

**MINUTES**  
**Combined Meeting of the Mayor and Council**  
**Tuesday, December 26, 2017**  
**7:00 PM**

**CALL THE MEETING TO ORDER –**

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

**STATEMENT –**

Mayor Piehler 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.”*

**ROLL CALL –**

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

Also in attendance: Mr. Mitch Pascual; representing the Borough Attorney and Wanda A. Worner, Borough Clerk. The Borough Engineer was absent.

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

Mayor Piehler asked all in attendance to rise and join him in a Salute to the Flag and then called for a moment of Silent Prayer.

**APPROVAL OF MINUTES –**

Combined Meeting of December 13, 2017

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

**PROCLAMATIONS & AWARDS –**

**NVOT Football – Division Champions – North 1 – Group 4**

**MONTHLY REPORTS –**

Mayor Piehler stated that the following reports are on file in the Borough Clerk's office and can be viewed by the public between the hours of 9 – 4, Monday through Friday.

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 checked="" type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input checked="" 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.

Name	Yes	No	Absent	Abstain
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input checked="" 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 checked="" type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input checked="" 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 checked="" type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input checked="" 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 16<sup>th</sup> Street  
Philadelphia, PA

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

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

Name	Yes	No	Absent	Abstain
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input checked="" 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 checked="" type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input checked="" 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 4<sup>th</sup> Quarter Added Assessment and agree that the overpayment should be refunded to the homeowner as indicated.

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

ON THE QUESTION: Councilman Shepard stated that the only thing that he sees that he is not in agreement with is the 20 days' vacation. Mayor Piehler asked the Borough Clerk to explain. She stated that in accordance with the DPW Contract, all employees are not entitled to vacation for the first year of employment. You have to work one year in order to earn the vacation days. The contract states that after one year the employee will then be entitled to 10 days' vacation. She further stated that DPW and Borough Employees have to work 15 years before they are entitled to 20 days' vacation. All were in agreement that the contract would be changed to reflect no vacation days during the term of the one year contract.

Motion	Second	Name
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Macchio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input checked="" 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 12/31/18; 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
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Macchio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sokoloski	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



**RESOLUTION #2017-167**

**TITLE: EMERGENCY APPROPRIATION RESOLUTION N.J.S.A. 40A:4-48 (UNDER 3% LIMITATION)**

Motion	Second	Name
<input checked="" 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 checked="" type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sokoloski
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

**WHEREAS**, an emergency has arisen with respect to Current Fund and no adequate provision was made in the 2017 Budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above; and

**WHEREAS**, the total amount of emergency appropriations created, including the appropriation to be created by this resolution is \$90,500.00 and three (3) percent of the total operating appropriations in the budget for 2017 is \$266,400.09; and

**WHEREAS**, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2017,

**NOW, THEREFORE, BE IT RESOLVED**, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48:

- An emergency appropriation is hereby made for the following appropriations:
 

Administration – Other Expenses:	\$28,800.00
LOSAP – Other Expenses:	\$11,700.00

Engineering – Other Expenses: \$50,000.00

2. That said emergency appropriation shall be provided for in full in the 2018 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1).
3. That an Emergency Note not in excess of the above amount be authorized pursuant to N.J.S.A. 40A:4-51.
4. That such note be executed by the Mayor and by the Chief Financial Officer.
5. That such note be dated when issued, may be renewed from time to time, and such note and any renewals shall be payable on or before December 31, 2018.
6. That two (2) certified copies of this resolution be filed with the Director of Local Government Services

I, Wanda Worner, Borough Clerk of the Borough of Northvale, County of Bergen, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Governing Body at a meeting of said Governing Body held on December 26, 2017, and said resolution was adopted by not less than a two-thirds vote of the members of the Governing Body.

