

MINUTES
Combined Meeting of the Mayor and Council
Wednesday, July 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 rise and Mr. Paul Niehoff to lead in the Salute to the Flag and called for a moment of silent prayer asking everyone to remember Wanda Worner’s cousin, who just passed away, in their prayers.

ROLL CALL -

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

Also present: Mr. Paul Niehoff, Borough Engineer, Fran Weston, Deputy Borough Clerk. Mr. Gregg Paster, Borough Attorney, arrived late.

APPROVAL OF MINUTES –

Motion by Councilman Shepard; seconded by Councilwoman Libby to approve the minutes of the Combined Meeting of the Mayor and Council of June 12, 2013.

ROLL CALL VOTE: All present in favor.

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

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

CORRESPONDENCE –

1. Letter – DEP – June 17, 2013
re: Deadline for Completing Remedial Investigation – White Avenue

Mayor Bazela stated that the 2 DEP letters have to do with work never completed back in 1999 under Mayor Rooney. The DEP is going through archives and looking at all cases. Mr. Niehoff will call and check into this.

2. Letter – DEP – June 19, 2013

re: Same as above – 195 Paris Avenue

Mayor Bazela said LSRP is \$10,000 and the town has until next year to have this done.

3. Letter – COAH – June 25, 2013
re: Affordable Housing Trust Fund Current Balance

Mayor Bazela stated to disregard this letter. The Supreme Court overruled Governor Christie’s “Robin Hood” ways.

4. Letter – JAMIS – June 28, 2013
re: BBQ – 151 Ludlow Avenue – Requesting Road Closure

5. Letter – Children of America – July 1, 2013
re: Requesting Grand Opening Sign for 60 Days

Mayor Bazela stated that he does not know the owner of Children of America but thinks it is a good idea to have the Grand Opening Signs up for 60 Days for a school. Councilwoman Libby asked what kind of sign and stated that Great Clips was denied their sign. Mayor stated Great Clips was not having a Grand Opening. Councilman Sokoloski stated 30 days is sufficient and all agreed.

6. Letter – Mr. Hans Ritz – 402 Semino Road – June 15, 2013
re: Water in Basement Around Existing Sanitary Sewer Pipe

Mayor Bazela stated that Mr. Ritz should drill holes in the foundation, buy a pump and drain. Mr. Niehoff will draw up a letter to send to Mr. Ritz.

7. Letter – New Jersey League of Municipalities – July 3, 2013
re: Municipal Housing Trust Funds

Mayor Bazela stated to disregard this letter.

RESOLUTIONS –

Motion by Councilman Marana; seconded by Councilwoman Libby to approve Resolution #'s 2013-73, as follows:

RESOLUTION #2013-73

Authorize the Tax Collector to Extend the Grace Period on late third quarter tax payments due to the delay in sending out the tax bills

WHEREAS, the 2013 Tax Rate is delayed; and

WHEREAS, the 2013/2014 Tax Bills will be mailed out late and the third quarter tax payment was due on August 1, 2013.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Northvale that the Tax Collector shall extend the grace period for 25 days after the mailing of the tax bills and will indicate the extended date on an insert to be included with the tax bill. After the extended grace interest will accrue back to August 1, 2013.

ON THE QUESTION: Councilman Marana stated that the State budget was approved on the 30th. It is now mid-July and there is no tax rate as yet. He would like Resolution 2013-73 to pass and no estimated bills will be mailed.

ROLL CALL VOTE: All present in favor.

Motion by Councilman Marana; seconded by Councilwoman Libby to approve Resolution #2013-74, as follows:

RESOLUTION #2013-74

Waive Building Department Fees for Northvale Schools – Bathrooms

BE IT RESOLVED that the above mentioned fees be and are hereby waived.

ROLL CALL VOTE: All present in favor.

