

A G E N D A
Combined Meeting of the Mayor and Council
Tuesday, December 26, 2017
7:00 PM

CALL THE MEETING TO ORDER –

STATEMENT –

“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.”

ROLL CALL –

Name	Present	Absent
Mayor Piehler	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>

SALUTE TO THE FLAG & SILENT PRAYER –

APPROVAL OF MINUTES –

Combined Meeting of [December 13, 2017](#)

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sokoloski
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain
Councilman DeLisio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PROCLAMATIONS & AWARDS –

NVOT Football – Division Champions – North 1 – Group 4

MONTHLY REPORTS –

[Tax Collector – October 2017](#)
[Tax Collector – November 2017](#)

RESOLUTIONS –

RESOLUTION #2017-160

TITLE: RESOLUTION AUTHORIZING A CONTRACT FOR THE PURCHASE OF A 2017 FORD INTERCEPTOR UTILITY EXPLORER ALL WHEEL DRIVE WINNER INC. OF CHERRY HILL, NEW JERSEY FOR

\$31,836.00 UNDER NJ STATE CONTRACT #A88728 – EMERGENCY RESPONSE VEHICLE (PER BOND ORDINANCE #978-2017)

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sokoloski
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

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 Chas S. Winner Inc. of Cherry Hill, New Jersey, through this resolution, which shall be subject to all the conditions applicable to the current State contract, for the purchase of the above mentioned vehicle for the Northvale Volunteer Fire Department;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Northvale authorizes the purchase of a 2018 Wheel Drive Vehicle (Emergency Response Vehicle) with add-ons pursuant to all conditions of the State contract at a cost of \$31,836.00.

[doc03062320171218091050.pdf](#)

Name	Yes	No	Absent	Abstain
Councilman DeLisio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



RESOLUTION #2017-161

TITLE: AUTHORIZE THE CFO TO RETURN ESCROW FOR SEDANO – BLOCK 510, LOT 37

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sokoloski
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

WHEREAS, the owners of Block 510, Lot 10 – 327 Scharer Avenue applied before the board of adjustment for the installation of a wooden deck on their property; and

WHEREAS, after going before the board they were told that they did not need a variance in order to put up a deck; and

WHEREAS, circumstances have changed and the owners no longer want to erect a deck in their yard; and

WHEREAS, they posted escrow in the amount of \$950.00, and they would like the fee returned; and

WHEREAS, there are no objections from the Planning/Zoning Attorney or Engineer and there are no outstanding bills;

NOW, THEREFORE, BE IT RESOLVED that the CFO is hereby authorized to return to escrow fees to property owners minus payments made to Borough Professionals.

Mr. and Mrs. Sedano
327 Scharer Avenue
Northvale, New Jersey 07647
Block 510, Lot 37

Amount \$155.76

Name	Yes	No	Absent	Abstain
Councilman DeLisio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



RESOLUTION #2017-162

TITLE: APPROVE THE REDEMPTION OF TAX SALE CERTIFICATES #153 FOR BLOCK 602, LOT 5

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sokoloski
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

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 #153, by Bridgeview Abstract, Inc. for S&R Costa Realty, LP, the property owner, from US BankCust For PC6, the lien holder according to N.J.S.A. 54:5-54. The breakdown is as follows:

Block 602 Lot 5 – S&R Costa Realty, LP – 227 Union Street

Tax Sale Certificate #153	\$ 76,171.76
6% Redemption Penalty	4,570.31
0% Interest on Certificate	0.00
Recording Fee	43.00
Search Fee	12.00
Subsequent Tax 2016 - 2017	106,258.47
Interest on Subsequent Taxes	<u>34,296.72</u>
Total	\$221,352.26
Premium	<u>166,000.00</u>
Total Due to the Lienholder	\$387,352.26

The Chief Financial Officer shall issue a check in the amount of \$387,352.26 to:

US BankCust For PC6, LLC
50 South 16th Street
Philadelphia, PA

Name	Yes	No	Absent	Abstain

Councilman DeLisio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



RESOLUTION #2017-163

TITLE: APPROVE THE REDEMPTION OF TAX SALE CERTIFICATES #158 FOR BLOCK 1102, LOT 10

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sokoloski
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