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



**RESOLUTION #2017-168**

**TITLE: TRANSFER OF FUNDS**

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Councilwoman Macchio
<input checked="" 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, N.J.S.A.40:4-49 permits the transfer of appropriations during the last two months of the fiscal year from accounts showing unexpended balances to accounts in which commitments may exceed the original budgeted appropriations;

NOW THEREFORE, BE IT RESOLVED, that the attached transfers are hereby authorized in the total amount of \$124,500.00;

DEPARTMENT	SW/OE	FROM	TO
Mayor & Council	SW	800.00	
Mayor & Council	OE		300.00
A & E	SW	900.00	
A & E	OE	12,000.00	
Financial Administration	SW	900.00	
Financial Administration	OE	2,000.00	
Tax Collection	SW	800.00	
Tax Collection	OE	2,000.00	
Tax Assessment	SW	200.00	
Tax Assessment	OE		3,700.00
Financial Audit	OE	4,500.00	
Planning Board	OE	2,000.00	



Construction Code	SW		500.00
Construction Code	OE	1,000.00	
Code Compliance	SW	400.00	
Code Compliance	OE	1,000.00	
Municipal Court	SW	1,500.00	
Municipal Court	OE	1,000.00	
Legal Services	OE	35,500.00	
Other Insurance	OE		600.00
Employee Group Insurance	OE		2,000.00
Emergency Management	OE	500.00	
Police	SW		17,000.00
Police	OE		10,500.00
Fire Prevention	SW	500.00	
Fire Prevention	OE		1,400.00
Streets and Roads	OE		27,000.00
Recycling	OE	7,000.00	
Buildings and Grounds	OE	12,000.00	
Sewer	OE		5,500.00
Parks and Playgrounds	OE		32,000.00
Senior Van	SW		1,200.00
Senior Van	OE		500.00
Board of Health	OE	2,200.00	
Animal Control	OE		1,300.00
Senior Center	SW	4,000.00	
Senior Center	OE	5,000.00	
Senior Bus Trips	OE		200.00
Electricity	OE	11,000.00	
Street Lighting	OE	5,000.00	
Telephone	OE		500.00
Water	OE		3,000.00
Natural Gas	OE	2,000.00	
Fuel and Gasoline	OE	3,000.00	
Solid Waste Collection	OE	1,450.00	
Solid Waste Disposal	OE	1,850.00	
Ambulance Vehicle Maintenance	OE	2,500.00	
Ambulance Contribution	OE		2,500.00
PERS	OE		500.00
Social Security	OE		14,000.00
DCRP	OE		300.00
<b>TOTAL</b>		<b>124,500.00</b>	<b>124,500.00</b>

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



**RESOLUTION #2017-169**

**TITLE: PAYMENT OF BILLS**

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

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

Current Appropriations	\$895,028.43
General Capital Fund	\$1,650.00
Recreation Trust	\$8,028.15
Escrow Trust	\$9,368.48
Food Trust	\$1,615.00
<b>TOTAL</b>	<b>\$915,690.06</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 during the course of the year:

Payroll – Salaries & Wages	12-01-2017	\$225,006.10
Payroll – Salaries & Wages	12-15-2017	\$138,386.01
Payroll – Salaries & Wages	12-29-2017	\$196,000.00
Health Benefits	December 2017	\$48,967.45
Local School Taxes	December 2017	\$783,507.50
Capital Improvement Fund	December 2017	\$50,000.00
Debt Service – Principal Bonds	February 2017	\$410,000.00
Debt Service – Interest Bonds	February 2017	\$28,575.00
Debt Service – Interest Bonds	August 2017	\$22,168.75
Debt Service – Interest Notes	November 2017	\$87,500.00
<b>TOTAL</b>		<b>\$1,990,110.81</b>

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Northvale that the claims totaling **\$2,905,800.87** and ratified respectively.

The bill list is as follows:

DATE	VENDOR	AMOUNT	DESCRIPTION
12/26/17	MASER CONSULTING	1650.00	LSRP SERVICES: DPW
	DELTA DENTAL	4879.81	DEC EMPLOYEES DENTAL
	BERGEN COUNTY	4009.83	ADDED/OMITTED COUNTY TAXES
	VERIZON WIRELESS	611.79	DEC CELL PHONE POLICE
	VERIZON	122.37	DEC PHONE SERVICE POLICE
	LINE SYSTEMS	1771.81	DEC PHONE SERVICE BOROUGH
	MILLENIUM STRATEGIES	2500.00	DEC GRANTS WRITER
	MINUTEMAN PRESS	80.00	DEC SR CTR MCGUIRE INQUIRER PRINTING
	MARIE FARRELL	600.00	DEC SR CTR RECEPTIONIST
	ROSE SAVINCKI	64.00	DEC SR CTR KITCHEN DUTY
	NANCY WHITTAKER	240.00	DEC SR CTR MOVING WITH MUSIC
	STEPHEN SINISI	120.00	DEC SR CTR STRENGTH TRAINING
	ROBERT CARLISLE	168.00	DEC SR CTR ASSIST SHOPPERS
	LA CASA FORMOSA	1615.00	DEC SR CENTER MEALS
	OPTIMUM	244.16	DEC INTERNET-PHONE-TV
	RACHLES/MICHELE'S	4559.70	NOV-DEC VEHICLE FUEL
	NORTHVALE PUBLIC LIBRARY	25000.00	2017-4 LIBRARY CONTRIBUTION
	MASER CONSULTING	2762.50	JUL-AUG ENGINEERING SVC
	CHASAN LEYNER	1665.02	SEP-OCT LEGAL AFF HOUSING
	MICHAEL BOLAN	360.00	AUG-SEP AFFORDABLE HOUSING
	GREGG F. PASTER	562.50	AUG-OCT COAH LEGAL
	GREGG F. PASTER	542.54	DEC-FEB HIRSCHBERG LEGAL
	GREGG F. PASTER	675.00	SEP-NOV PB MEETINGS

	ROGUT MCCARTHY LLC	815.62	BOND ORDINANCE 978
	MASER CONSULTING	530.00	PROFESSIONAL SERVICES
	MASER CONSULTING	530.00	PROFESSIONAL SERVICES
	MASER CONSULTING	512.50	PROFESSIONAL SERVICES
	MASER CONSULTING	512.50	PROFESSIONAL SERVICES
	NORTH JERSEY MEDIA	22.28	LEGAL NOTICE
	NORTH JERSEY MEDIA	22.28	LEGAL NOTICE
	MASER CONSULTING	1375.00	PROFESSIONAL SERVICES
	MASER CONSULTING	1375.00	PROFESSIONAL SERVICES
	MASER CONSULTING	475.00	PROFESSIONAL SERVICES
	MASER CONSULTING	475.00	PROFESSIONAL SERVICES
	CAPTUREPOINT COM	2250.00	YEARLY SUBSCRIPTION
	SPEED SOCCER	5670.00	TRAINING PROGRAM FALL 2017
	ELIZABETH KRAUS	75.00	ASSIST COURT 12/11/17
	ELLEN J. SPRINGSTEEN	40.00	SOUND RECORDING 12/11/17
	US BANK CUST FOR PC6	166000.00	TAX SALE REDEMPTION: S&R COSTA
	US BANK CUST FOR PC6	221352.26	TAX SALE REDEMPTION: S&R COSTA
	MTAG CUST EMP VII NJ	409665.96	TAX SALE REDEMPTION #158
	D'ERCOLE FARM	168.68	HOLIDAY DECORATIONS
	ALLAN SEEBACH SR	165.00	SOLINOID FOR N-1 PLOW
	ADVANCE AUTO PARTS	181.92	MISCELLANEOUS AUTO
	CLIFFSIDE BODY	1429.21	LIGHT SETS
	DESESA ENG. CO.	1127.20	REPAIR HEAT IN BOROUGH
	FILE BANK	1634.28	FILE STORAGE
	L. ROSS	175.80	SPEEDY DRY
	NORTH JERSEY MEDIA	275.55	LEGAL ADS
	NORTH JERSEY MEDIA	18.15	LEGAL ADS
	PT ELECTRIC SERVICE	360.00	REPAIR TIMER AT HOGAN PARK
	PETRILLO'S DELI	150.00	FOOD FOR HOLIDAY PARTY
	TRAFFIC SAFETY	584.50	SIGNS AND SIGN POSTS
	DESESA ENGINEERING	1211.25	DECEMBER MAINTENANCE
	ARGENTI PLUMBING	418.00	NEW KITCHEN FAUCET AT SR CTR
	SOL'S INTERPRETING	150.00	INTERPRETOR 12/11/17
	WANDA A. WORNER	29.34	PETTY CASH: RECEIPTS #6, #7
	DESESA ENGINEERING	672.24	REPAIR ON AIR HANDLER
	RUDY'S RISTORANTE	180.00	PIZZA BINGO
	VALLEY PAINT	719.91	FIELD MARKING PAINT
	LAWNGROWERS OF AMERICA	1080.00	SPRING AND FALL SERVICE
	MCGUIRE SENIOR CENTER	19.60	REPLENISH PETTY CASH
	STORR TRACTOR COMPANY	505.99	REPAIR TO TORO
	MIELE AUTO PARTS	59.71	HOSES FOR N-9
	MOR POWER	35.91	REPAIR TO THE LITTLE BLOWER
	CLIFFSIDE BODY	1731.56	SHOES AND BLADES
	D'ERCOLE FARMS	140.00	CALCIUM CHLORIDE
	DESESA ENGINEERING	5685.11	REPLACE DEFECTIVE PART
	SHUAIB FIROZVI	31.14	REIMBURSEMENT: NOTE CLOSING
	MARITZA ACOSTA	90.00	7/8 GIRLS BASKETBALL REFUND
	OAK TREE PRINTING	5795.00	2018 RECYCLING CALENDAR
	MASER CONSULTING	1975.00	PROFESSIONAL SERVICES
	MASER CONSULTING	735.00	PROFESSIONAL SERVICES
	MASER CONSULTING	805.00	PROFESSIONAL SERVICES
	NORTH JERSEY MEDIA	23.92	LEGAL AD
	AMAZON	139.55	TYPING TABLE
	ASSOCIATED APPRAISAL	3437.50	APPRAISAL SERVICES 2017
	FERRAIOLI, WIELKOTZ	3500.00	SECONDARY MARKET DISCLOSURE
	MINUTEMAN PRESS	215.00	SR CTR #10 ENVELOPES
	TROOPER FOODS	868.05	SR CTR FOOD SUPPLIES
	BENNETT & RACHEL	1118.56	REFUND: OVERPAYMENT 4Q17
	BENNETT & RACHEL	1118.56	REFUND: OVERPAYMENT 4Q17