Motion by Councilman Marana; seconded by Councilwoman Libby to approve Resolution #2013-75, as follows:

RESOLUTION #2013-75

RESOLUTION OF THE BOROUGH OF NORTHVALE COUNTY OF BERGEN, STATE OF NEW JERSEY ADOPTING, RATIFYING AND AUTHORIZING EXECUTION OF DEVELOPER'S AGREEMENT WITH NORTHVALE SHOPPING CENTER ASSOCIATES (HEREINAFTER 'DEVELOPER')

WHEREAS, the Developer is the owner of property as shown on the Tax Map of the Borough of Northvale and commonly known as Block 303, Lots 5, 6, 8, 13 & 15 and more commonly known as 246-254 Livingston Street, Northvale, New Jersey (the "Property"); and

WHEREAS, the Developer is desirous of constructing an expanded shopping center by addition of 15,000 ft² to the existing Shop-Rite Supermarket building and a new 24,500 ft² retail building on the premises (the "Project") as shown on a set of drawings approved by the Planning Board and more thoroughly described in the approving resolution and Developer's Agreement; and

WHEREAS, in conformity with the Zoning Ordinance, Building Code, and Health Code of the Borough as well as other applicable statutes, ordinances, laws, rules, regulations, the Board Resolution 2013-04, adopted March 20th, 2013, the Developer is desirous of entering into a Developer's Agreement with the Borough and the Board with respect to the development of the Property in furtherance of the provisions of the Borough's Ordinances which, among other things, requires that prior to the granting of a building permit, the Developer shall have installed or shall have furnished performance guarantees for the ultimate installation of the several improvements therein mentioned, and that no Certificate of Occupancy shall be issued by the Construction Code Official until the completion of all such required improvements has been certified to the Board by the Borough Engineer unless satisfactory performance guarantees to cover the cost of all such improvements or the incomplete portions thereof and deposits for Borough professional costs are filed by the Developer; and

WHEREAS, it is mutually desired by the parties hereto that the Project shown on the aforementioned Site Plan shall be improved and developed in such a manner as will insure protection to the surrounding and neighboring properties, as well as the public roads in and about said area to the end that said development shall result in a desirable development within the Borough of Northvale; and

WHEREAS, the Borough now seeks to adopt, ratify and authorize execution of the Developer's Agreement referenced herein, and in the Planning Board approval resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Northvale, County of Bergen, State of New Jersey that the Developer's Agreement negotiated and prepared between counsel for the Borough and Northvale Shopping Center Associates be and is hereby adopted and ratified, subject to inclusion of the

attachments and exhibits referenced therein and ratification and execution by the Planning Board and Developer; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk be and are hereby authorized to execute the Developer’s Agreement as submitted for consideration on the date hereof; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk be and are hereby authorized to deliver to the Developer the executed Developer’s Agreement in the form and content as set forth above; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to provide a copy of this resolution to the Developer's Attorney, David M. Watkins, Esq., Maser Consulting and the Borough of Northvale Planning Board Secretary at their usual places of business within seven days of the adoption hereof.

ON THE QUESTION: Councilman Sokoloski stated approving #2013-75 with subject to review of developer’s agreement. Mayor Bazela stated that he would like the Council to also read before he signs same.

Mr. Niehoff advised that the final agreement has not been finalized as yet. Mayor Bazela will not sign anything without seeing it complete. Mr. Niehoff will speak with Mr. Paster. Mr. Niehoff said there has been progress, the fence is up. Mayor asked Mr. Niehoff where the soil goes, which is very important to the Borough. Mr. Niehoff advised the soil is kept on site and is satisfactory to the state.

ROLL CALL VOTE: All present in favor.

