

MINUTES
Combined Meeting of the Mayor and Council
Wednesday, June 12, 2019
7:00 PM

CALL THE MEETING TO ORDER –

Mayor Marana called the meeting to order at 7:00 PM in the Council Chambers of the Municipal Building located at 116 Paris Avenue, Northvale, New Jersey 07647.

STATEMENT –

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

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

SALUTE TO THE FLAG & SILENT PRAYER –

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

ROLL CALL –

Name	Present	Absent
Mayor Marana	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Argiro	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Small	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Councilman Sotiropoulos	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PROCLAMATIONS –

Mrs. Jennifer Helfman – Bergen County Teacher Recognition Award (BCTRA)

Mayor Marana read and presented the proclamation to Ms. Helfman.

APPROVAL OF MINUTES –

Combined Meeting of May 8, 2019

Motion	Second	Name
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Councilman Argiro
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<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 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"/>

Special Meeting of May 14, 2019

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

<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Councilman Small	<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"/>

Closed Session Meeting of May 8, 2019

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<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 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"/>

Closed Session Meeting of May 14, 2019

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Councilman Small	<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"/>

APPOINTMENTS & PERSONNEL CHANGES –

Approve hiring of two seasonal employees for the Department of Public Works.

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<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 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"/>

Approve the retirement of Maria Doerr, Municipal Court Administrator, effective, August 1, 2019.

Motion	Second	Name
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain

Councilman Argiro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<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 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"/>

Approve the change of date of the retirement of William Essmann, Chief of Police from June 1, 2019 to September 1, 2019.

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<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 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"/>

MONTHLY CORRESPONDENCE –

Mayor Marana 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 9:00 a.m. and 4:00 p.m., Monday through Friday.

- Building Department
- Fire Department
- Fire Prevention
- Municipal Court
- Recreation Minutes
- Tax Collector
- Grantswriter
- Police Department – January through May

CORRESPONDENCE –

1. Letter – Bergmann Engineering – May 31, 2019
 Re: CSX Agreement for Clinton Avenue Improvements with Escrow
 Payment Information
(See Resolution #2019-110)

RESOLUTIONS – Consent Agenda

“All items are considered to be non-controversial by the Council and will be approved by one motion. There may be further discussion prior to the vote upon request of a member of the public or a Council member. Any item may be removed for further discussion or for a roll call vote in which case the item will be removed and considered in its normal sequence as part of the general order of business”

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

RESOLUTION #2019-101

TITLE: APPROVE LIQUOR LICENSES FOR THE TERM JULY 1, 2019 THROUGH JUNE 30, 2020

WHEREAS, the following liquor license holders have paid the required fee to the Borough of Northvale for renewal of their licenses for the July 1, 2019 through June 30, 2020 term;

NOW, THEREFORE, BE IT RESOLVED that the Borough Clerk be and is hereby authorized to issue liquor licenses as follows:

CLUB LICENSES

LIC #/NAME	ADDRESS	FEE	TAX CC	PAID
0240-31-012-001 Joseph A. Silva Post #366 American Legion	190 Paris Avenue	\$150.00	Yes	Yes
0240-31-013-001 Northvale Fire Association	204 Washington Avenue	\$150.00	Yes	Yes

PLENARY RETAIL DISTRIBUTION LICENSE

NAME	ADDRESS	FEE	TAX CC	PAID
0240-44-001-004 J & M Francke, Inc. t/a D'Andrea's Deli & Liquor	176 Livingston Street	\$938.75	Yes	Yes
0240-44-006-006 Shop Rite Liquors of Hillsdale t/a Shop Rite Liquors of Northvale	246 Livingston Street	\$938.75	Yes	Yes
0240-44-008-007 Santram Krupa Corp. t/a Beverage Barn	224 Livingston Street	\$938.75	Yes	Yes