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 #158 by Bridgeview Abstract, Inc. for S&R Costa Realty, LP, property owner, from MTAG Cust for Empire VIII NJ P, the lien holder according to N.J.S.A. 54:5-54. The breakdown is as follows:

Block 1102 Lot 10 – S&R Costa Realty, LP – 185 LeGrande Avenue

Tax Sale Certificate #158	\$ 99,526.79
6% Redemption Penalty	5,971.61
10% Interest on Certificate	20,126.53
Recording Fee	43.00
Search Fee	12.00
Subsequent Tax 2015 - 2017	226,003.46
Interest on Subsequent Taxes	<u>57,982.57</u>
Total	\$409,665.96
Premium	<u>0.00</u>
Total Due to the Lienholder	\$409,665.96

The Chief Financial Officer shall issue a check in the amount of \$409,665.96 to:

MTAG Cust EMP VII NJ Port
P.O. Box 2096
Hicksville, New York 11802

Name	Yes	No	Absent	Abstain
Councilman DeLisio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



RESOLUTION #2017-164

TITLE: RESOLUTION OF THE BOROUGH OF NORTHVALE COUNTY OF BERGEN, STATE OF NEW JERSEY MUNICIPAL SOLID WASTE/RECYCLING COLLECTION AND DISPOSAL

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sokoloski
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

WHEREAS, the Borough of Northvale solicited bids for Municipal Solid Waste and Recycling collection and disposal; and

WHEREAS, bids were received by the Municipal Clerk on Tuesday, December 19, 2017 at 11am; and

WHEREAS, sole bid was received from a qualified municipal solid waste haulers, to wit, Miele Sanitation, 60 Railroad Avenue, Closter, New Jersey; as required under the local public contract law, N.J.S.A.40A:11-23; and

WHEREAS, Miele Sanitation, 60 Railroad Avenue, Closter, New Jersey was the lowest responsible bidder with a bid of Two Million Three Hundred Forty Two Thousand Five Hundred Seventy (\$2,342,570.00) Dollars, for a five year contract for twice weekly, year round trash collection with tipping included and disposal of municipal solid waste and once weekly recyclable pick-up, said bid being incorporated herein by reference; and

WHEREAS, the Council now seeks to authorize award of a contract for the said municipal solid waste and recycling collection and disposal; and

WHEREAS, the Chief Financial Officer has determined sufficient funds are available in the 2018 Operating Account, or such other account as shall be determined, in an amount adequate to compensate the vendor as set forth above.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Northvale, County of Bergen, State of New Jersey that the Mayor and Borough Clerk be and hereby are authorized to execute a contract, not to exceed five years in duration, for municipal solid waste and recycling collection, effective January 1, 2018, with Miele Sanitation, 60 Railroad Avenue, Closter, New Jersey, on its bid of Two Million Three Hundred Forty Two Thousand Five Hundred Seventy (\$2,342,570.00) Dollars, consistent with the specifications, in a contract prepared and approved by the Borough Attorney; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be transmitted to the successful vendor within fourteen (14) days and published as required by statute, if any, upon adoption and execution hereof.

[Results of Bid Opening - Solid Waste - Recyclables - Collection and Disposal.doc](#)

Name	Yes	No	Absent	Abstain
Councilman DeLisio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



RESOLUTION #2017-165

TITLE: AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND DUE TO THE OVERPAYMENT OF TAXES

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio

<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sokoloski
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

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:

Block/Lot	Name /Address	Date Paid	Amount
1001/5	Bennett & Rachel Leventhal 146 High Street Northvale, NJ 07647	11/2/2017	\$1,118.56

BE IT FURTHER RESOLVED that the homeowner and Citizens One, the mortgage company both paid the 4th Quarter Added Assessment and agree that the overpayment should be refunded to the homeowner as indicated.