Motion by Councilman Marana; seconded by Councilwoman Libby to approve Resolution #2013-76, as follows:

RESOLUTION #2013-76

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

Current Appropriations	\$628,538.31
General Capital Fund	\$230,698.44
Animal License Trust	\$8.40
Developer’s Escrow Trust	\$0.00
Recreation Trust	\$0.00
Summer Recreation	\$0.00
TOTAL	\$859,245.15

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	06/07/13	\$138,572.43
Payroll	06/21/13	\$139,226.36
Health Benefits	June 2013	\$ 38,648.52
School Taxes – Local	June 2013	\$703,025.00
TOTAL		\$1,019,472.31

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that the claims totaling **\$1,878,717.46** and ratified respectively

The bill list is as follows:

vendor	checkno	chktotal	description
N.J. DEPT OF HEALTH & SENIOR S	139	8.40	CASH ANIMAL TRUST
MASER CONSULTING P.A.	587	14060.00	ORD 910-12 LIVINGSTON & PARIS
MOTOROLA SOLUTIONS INC.	588	172555.44	ORD 912-12 RADIOS AND PAGERS
DISCIASCIO FENCE CO. LLC	589	6500.00	ORD 910-12 HOGAN PARK DRAINAGE
ZENITH CONSTRUCTION SVCS INC.	590	37583.00	ORD 911-12 SCHOOL RECR FIELDS
ROCKLAND ELECTRIC COMPANY	8000	25068.61	Electricity
MASER CONSULTING P.A.	8003	33085.08	VARIOUS
GREGG F. PASTER & ASSOC.	8004	7112.96	VARIOUS
INTERBORO RADIO	8005	30955.00	VARIOUS
VALTEK,INC	8006	18960.70	VARIOUS
BERGEN CNTY UTILITIES AUTHORIT	8007	264468.00	VARIOUS
CDW-GOVERNMENT, INC	8008	720.00	Administrative & Executive O/E
DEARBORN NATIONAL	8009	88.20	Employee Group Insurance
DELTA DENTAL PLAN OF N.J.,INC	8010	4733.79	Employee Group Insurance
DESESA ENG.CO.INC	8011	1095.00	Buildings & Grounds
GE CAPITAL	8012	834.00	VARIOUS
LINCOLN FINANCIAL GROUP	8013	37200.00	LOSAP
MAGELLAN HILL TECHNOLOGIES	8014	1598.33	Telephone
MILLENNIUM STRATEGIES LLC	8015	2500.00	Administrative & Executive O/E
NORTHWEST BERGEN REGIONAL	8016	7462.65	Board of Health O/E
POLAND SPRING WATER CO.	8017	377.94	Administrative & Executive O/E
PSE&G CO.	8018	269.62	Natural Gas
UNITED WATER NEW JERSEY	8019	6974.78	Fire Hydrants Service
VERIZON WIRELESS	8020	441.03	Telephone
VERIZON/BELL ATLANTIC	8021	113.10	Telephone
MUNICIPAL EXCESS LIABILITY	8022	23055.65	Legal Services O/E
MIELE SANITATION CO	8023	30200.62	Solid Waste Disposal
ROCKLAND ELECTRIC CO	8024	4178.73	Street Lighting
BERGEN MUNICIPAL JOINT INS FUN	8025	58167.71	Worker's Comp Insurance
ANITA TIRE	8026	656.00	DPW Streets & Roads O/E
BERGEN COUNTY PROSECUTOR'S OFF	8027	6000.00	Police O/E
CDW-GOVERNMENT, INC	8028	1109.00	Police O/E
D & E UNIFORMS	8029	419.95	Police O/E
HILLSDALE BOARD OF HEALTH	8030	30.00	Board of Health O/E
JEFFRY MARCASON	8031	28.50	Buildings & Grounds
L. ROSS DISTRIBUTORS,INC	8032	121.10	Buildings & Grounds
MERIT TROPHIES & ENGRAVING	8033	113.70	Financial Administration O/E
NORTHVALE FLORIST	8034	275.00	VARIOUS
NORWOOD CAR CARE	8035	1061.00	Police O/E
WANDA A. WORNER	8036	226.89	Administrative & Executive O/E
ANNETTE MATTESSICH	8037	800.00	Parks & Playgrounds
ATLANTIC BINGO SUPPLY	8038	90.00	McGuire Senior Center O/E
BECKERLE LUMBER SUPPLY CO.	8039	103.32	Buildings & Grounds
BI-STATE BRAKE CO., INC.	8040	162.43	DPW Streets & Roads O/E
CAROLYN ESPOSITO	8041	120.00	McGuire Senior Center O/E
CERTIFIED SPEEDOMETER SVC INC.	8042	180.00	Police O/E
CLIFFSIDE BODY CORPORATION	8043	649.24	DPW Streets & Roads O/E
COSTA ENGINEERING CORPORATION	8044	665.00	Engineering Services O/E
D & E UNIFORMS	8045	1759.00	Fire O/E
DEBORAH KANIECKI	8046	200.00	McGuire Senior Center O/E
DOLORES ALFIS	8047	288.00	McGuire Senior Center O/E
DOROTHY GARRY	8048	200.00	McGuire Senior Center O/E
GAYLORD BROS. INC.	8049	22.30	Library O/E
GIFTS FOR SPORTS FANS	8050	75.00	Administrative & Executive O/E