PLENARY RETAIL CONSUMPTION LICENSE

NAME	ADDRESS	FEE	TAX CC	PAID
0240-33-002-003 Madeleine's Petit Paris	416 Tappan Road	\$2,000.00	Yes	Yes
0240-33-005-004 Cavan Cork Ltd. t/a Brady's Fox Hunt Inn	201 Livingston Street	\$2,000.00	Yes	Yes
0240-33-010-006 Northvale Diner, Inc.	247 Livingston Street	\$2,000.00	Yes	Yes
0240-33-007-013 Taste of Spain, LLC	493 Tappan Road	\$2,000.00	Yes	Yes
0240-33-009-003 Apple Service of Northvale LLC t/a Applebee's	273 Livingston Street	\$2,000.00	Yes	Yes

BE IT FURTHER RESOLVED that all licenses be effective July 1, 2019 through June 30, 2020 and that the Borough Clerk be and she is hereby authorized to forward copies of this resolution to the Division of Alcoholic Beverage Control and the Beverage Tax Division of the State of New Jersey.



RESOLUTION #2019-102

TITLE: APPROVE CONDITION RESOLUTION FOR LIQUOR LICENSE FOR NOELEEN LLC T/A BIDDY O'MALLEY'S PUB – 191 PARIS AVENUE FOR THE TERM JULY 1, 2019 THROUGH JUNE 30, 2020

WHEREAS, Noeleen LLC t/a Biddy O'Malley's Pub, 191 Paris Avenue, in the Borough of Northvale, has applied for renewal of its Plenary Retail Consumption License; and

WHEREAS, in January of 1988, a condition was placed upon said license with the consent of the license holder to the extent that the emergency fire door on the west side of the building was to be kept closed at all times and not opened except in case of an

emergency and an alarm placed on said door, and that a letter be submitted yearly citing no objection to the liquor license from St. Anthony's Church; and

NOW, THEREFORE, BE IT RESOLVED, that the Plenary Retail Consumption License of Noeleen LLC t/a Bidly O'Malley's Pub, License No. 0240-33-011-007, is hereby renewed for the time period effective July 1, 2019 through June 30, 2020.

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby authorized to forward this resolution to the ABC of the State of New Jersey.



RESOLUTION #2019-103

TITLE: AUTHORIZE THE TAX COLLECTOR TO EXTEND THE GRACE PERIOD ON LATE THIRD QUARTER TAX PAYMENTS DUE TO THE DELAY IN SENDING OUT THE TAX BILLS

WHEREAS, the 2019 Tax Rate is delayed; and

WHEREAS, the 2019/2020 Tax Bills will be mailed out late and the third quarter tax payment is due on August 1, 2019.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Northvale that the Tax Collector shall extend the grace period for 25 days after the mailing of the tax bills and will indicate the extended date on the 3rd Quarter stub of the tax bill. After the extended grace period interest will accrue back to August 1, 2019.



RESOLUTION #2019-104

TITLE: RESOLUTION AUTHORIZING APPOINTMENT OF MUNICIPAL REPRESENTATIVES TO THE BERGEN COUNTY COMMUNITY DEVELOPMENT REGIONAL COMMITTEE

WHEREAS, the Municipality of Northvale has entered into a three year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:8a-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that the Municipal Council to appoint a representative and alternate and that the Mayor appoint a representative and alternate for the FY 2019-2020 term starting July 1, 2019 and ending on June 30, 2020.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council hereby appoints Councilman Michael Small as its representative and Councilman Joseph McGuire as its alternate and that the Mayor hereby represents himself (Patrick J. Marana) as his representative and Councilman Louis DeLisio as his alternate to serve on the Community Development Regional Committee for FY 2019-2020; and

BE IT FURTHER RESOLVED that an original, certified copy of this resolution be immediately emailed and sent via postage to Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, Fourth Floor; Hackensack, New Jersey 07601 | resposito@co.bergen.nj.us **as soon as possible and no later than Monday, July 15, 2019.**



RESOLUTION #2019-105

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

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

Block/Lot	Name /Address	Date Paid	Amount
815/11	Reverse MTG Servicing c/o LERETA LLC Attn: Refunds P.O. Box 35605 Dallas, TX 75235 Property: 194 High Street	4/22/2019	\$ 6,203.88

BE IT FURTHER RESOLVED that the Reverse MTG Servicing has requested that the overpayment be refunded.