Name	Yes	No	Absent	Abstain
Councilman DeLisio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



RESOLUTION #2017-166

TITLE: AUTHORIZE MAYOR TO SIGN CONTRACT WITH FLEET MANAGER FOR A ONE YEAR TERM EXPIRING 12/31/18

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sokoloski
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

WHEREAS, the Borough of Northvale (“Northvale”) is a municipal corporation organized under the laws of the State of New Jersey, with offices located at 116 Paris Avenue, Northvale, New Jersey 07647; and

WHEREAS, Robert Pisano (hereinafter “Fleet Manager”), was appointed by the Council at their December 13, 2018 meeting to serve as a Fleet Manager for a one year term expiring 12/31/17; and

WHEREAS, the Borough is desirous of crafting an individual employment contract, setting forth the terms and conditions of the Fleet Managers employment with the Borough; and,

WHEREAS, the parties have reached such an agreement and have reduced such agreement to writing, which requires execution by the appropriate Borough officials; and

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Northvale hereby approves the written employment contract between the Borough and Robert Pisano annexed hereto, and the Mayor is hereby authorized to execute said Agreement on behalf of the Borough.

Name	Yes	No	Absent	Abstain
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman DeLisio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



RESOLUTION #2017-167

TITLE: TRANSFER OF FUNDS

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sokoloski
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain
Councilman DeLisio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



RESOLUTION #2017-168

TITLE: PAYMENT OF BILLS

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sokoloski
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain
Councilman DeLisio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



ORDINANCES – 2nd reading –

ORDINANCE #984-2017

TITLE: AN ORDINANCE AMENDING CHAPTER 74 OF THE CODE OF THE BOROUGH OF NORTHVALE ENTITLED “BACKGROUND CHECKS” FOR PROSPECTIVE EMPLOYEES, EMPLOYEES AND VOLUNTEERS

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard

<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sokoloski
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

WHEREAS, Article I of Chapter 74 of the Code of the Borough of Northvale currently provides for criminal history background checks for Borough employees and volunteers working with minors; and

WHEREAS, N.J.A.C. 13:59-1 et seq. authorizes the dissemination of New Jersey criminal history record information by the New Jersey State Police Identification & Information Technology Section, State Bureau of Identification for noncriminal justice purposes to municipalities within the State of New Jersey for any official governmental purpose, including, but not limited to, employment, licensing or the procurement of services; and

WHEREAS, the Mayor and Council of the Borough of Northvale find that obtaining criminal history record information and motor vehicle violations record background information on current and prospective Borough employees and volunteers, is necessary to protect the public health, safety and welfare, and will assist in reducing insurance costs, liability, motor vehicle accidents, and would otherwise be in the best interests of the citizens of the Borough of Northvale;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Northvale, Bergen County, New Jersey as follows:

SECTION 1. Chapter 74, entitled “Background Checks,” of the Code of the Borough of Northvale, is hereby amended to add thereto Article II to read in full as follows:

“Article II – Criminal History and Motor Vehicle Record Information for Borough Employees

§ 74-6. Definitions.

Borough Employee means all current or prospective salaried officers and employees of the Borough, including, but not limited to, employees within the Police Department, Department of Public Works, Building Department, Board of Health, Library, as well as employees and volunteers in the Fire Department, Fire Prevention Bureau and Ambulance Corps, except those personnel exempted herein.

§ 74-7 Exempted Personnel.

The personnel of the Borough hereinafter designated shall be exempt from the provisions of this article:

A. Elected Officials.

B. The Borough Engineer, Borough Attorney, Borough Auditor, Board of Adjustment Attorney, Planning Board Attorney and Borough Judge.

C. Professional consultants or counsel rendering professional services.

§ 74-7. Criminal history and motor vehicle record background checks required.

The Borough requires that all current and prospective Borough employees, 18 years of age and older, as hereinabove defined, annually submit a signed consent to the Borough to conduct a criminal history background check and a motor vehicle record background check to the extent permissible by law.

A. For all prospective employees, the Borough shall abide by N.J.S.A. 34:6B-11 et seq., otherwise known as the New Jersey Opportunity to Compete Act (the “Act”). Consistent with this Act, no criminal background checks shall be

completed until after the “Initial Employment Application Process” as defined in N.J.A.C. 12:68-1.2 set forth below.