GRANDMA'S KITCHEN	8051	1350.00	McGuire Senior Center O/E
INFOCROSSING, A WIPRO CO.	8052	292.36	Tax Collection O/E
INSERRA SUPERMARKET, INC.	8053	312.22	VARIOUS
J & J' AUTO DOCTORS	8054	620.32	Senior Van O/E
JACQUELINE WALKER	8055	236.94	McGuire Senior Center S/W
KIMBERLY MCWILLIAMS	8056	75.00	Municipal Court O/E
L. ROSS DISTRIBUTORS,INC	8057	123.50	DPW Streets & Roads O/E
LA CASA FORMOSA	8058	1615.00	McGuire Senior Center O/E
LISA STABILE	8059	105.00	McGuire Senior Center O/E
MARGARET RASO	8060	612.00	McGuire Senior Center S/W
MARIA T. DOERR	8061	231.18	Municipal Court O/E
MATTHEW BENDER & CO., INC.	8062	62.89	Police O/E
MAUREEN FELICI	8063	400.00	McGuire Senior Center S/W
MINUTEMAN PRESS	8064	30.00	McGuire Senior Center O/E
MPG APPRAISALS	8065	1200.00	Tax Assessment O/E
MUNICIPAL RECORD SERVICE	8066	322.50	Municipal Court O/E
N.J. DEPT OF COMMUNITY AFFAIRS	8067	3386.00	DUE TO STATE UCC FEES
NORTH JERSEY MEDIA GROUP	8068	111.51	VARIOUS
NORTHVALE FLORIST	8069	125.00	Police O/E
NORWOOD CAR CARE	8070	1882.70	Police O/E
OAK TREE PRINTING,INC.	8071	90.00	Planning Board O/E
PAUL MINDICH	8072	175.00	Appropriated Grants
RFQ TESTING	8073	300.00	Sewer
RICK CARBAUGH	8074	150.00	DPW Streets & Roads O/E
ROBERT CARLISLE	8075	126.00	McGuire Senior Center O/E
ROSE SAVINCKI	8076	320.00	McGuire Senior Center O/E
RUDY'S RISTORNATE & PIZZERIA	8077	112.00	Recreation Senior Bus Trips
STAPLES BUSINESS ADVANTAGE	8078	1960.50	VARIOUS
STORR TRACTOR COMPANY	8079	223.77	Parks & Playgrounds
T-PC,INC.	8080	46.00	Police O/E
TANYA DMITRUK	8081	200.00	Appropriated Grants
TREASURER STATE OF NEW JERSEY	8082	1830.00	VARIOUS
TREASURER, STATE OF NEW JERSEY	8083	95.53	Appropriated Grants
TREASURER,STATE OF NEW JERSEY	8084	100.00	DUE TO STATE MARRIAGE FEES
TROOPER FOODS	8085	190.10	Appropriated Grants
CABLEVISION	8086	733.11	Telephone
MUNIDEX, INC.	8087	9839.00	VARIOUS
RACHLES / MICHELE'S OIL CO,INC	8088	6079.14	Gasoline
ROCKLAND ELECTRIC COMPANY	8089	5009.78	Electricity
TYCO ANIMAL CONTROL SERVICES	8090	610.00	Animal Control O/E
UNITED WATER NEW JERSEY	8091	2103.08	Water
CHASAN LEYNER & LAMPARELLO	8092	1393.00	VARIOUS
GREGG F. PASTER & ASSOC.	8093	5913.75	VARIOUS
MASER CONSULTING P.A.	8094	2827.50	Engineering Services O/E

ROLL CALL VOTE: All present in favor.