RESOLUTION #2019-106

TITLE: AUTHORIZE THE CHIEF FINANCIAL OFFICER TO REFUND TAXES OVERPAID DUE TO STATE TAX COURT JUDGMENT

BE IT RESOLVED, by the Mayor and Council of the Borough of Northvale, that the Chief Financial Officer is hereby authorized to refund the following overpayment of taxes due to State Tax Board Judgment:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>	<u>Year</u>
602	1	Waters, McPherson, McNeill PC for 1554 Union St Assoc. 300 Lighting Way Secaucus, New Jersey 07096 Property – 251 Union Street	\$ 16,056.00 \$ 16,416.00	2016 2017

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Northvale that the Chief Financial Officer shall issue a check in the amount of \$32,472.00 to Waters, McPherson, McNeill PC for 1554 Union St. Assoc. and forward it to Waters, McPherson, McNeill PC.



RESOLUTION #2019-107

TITLE: AUTHORIZE THE CHIEF FINANCIAL OFFICER TO REFUND TAXES OVERPAID DUE TO STATE TAX COURT JUDGMENT

BE IT RESOLVED, by the Mayor and Council of the Borough of Northvale, that the Chief Financial Officer is hereby authorized to refund the following overpayment of taxes due to State Tax Board Judgment:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>	<u>Year</u>
603	5	Bruce J. Stavitsky, Esq. For Filia Realty Corp., A NJ Corp. Stavitsky & Associates LLC 350 Passaic Avenue Fairfield, New Jersey 07004 Property – 210 Industrial Parkway	\$ 2,633.00 \$ 2,676.00 \$ 2,736.00 \$ 2,840.00	2015 2016 2017 2018

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Northvale that the Chief Financial Officer shall issue a check in the amount of \$10,885.00 to Bruce J. Stavitsky, Esq. for Filia Realty Corp., A NJ Corp an forward it to Stavitsky & Associates.



RESOLUTION #2019-108

TITLE: AUTHORIZE THE CHIEF FINANCIAL OFFICER TO REFUND TAXES OVERPAID DUE TO STATE TAX COURT JUDGMENT

BE IT RESOLVED, by the Mayor and Council of the Borough of Northvale, that the Chief Financial Officer is hereby authorized to refund the following overpayment of taxes due to State Tax Board Judgment:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>	<u>Year</u>
1011	1	140 Walnut Street, LLC	\$ 1,516.61	2015
		Skoloff & Wolfe, PC	\$ 1,541.38	2016
		293 Eisenhower Parkway	\$ 1,575.94	2017
		Livingston, New Jersey 07039		
		Property – 138-140 Walnut Street		

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Northvale that the Chief Financial Officer shall issue a check in the amount of \$4,633.93 to 140 Walnut Street, LLC and forward it Skoloff & Wolfe, PC.



RESOLUTION #2019-109

TITLE: RESOLUTION ACCEPTING THE RETIREMENT APPLICATION OF WILLIAM ESSMANN, CHIEF IN THE POLICE DEPARTMENT

WHEREAS, William Essmann has served the Northvale Police Department for twenty-six (26) years; and

WHEREAS, most recently William Essmann has served as the Chief of Police for the Borough of Northvale (“Chief Essmann”); and

WHEREAS, Chief Essmann has tendered his notice of retirement effective September 1, 2019; and

WHEREAS, upon retirement Chief Essmann shall receive from the Borough of Northvale terminal leave pay and unused vacation totaling one hundred and fifty nine (159) days equaling One Hundred and Twenty Thousand One Hundred and fourteen Dollars and 96/100ths (\$120,114.96); and

WHEREAS, it is the Borough’s best interest to accept Chief Essmanns notice of retirement.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Northvale, in the County of Bergen, that the retirement application of Chief Essmann from the Northvale Police Department after 26 years of service, is hereby accepted effective September 1, 2019, pending approval of the Police and Firemen’s Retirement System regarding terminal leave pay and unused vacation.



