days as said employee has no remaining time of any kind for 2013.

BE IT FURTHER RESOLVED, that the Mayor and Council will not approve a 30 days extension of sick time without the proper documentation of a medical physician and that once said documentation is received the council will reconsider said employees request for additional sick days.

ROLL CALL VOTE: All present in favor.

**HEARING OF THE PUBLIC –**

There were no questions or comments from the public at this time.

**ADJOURNMENT –**

Motion by Councilman Marana; seconded by Councilman Piehler to adjourn the meeting at 9:22 PM.

ROLL CALL VOTE: All present in favor.

PAUL J. BAZELA  
Mayor

ATTEST:

Wanda A. Worner  
Borough Clerk

Approved: May 8, 2013