#2013-77 – to be supplied by Borough Attorney.

ORDINANCES – 2nd reading –

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

ORDINANCE # 917-2013

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF NORTHVALE, ENTITLED “POLICE DEPARTMENT EMPLOYEES – ADULT SCHOOL CROSSING GUARDS; TERMS; REVOCATION; QUALIFICATIONS; SUPERVISION AND DIRECTION

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF NORTHVALE THAT THE CODE OF THE BOROUGH OF NORTHVALE, BE AND IS HEREBY AMENDED AND SUPPLEMENTED, AS FOLLOWS:

Section 1. Adult school crossing guards; appointment; term; revocation; qualifications; supervision and direction.

A. The Mayor and Council shall appoint adult school crossing guards for terms not exceeding one year and revoke such appointments for cause and after proper hearing before the Chief of Police or other chief law enforcement officer of the municipality. Before any adult school crossing guard is appointed, the Chief of Police shall ascertain the eligibility of the applicant and make a report to the governing body. No person shall be appointed as an adult school crossing guard unless he/she:

1. Is a citizen and resident of this State;
2. Is sound in body and of good health
3. Is of good moral character; and
4. Has not been convicted of any criminal offense involving moral turpitude.

B. An adult school crossing guard shall be under the direction of the Northvale Police Department and his/her powers and duties as an adult school crossing guard shall cease at the expiration of the term for which he was appointed. An adult school crossing guard shall follow and adhere to the policies and practices instituted by the Borough of Northvale and Northvale Police Department.

C. Every adult school crossing guard shall be under the supervision and direction of the Chief of Police or his designee wherein he/she is appointed and shall perform his/her duties only in such municipality. He//she shall comply with the rules and regulations applicable to the conduct and decorum of a regular employee of the municipality.

D. Prior to appointment, each applicant must undergo the following test as recommended by Adult School Crossing Guard Employment:

1. Vision Standards and Recommended Tests.

- a. Peripheral Vision

Visual field shall be 160 degrees in the horizontal meridian binocularly with or without correction. Any perimeter that can measure the horizontal field of vision can serve as the testing method. The extent of the visual field shall be determined along the horizontal meridian for each eye with a perimeter (confrontation fields are not acceptable). Values less than 160 degrees are acceptable only if complete compensation occurs with the opposite eye in binocular viewing. Any central absolute scotoma must be completely compensated by the opposite eye.

- b. Stereopsis

Using either the Titmus test (TST) or the Rand Dot Stereo test (RST) or the Randot E test: TST Wirt Circle #8 (50 seconds of disparity) RST or RDE Target #6 (50 seconds of disparity). Subject must identify which object stands out from the page wearing Polaroid eyeglasses.

- c. Color/Vision

In response to one of the following three editions of the Ishihara Pseudoisochromatic Plate Screening test, with the testing conducted on plate at a time, the applicant should achieve the following results:

- 1) 38 plate edition: The first 21 plates – 9 errors or less. An individual who misses the first plate has failed.
- 2) 24 plate edition: The first 15 plates – 6 errors or less
- 3) 16 plate edition: The first 9 plates – 4 errors or less

- d. Visual Acuity

The applicant must be able to read 20/30 letters with the dominant eye on the Standard Snellen optotype chart. The non-dominant eye must have 20/40 or better with best correction. The applicant is asked to read the smallest line of letters that can be read with one eye covered. This is repeated with the opposite eye covered. An applicant wearing contact lenses must meet the visual acuity standard with their contact lenses in place. A statement from the applicant's eye care professional must be presented confirming that contact lenses have been worn successfully for a minimum of four months.

e. Hearing Standards and Recommended Tests

The candidate must be tested in a sound booth. Both the sound booth and audiometer used for testing should be calibrated using the most recent ANSI standards, and have been calibrated within the past year. Calibration certificates should be on file and available for review.