RESOLUTION #2019-110

TITLE: RESOLUTION AUTHORIZING EXECUTION OF PRELIMINARY ENGINEERING AGREEMENT WITH CSX TRANSPORTATION, INC

WHEREAS CSX Transportation, Inc., (“CSXT”) is a Virginia corporation with its principal place of business in Jacksonville, Florida providing rail-based transportation services across the United States; and

WHEREAS, the Borough of Northvale is desirous of facilitating the development of proposed improvements to warning devices, circuitry and roadway approaches at the Clinton Avenue at-grade crossing with CSXT (the “Project”); and

WHEREAS, CSXT has presented the Borough with a Preliminary Engineering Agreement (the “Agreement”) which covers the work to be performed by CSXT which includes but is not limited to (i) the preparation and review and approval of preliminary and final engineering and design plans (ii) the preparation of cost estimates for the work to be performed by CSXT (iii) the review of construction cost estimates, site surveys, assessments and related documents and (iv) engineering work which may include office reviews, field reviews, attending meetings/hearings and preparing reports and other documentation in connection with the project; and

WHEREAS, the Agreement provides that the Borough shall reimburse CSXT for all costs and expenses incurred by CSXT in connection with the work in an amount estimated to be Seventeen Thousand Six Hundred and 00/100ths (\$17,600.00) Dollars; and

WHEREAS the Borough Engineer and Borough Attorney have reviewed the Agreement and determined it is in the best interest of the Borough to execute the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Northvale, County of Bergen and State of New Jersey, that the Mayor is authorized to execute the Agreement subject to the Borough’s Chief Financial Officer’s certification of available funds.



RESOLUTION #2019-111

TITLE: AUTHORIZE THE CHIEF FINANCIAL OFFICER TO REFUND TAXES OVERPAID DUE TO STATE TAX COURT JUDGMENT

BE IT RESOLVED, by the Mayor and Council of the Borough of Northvale, that the Chief Financial Officer is hereby authorized to refund the following overpayment of taxes due to State Tax Board Judgment:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>	<u>Year</u>
608	1	Pashman Stein Walder Heyden For PFD Investco, LLC Court Plaza South 21 Main Street, Suite 200 Hackensack, New Jersey 07601 Property – 37 Industrial Parkway	\$ 6,242.84 \$ 6,487.06 \$ 6,733.64	2015 2017 2018

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Northvale that the Chief Financial Officer shall issue a check in the amount of \$ **19,463.54** to Pashman Stein Walder Heyden For PFD Investco, LLC and mail to Pashman Stein Walder Hayden Attention: Bruce J Ackerman.



RESOLUTION #2019-112

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

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

Block/Lot	Name /Address	Date Paid	Amount
409/22	Richard & Ann Kappler 10567 Yorkstone Drive Bonita Springs, Florida 34135 Property: 414 Wildwood Road	5/2/2019	\$ 3,022.00

BE IT FURTHER RESOLVED that Valley National Bank has requested that the overpayment be refunded to Mr. & Mrs. Kappler since Valley’s payment caused the overage and the property has been sold.

HEARING OF THE PUBLIC –

Mayor Marana opened the public hearing on the Consent Agenda Resolutions only at this time.

CLOSE THE HEARING OF THE PUBLIC –

There being no comments or questions from the public; Mayor Marana closed the hearing of the public and asked for a roll call vote.

ROLL CALL VOTE –

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<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 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 #2019-113

TITLE: PAYMENT OF BILLS

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<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 (2019)	\$202,358.74
General Capital Fund	\$15,198.48
Grant Fund	\$1,825.00
Police DEA Trust	\$591.38
Animal Trust	\$3.60
Food Trust	\$1,605.00
Escrow Trust	\$14,475.46
Recreation Trust	\$12,295.61
Summer Recreation Trust	\$8,591.14
TOTAL	\$256,944.41

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	05-03-2019	\$156,822.79
Payroll – Salaries & Wages	05-17-2019	\$160,139.19
Payroll – Salaries & Wages	05-31-2019	\$152,997.77
Health Benefits	May 2019	\$50,703.67
School Taxes Local	April 2019	\$840,496.91
School Taxes Local	May 2019	\$840,496.91
School Taxes Regional	April 2019	\$759,089.50
TOTAL		\$2,960,746.74

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that the claims totaling **\$3,217,691.15** and ratified respectively.