“‘Initial employment application process’ refers to the period beginning when an applicant for employment first makes an inquiry to an employer about a prospective employment position or job vacancy or when an employer first makes an inquiry to an applicant for employment about a prospective employment position or job vacancy, and ending when an employer has conducted a first interview of an applicant for employment, whether the interview has been conducted in person or by any other means.”

- B. The Borough shall conduct a criminal history record background check and motor vehicle record background check only upon receipt of a written consent from the prospective or current employee.
- C. The Borough shall bear the costs associated with conducting the criminal history and motor vehicle record background checks.
- D. Prospective or current Borough employees shall submit their name, address, other required information and written consent to the Borough for the criminal history and motor vehicle record background check to be performed. The prospective or current Borough employee shall provide the Borough with all reasonable assistance to obtain background documentation/information.
- E. The Division of State Police shall inform the Northvale Police Department and the Borough employee if the person's criminal history or motor vehicle record background check reveals a conviction of a crime or offense or motor vehicle violation.
- F. The Police Department shall act as a custodian of records for the collection of information obtained as a result of conducting criminal history or motor vehicle record background checks pursuant to this article.

§ 74-8. Disqualification , Discipline, and Termination.

A. A Borough Employee may be disqualified, disciplined, and/or terminated if that person's criminal history record background check reveals a lack of good moral character, willful falsification of any information on the application for appointment submitted in accordance with this chapter, or convictions for the below specified crimes or offenses

- i. Involving danger to the person, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:11, et seq. (criminal homicide), N.J.S.A. 2C:12-1, et seq. (assault; stalking reckless endangering; threats), N.J.S.A. 2C:13-1, et seq. (kidnapping and related offenses), N.J.S.A. 2C:14-1 et seq. (sexual offenses), or N.J.S.A. 2C:15-1 et seq. (robbery); or
- ii. Involving a first, second, third or fourth degree crime or any indictable level crime; or
- iii. Involving theft as set forth in Chapter 20 of Title 2C of the New Jersey Statutes; or
- iv. Involving any controlled dangerous substance or controlled substance analog as set forth in Chapter 35 of Title 2C of the New Jersey Statutes; or
- v. Involving any offense related to fires, arson, fire starting or false public alarms; or
- vi. Involving any crime or offense that touches upon the ability to properly and adequately serve as a firefighter; or
- vii. In any other state or jurisdiction, conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly person's offenses described above.

- viii. The list of crimes and violations contained in this section is for illustrative purposes only and shall not be construed as a limitation on those criminal activities or violations that would be grounds to disqualify, discipline, or terminate a Borough Employee as indicated herein.
- B. Refusal to submit to a background check shall result in the immediate disqualification and/or discipline (including termination) of a Borough Employee.
- C. For purposes of interpreting the information recorded in a criminal history record, the Borough shall presume that the Borough Employee is innocent of any charges or arrest for which there is no final disposition on the record.
- D. In the event that a Borough employee's motor vehicle record background check reveals violations of moving violations under Title 39 of the New Jersey Statutes or convictions for Driving While Intoxicated, or similar violations under any other state or jurisdiction, the Mayor and Council may restrict or prohibit such Borough employee from the use of a motor vehicle while performing Borough business or take such other disciplinary (including termination) action as the Mayor and Council may deem appropriate.
- E. The determination of whether the information contained in the criminal history or motor vehicle record is sufficient to disqualify the appointment of a prospective employee or to discipline or terminate a current employee shall be made by the Mayor and Council.

§ 74-9. Limitations on access and use of criminal history record background checks.

The Borough shall limit its use of criminal history or motor vehicle record information solely to the authorized purpose for which it was obtained, and criminal history or motor vehicle record information furnished shall not be disseminated to persons or organizations not authorized to receive the records for authorized purposes. Use of this record shall be limited solely to the authorized purpose for which it was given and it shall not be disseminated to any unauthorized persons. This record shall be destroyed immediately after it has served its intended and authorized purpose. Any person violating federal or state regulations governing access to criminal history record information may be subject to criminal and/or civil penalties.

§ 74-10. Employee may challenge accuracy of report.

If the criminal history or motor vehicle record information may disqualify a prospective or existing employee for any purpose, or subject such employee to discipline, the prospective or current employee shall have an opportunity to contest or challenge the accuracy of the information contained in the criminal history record and shall be afforded a reasonable period of time to correct and contest this record. A person is not presumed guilty of any charges or arrests for which there are no final dispositions indicated on the record.”