Candidates qualify if they meet standards with or without amplification.

The crossing guard hearing standards are as follows:

- 1) Hearing thresholds of 40dB or better in each ear at 500, 1K, and 2KHz.
- 2) Pure tone average thresholds at 500, 1K and 2KHz 35 dB or better in each ear.
- 3) The hearing threshold at 4K Hz must be 45dB or better in each ear.

Section 2. Criminal History Background Check

Prior to appointment, each applicant must submit to a criminal history background check, conducted by the Chief of Police or his designee.

Section 3. Failure to Comply

Failure to comply with all of the pre-employment requirements shall disqualify the applicant from employment as an adult school crossing guard.

Section 4. Training

The Borough of Northvale and Northvale Police Department shall provide yearly school crossing guard training to all regular assigned adult crossing guards and all alternate adult crossing guards.

Section 5. Safety Equipment

The Borough shall provide all adult school crossing guards with the proper safety equipment and uniform/clothing apparel to properly perform the duties of an adult school crossing guard.

Section 6. Evaluations

The Chief of Police or designee shall conduct yearly evaluations of adult school crossing guards and school crossings and maintain a written record of such evaluations.

The Police Chief or designee may conduct periodic evaluations of adult school crossing guards upon receipt of any complaint or observation by the Chief of Police or his designee for incidents other than diminished capacity.

Section 7. Diminished Capacity

In the event that during the term of appointment, the governing body or police department determines, by observation or receipt of a complaint, that a guard's physical and mental well-being has diminished, the school crossing guard may be required to submit to a re-examination as described in Section 4.

Upon receipt of a complaint of diminished capacity, the Chief of Police or designee shall observe and evaluate the adult school crossing guard for a sufficient period of time to document the basis of complaint and maintain a written record of such observation and evaluation.

Section 8. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 9. This ordinance shall take effect immediately after passage and publication by law.

Motion: Councilman Sokoloski

Second: Councilman Shepard

Open public hearing –

Mayor Bazela opened the public hearing on Ordinance #917-2013.

Close public hearing –

There being no questions or comments from the public; Mayor Bazela closed the public hearing on Ordinance #917-2013.

Council Comments –

There being no questions or comments from the council; Mayor Bazela asked for a Roll Call Vote:

ROLL CALL VOTE: All present in favor.

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

ORDINANCE #923-2013

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF NORTHVALE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$430,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

BE IT ORDAINED by the Borough Council of the Borough of Northvale, in the County of Bergen, State of New Jersey, as follows:

Section 1. The Borough of Northvale, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to make various public improvements in, by and for said Borough, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the State grant and the down payment appropriated, by this

ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the State grant hereinafter appropriated, and (3) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (4) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (5) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking of the 2013 Road Improvement Program at various locations (including resurfacing of the Department of Public Works Lot), as set forth on a list prepared by the Borough Engineer and placed or to be placed on file with the Borough Clerk. Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads and public areas being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$230,000
Down Payment Appropriated	\$ 11,500
Bonds and Notes Authorized	\$218,500
Period of Usefulness	10 years

B. Undertaking of the Livingston Street Sidewalk and Streetscape Improvements Project (Phases II and III).

Appropriation and Estimated Cost	\$200,000
State Grant Appropriated	\$150,000
Down Payment Appropriated	\$ 2,500
Bonds and Notes Authorized	\$ 47,500
Period of Usefulness	10 years

Aggregate Appropriation and Estimated Cost	\$430,000
State Grant Appropriated	\$150,000
Aggregate Down Payment Appropriated	\$ 14,000
Aggregate Amount of Bonds and Notes Authorized	\$266,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$94,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. The sum of \$150,000 received or to be received as a grant from the State of New Jersey Department of Transportation is hereby appropriated to the

payment of the cost of the Livingston Street Sidewalk and Streetscape Improvements Project authorized in Section 4.B above.