The bill list is as follows:

Check #	Check Date	Vendor Name	Description	Amount
181307	6/14/2019	140 WALNUT STREET, LLC	REFUND STATE COURT JUDGMENT	4,632.90
181308	6/14/2019	ADVANCE AUTO PARTS	SHOP SUPPLIES	105.74
181309	6/14/2019	BOROUGH OF PARAMUS	2019 GRASS COLLECTION DISPOSAL	14,738.62
181310	6/14/2019	BOROUGH OF RIDGEFIELD	DPW SEWER JET VACUUM	10,000.00
181311	6/14/2019	BRIANT BODRATO	DMV REG FEE 2018 INT DUMPTRUCK	60.00
181312	6/14/2019	BRUCE J. STAVITSKY, ESQ.	REFUND STATE COURT JUDGMENT	10,885.00
181313	6/14/2019	CARLISLE, ROBERT	2019 SENIOR CTR ASSIST SHOPPER	98.00
181314	6/14/2019	CLEATUS FARMS	LAWN SEED FOR VETERANS PARK	24.00
181314	6/14/2019	CLEATUS FARMS	DEER SCRAM	199.98
181314	6/14/2019	CLEATUS FARMS	SPRING FLOWERS	222.60
181315	6/14/2019	CLIFTON ELEVATOR SERVICE CO.	2019 ELEVATOR MAINTENANCE	172.52
181316	6/14/2019	CSX TRANSPORTATION, INC.	CLINTON AVE CROSSING UPGRADE	17,600.00
181317	6/14/2019	DART COMPUTER SERVICES, INC.	Server Back Up 2019 - 2020	2,400.00
181318	6/14/2019	DEARBORN NATIONAL LIFE	2019 EMPLOYEE LIFE INSURANCE	81.90
181319	6/14/2019	DELTA DENTAL OF NJ, INC.	2019 EMPLOYEE DENTAL INSURANCE	4,033.39
181320	6/14/2019	DENNIS POTHOS	MLUL CLASS-BERGEN COMM COLLEGE	119.00
181321	6/14/2019	D'ERCOLE FARMS	LIME & QUICK DRY	1,060.00
181321	6/14/2019	D'ERCOLE FARMS	SPRING FLOWERS	767.50
181322	6/14/2019	DIALED ACTION AGENCY, LLC	DEPOSIT BMX EVENT 6/28/19	1,200.00
181323	6/14/2019	DIV OF CONSUMER AFFAIRS	TUNING FORK CALIBRATION	100.00
181324	6/14/2019	ELITE CONTRACTING, LLC	REPAIRED HEAT IN PRESCHOOL	495.00
181325	6/14/2019	ELLEN SPRINGSTEEN	2019 COURT RECORDING OPERATOR	30.00
181326	6/14/2019	FARRELL, MARIE	2019 SENIOR CTR RECEPTIONIST	495.64
181327	6/14/2019	FELICI, MAUREEN	2019 SENIOR CTR GENERAL OFFICE	1,251.25
181328	6/14/2019	FRANCES WESTON	ALLIANCE STIPEND Q3 & Q4	625.00
181329	6/14/2019	INTERSTATE WASTE SERVICES NJ	2019 WASTE COLLECTION DISPOSAL	21,705.08
181330	6/14/2019	JOHN HOGAN	MLUL CLASS-BERGEN COMM COLLEGE	119.00
181331	6/14/2019	KAUFMAN SEMERARO & LEIBMAN LLP	2019 LEGAL SERVICES	8,591.71
181332	6/14/2019	LA CASA FORMOSO	FOOD FOR ACTIVE SHOOTER TRAINI	210.00
181333	6/14/2019	LEXIS NEXIS	COURT BOOKS	110.88
181334	6/14/2019	L. ROSS DISTRIBUTORS, INC.	2019 BOROUGH HALL CLEANING	2,284.00
181335	6/14/2019	MASER CONSULTING P.A.	2019 ENGINEERING SERVICES	8,867.00
181336	6/14/2019	MILLENIUM STRATEGIES	2019 GRANTS WRITER	1,250.00
181337	6/14/2019	MINUTEMAN PRESS	2019 SENIOR CENTER PRINTING	74.00
181337	6/14/2019	MINUTEMAN PRESS	ZONING PERMIT NOTICES (500)	124.50