In the event that a prospective or existing employee contests their record, the determination of whether the information contained in the report/record is accurate and disqualifying, requiring discipline, or termination shall be made by the Mayor and Council.

SECTION 2. Inconsistency.

All ordinances or parts thereof, inconsistent herewith, are hereby repealed to the extent of such inconsistency.

SECTION 3. Severability.

If any sentence, section, clause or other portion of this ordinance, or the application thereof to any person or circumstances, shall be adjudged by a court of competent

jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this ordinance.

SECTION 4. Effective Date

This ordinance shall take effect immediately upon passage and publication as required by law.

OPEN PUBLIC HEARING –

CLOSE PUBLIC HEARING –

ROLL CALL VOTE:

Name	Yes	No	Absent	Abstain
Councilman DeLisio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCE #985-2017

TITLE: AN ORDINANCE AMENDING SECTION 65-2 OF CHAPTER 65 OF THE CODE OF THE BOROUGH OF NORTHVALE RESPECTING THE HOURS OF SALE OF ALCOHOLIC BEVERAGES

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sokoloski
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

WHEREAS, during the year 2017, both Christmas Eve and New Year’s Eve occur on Sundays; and

WHEREAS, the current ordinances of the Borough of Northvale prohibit the sale of alcoholic beverages on Sundays between the hours of 3:00 a.m. and 12:00 noon; and

WHEREAS, special provisions are made for New Year’s Day when it falls on a Sunday and on other weekdays; and

WHEREAS, no special provisions are made when either Christmas Eve or New Year’s Eve fall on a Sunday; and

WHEREAS, the Mayor and Council have been advised that Christmas Eve and New Year’s Eve are the two busiest days of the year for the retail sale of alcoholic beverages; and

WHEREAS, a request has been received from a licensee that alcoholic beverages be permitted to be sold beginning at 9:00 a.m. when Christmas Eve and New Year’s Eve fall on a Sunday;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Northvale, Bergen County, New Jersey, as follows:

SECTION 1. Section 65-2 of Chapter 65 of the Code of the Borough of Northvale, respecting the hours of sale of alcoholic beverages within the Borough of Northvale, is hereby amended to read in full as follows:

§ 65-2. Hours of sale.

No licensee shall sell, serve or deliver or allow, permit or suffer the sale, service or delivery of any alcoholic beverages on New Year's Day when it is a weekday, between the hours of 5:00 a.m. and 6:00 a.m.; on New Year's Day when it is a Sunday, between the hours of 5:00 a.m. and 9:00 a.m.; on Christmas Eve or New Year's Eve when it is a Sunday between the hours of 3:00 a.m. and 9:00 a.m.; on other weekdays between the hours of 2:00 a.m. and 6:00 a.m.; on Sundays between the hours of 3:00 a.m. and 12:00 noon.

SECTION 2. Inconsistency.

All ordinances or parts thereof inconsistent herewith, are hereby repealed to the extent of such inconsistency.

SECTION 3. Severability.

If any section, sentence, clause or other portion of this ordinance, or the application thereof to any person or circumstance, shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this ordinance.

SECTION 4. Effective Date.

This ordinance shall take effect immediately upon passage and publication as required by law.

OPEN PUBLIC HEARING –

CLOSE PUBLIC HEARING –

ROLL CALL VOTE:

Name	Yes	No	Absent	Abstain
Councilman DeLisio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

HEARING OF THE PUBLIC –

MAYOR & COUNCIL REPORTS –

BOROUGH ENGINEER REPORTS –

BOROUGH ATTORNEY REPORTS –

CLOSED SESSION – TIME: _____

Action may not be taken upon return to open session.

RESOLUTION #2017-

TITLE: PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sokoloski
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

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.

Name	Yes	No	Absent	Abstain
Councilman DeLisio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RETURN TO OPEN SESSION – TIME: _____

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sokoloski
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain
Councilman DeLisio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ADJOURNMENT – TIME: _____

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sokoloski
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain
Councilman DeLisio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>