Section 7. It is hereby determined and stated that moneys exceeding \$14,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$14,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 8. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$266,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 9. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$266,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 10. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 11. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 10 years computed from the date of said bonds.

Section 12. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$266,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 13. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes (other than the State grant hereinbefore appropriated which shall be applied to the cost of such purposes, but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 14. The Borough intends to issue bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 17. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Motion: Councilman Marana

Second: Councilman Sokoloski

Open the public hearing –

Mayor Bazela opened the public hearing on Ordinance #923-2013.

Close the public hearing –

There being no questions or comments from the public; Mayor Bazela closed the public hearing on Ordinance #923-2013.

Council Comments –

There being no questions or comments from the Council; Mayor Bazela asked for a Roll Call Vote.

ROLL CALL VOTE: All present in favor.

MAYOR & COUNCIL REPORTS –

Mayor Bazela - Mayor Bazela asked Councilwoman Libby how the Chamber of Commerce was coming along. Councilwoman Libby said it was going great, there were about 25 paid members. There will be a networking meeting at Bidy O'Malleys in September. Mayor Bazela asked if Northvale Diner joined the Chamber and Councilwoman Libby answered no. Councilwoman Libby further stated that there will be a Christmas party in December at Madeline's Petit Paris.

Mayor Bazela further reported that Rich Scaglione has gone above and beyond in his duties to the Borough. He stated that did all the plantings in town. Councilwoman Libby stated that when she was in Chicago shooting a commercial, there were concrete planters all around the city. She thinks it would be nice to have them on Paris Avenue. Councilman Marana stated that the Beautification Committee tried having big pots with flowers in the past along Paris Avenue, but no one watered them from the businesses. Councilwoman Libby said that these are large cement planters and if need be, she would water them.

Mayor Bazela asked Mr. Paster to explain about the progress at the 4 corners. Mr. Paster gave progress report and stated that he will be having a conference call with the Borough Engineer, the Government Affairs Liason, and Mr. Jeffrey Earl. The only hold up is the owner of the property who is looking for an indemnification clause. Mr. Paster does not believe an indemnification clause is necessary. Mr. Paster hopes this will all be resolved by the end of the week. He would like to have the contractor back to work by the week of July 22nd. Mr. Niehoff advised O & R has to remove a utility pole.

Mayor Bazela stated that the project on the 4 corners should start up quickly. We want the County back immediately. Mr. Niehoff stated the contractor is ready to go. There is some bad blood between the Contractor and County. Mr. Niehoff also stated that, being optimistic, they should be starting July 22nd. Mr. Marana asked how long will it take to finish. Mr. Niehoff answered about 3 – 4 weeks. Mayor Bazela also asked Mr. Niehoff to follow up with Tom Connelly about Ms. Maria Pippi's driveway.

Mayor Bazela wanted to know where do we stand with Mavroudis. Councilman Sokoloski advised that he had a conference call with Nick Lepore and Mr. Mavroudis and explained to him that he needs to finish the work, which he agreed to. They gave him suggestions on how to proceed, but feels that Mr. Mavroudis doesn't want to hear anything.

Councilman Sokoloski - reported that the Planning Board has one project before it now, Woori Mart which will be moving in where Ace Hardware was. This application will be under review at next week's Planning Board meeting.

Councilman Marana - reported stated that the Building Department's revenue for June was \$59,506 which is very good. He also handed out the Equipment Bond Ordinance chart. He would like to pull the Dump Truck for the DPW for this year. He also informed the Council that the school would like the town to purchase the lawn mower for the DPW and they will reimburse the Borough for it. Mr. Paster stated that the council will have to approve an informal resolution tonight and he will have it sent to the School Board for their meeting next week. Councilman Sokoloski advised that the SUV on the list was requested for the different departments to use and if anyone has to attend a training class in Trenton. The Mayor and Council discussed a Hybrid vs. SUV. Councilman Marana asked Councilman Shepard to get in touch with Mr. Lepore about the specific SUV they need. Councilman Shepard advised that the fire department is hurting for a fire truck. He would like to know how long the Fire Department has to wait so he can advise them. Councilman Marana would like to have an independent evaluation done as to what truck they need. Councilman Sotiropoulos suggested a refurbished truck but Councilman Shepard didn't think a refurbished truck was a good idea. Councilman Sotiropoulos suggested they order a truck now as it will take a year to get and then put in next year's budget. Councilman Marana stated that he will speak with the CFO and Auditor to discuss. Mayor Bazela stated that the Police should be good for the next 4 years with vehicles.