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



**ORDINANCES – 2<sup>nd</sup> 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 checked="" type="checkbox"/>	Councilman DeLisio
<input checked="" 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 –**

Mayor Piehler opened the public hearing on Ordinance #984-2017 at this time.

**CLOSE PUBLIC HEARING –**

There being no comments or questions from the public on Ordinance #984-2017; Mayor Piehler closed the public hearing.

**ROLL CALL VOTE:**

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

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

Mayor Piehler opened the public hearing on Ordinance #985-2017 at this time.

**CLOSE PUBLIC HEARING –**

There being no comments or questions from the public on Ordinance #985-2017; Mayor Piehler closed the public hearing.

**ROLL CALL VOTE:**

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

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

**HEARING OF THE PUBLIC –**

**Fire Chief Ed Rejmaniak** - stated that he was disappointed that he did not hear from the Borough Attorney with regard to the stipend resolution that was on the agenda last month. Mayor Piehler stated that the Borough Attorney is on vacation at this time. He further stated that the resolution was put on the agenda as a way to get the issue moving. The Borough Clerk stated that the resolution can go on the agenda at any time.



Chief Rejmaniak further questioned some bills that belong to the fire department that have not been paid to date. Councilman Small stated that he would be working with the CFO to make sure that the bills get paid before the end of the year.

**MAYOR & COUNCIL REPORTS –**

**Councilman Shepard** - Stated that he had one issue to report on. He stated that Norwood has a street sweeper that is in need of repair (about \$7,500 worth) and that they are willing to allow Northvale to keep the street sweeper once the repairs are done. Norwood will be working on an agreement for Northvale to review. Norwood would also like to borrow the equipment when and if they need to. Councilman Small asked Mr. Guyt (Foreman DPW) if Mr. Pisano has had an opportunity to look at the street sweeper and Mr. Guyt responded that he has not, but, that he will make sure that he does in the very near future.

**BOROUGH ENGINEER REPORTS –**

The Borough Engineer was not present at this meeting.

**BOROUGH ATTORNEY REPORTS –**

Mr. Mitch Pascual (representing Mr. Shahdanian) had no report this evening.

**ADJOURNMENT – TIME: 7:47**

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

*Stanley E. Piehler, Mayor*

ATTEST:

*Wanda A. Worner*

Wanda A. Worner  
Borough Clerk

Approved: February 14, 2018