Councilwoman Libby - had no report as she spoke about the Chamber of Commerce earlier.

Councilman Shepard - reported that Fire Prevention had 39 inspections this past month. He further reported The Fire Association is having a car show on August 3rd and that Shoprite will be donating all of the food. Mayor Bazela offered the cotton candy machine and slushie machine if they need it.

Councilman Sotiropoulos - stated that he does not have the statistics for the Ambulance Corps for the last month, and that the Police Department had issued 130 summonses.

BOROUGH ENGINEER REPORTS

Mr. Niehoff stated the next section of Livingston Street should be started around October or November. He would like to meet with the Mayor, Councilman Piehler, and Mr. Paster and anyone else on the committee. Councilman Marana stated a couple of

businesses did not do streetscape. He would like builder's agreement checked to see if streetscape was included.

BOROUGH ATTORNEY REPORTS

Mr. Pastor spoke about the Developer's agreement for Shop Rite. He will send it to the developer's attorney and then the Mayor can sign same. As far as Rio Vista Greens, Mr. Paster doesn't agree that the age restriction should be lifted. Councilman Sokoloski advised he will never approve the lifting of the age restriction.

Mr. Paster will be drawing up a resolution for the Mayor and Council's approval for a joint venture with the Board of Education. (resolution #2013-77)

Motion by Councilman Sokoloski; seconded by Councilman Marana to pass Resolution 2013-77.

RESOLUTION #2013-77

CONTRACT JOINTLY WITH THE BOARD OF EDUCATION FOR ACQUISITION OF NECESSARY PROPERTY MAINTENANCE EQUIPMENT AND PERSONNEL

WHEREAS, the Borough of Northvale intends to contract jointly with the Northvale Board of Education, for acquisition of necessary property maintenance equipment and personnel within the Borough, and;

WHEREAS, the Council wishes to enter into an Interlocal Service Agreement with the Northvale Board of Education, pursuant to N.J.S.A. 40:8A-1 et seq., which authorizes local units of government to enter into contracts with other local units of government for the provision of services; and

WHEREAS, an Agreement to effectuate the intent and purpose set forth above is required to be prepared and executed on behalf of the Borough; and

WHEREAS, it appears, as evidenced by the Chief Financial Officer's Certification, as well as the Certification of the Business Administrator of the Northvale Public School district, that funds are available in the Borough and Board Capital budgets, respectively, or such other accounts as may be appropriate, in that amount, for the purpose of contracting for the specified equipment and services.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Northvale, County of Bergen and State of New Jersey, that the Borough Attorney be and hereby is authorized and directed to prepare, and the Mayor and Borough Clerk are authorized to execute and deliver, an Interlocal Service Agreement with the Northvale Board of Education, upon receipt of a concurring resolution consistent herewith, for acquisition of property maintenance equipment and personnel/services in an amount not to exceed Thirty Thousand (\$30,000.00) Dollars; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be served upon the Northvale Board of Education within seven (7) days of the adoption and execution hereof.

ROLL CALL VOTE – all in favor.

HEARING OF THE PUBLIC-

Mayor Bazela opened the meeting to the public; there being no one present; Mayor Bazela closed the meeting to the public.

ADJOURNMENT –

Motion by Councilman Marana; seconded by Councilman Shepard to adjourn the meeting at 9:01 PM.

ROLL CALL VOTE – all present in favor.

PAUL J. BAZELA, Mayor

ATTEST:

Frances L. Weston
Deputy Borough Clerk

Wanda A. Worner
Borough Clerk

Approved: August 14, 2013