181338	6/14/2019	MUNIDEX, INC.	HOMESTEAD TAX BILLS	96.40
181339	6/14/2019	NJ DEPT OF TREASURY	STORMWATER DISCHARGE PERMIT	1,050.00
181340	6/14/2019	NJLM	TECH ASST AD/LEAGUE WEBSITE	115.00
181341	6/14/2019	NJV PLUMBING & HEATING	REPLACE CIRCULATING PUMP	6,575.00
181342	6/14/2019	NORTH JERSEY MEDIA GROUP	2019 LEGAL ADVERTISING CURRENT	150.15
181343	6/14/2019	NORTHVALE POSTMASTER	2019 SENIOR CENTER POSTAGE	165.00
181344	6/14/2019	NORTHVALE FLORIST	FLOWER ARRANGEMENT-R. MURPHY	100.00
181345	6/14/2019	ONE CALL CONCEPTS	2019 UTILITY MARKOUT SERVICES	65.28
181346	6/14/2019	OPTIMUM	2019 INTERNET & TV SERVICE	395.08
181347	6/14/2019	PALISADES SALES CORPORATION	DOMAIN RENEWAL/TONER REFILLS	480.97
181348	6/14/2019	PESH-E-ELECTRIC	CONVERTED SCOREBOARD POWER	1,140.00
181348	6/14/2019	PESH-E-ELECTRIC	REPAIRED HAND DRYER VET PARK	1,070.00
181348	6/14/2019	PESH-E-ELECTRIC	REPAIRED LIGHT FIXTURE VET PAR	145.00
181349	6/14/2019	PHILADELPHIA INSURANCE COMPANI	Insurance Policies	1,738.00
181350	6/14/2019	POWERTECH	REPAIRS TO BACKHOE	118.26
181351	6/14/2019	POWERPAK CIVIL SAFETY	BROOMS	162.00
181352	6/14/2019	POWER DMS	YEARLY CONTRACT RENEWAL	1,690.65
181353	6/14/2019	PUBLIC SERVICE ELECTRIC & GAS	2019 NATURAL GASOLINE	3,009.84
181354	6/14/2019	RACHLES / MICHELE'S OIL CO.	2019 VEHICLE FUEL SERVICE	2,243.22
181355	6/14/2019	REVERSE MTG SERVICING	REFUND TAXES PAID IN ERROR	6,203.88
181356	6/14/2019	RICHARD & ANN KAPPLER	REFUND TAXES PAID BY VNB-OVRPD	3,022.00
181357	6/14/2019	RKZ TREE SERVICE	REMOVE TREE 406 OVERBROOK	900.00
181358	6/14/2019	ROCKLAND ELECTRIC COMPANY	2019 ELECTRICITY	6,065.10
181359	6/14/2019	ROCKLAND ELECTRIC CO.	2019 STREET LIGHTING	4,295.66
181360	6/14/2019	RUDY'S RISTORANTE	2019 GOLDEN AGE PIZZA BINGO	170.00
181361	6/14/2019	SCHULTZ FORD - LINCOLN INC.	PATROL CAR ENGINE REPAIRS	2,621.16
181362	6/14/2019	SHAW'S COMPLETE SECURITY	RECOMBINATE DIGITAL LOCK DPW	190.00
181363	6/14/2019	SINISI, STEPHEN	2019 SENIOR CTR STRENGTH TRAIN	150.00
181364	6/14/2019	SUEZ WATER NEW JERSEY	2019 FIRE HYDRANTS SERVICE	6,680.19
181364	6/14/2019	SUEZ WATER NEW JERSEY	2019 WATER SERVICE	2,016.52
181365	6/14/2019	SYNC/AMAZON	APRIL19 PURCHASES	140.71
181366	6/14/2019	TCTA OF BERGEN COUNTY	2ND QTR LUNCHEON JUNE 6, 2019	35.00
181367	6/14/2019	THE COLLINS GROUP, INC.	FLAGS	79.45
181368	6/14/2019	TROOPER FOODS	2019 SENIOR CENTER MEALS	311.75
181369	6/14/2019	TYCO ANIMAL CONTROL SERVICES	2019 ANIMAL CONTROL SERVICES	550.00
181370	6/14/2019	VERIZON	2019 LOCAL TELEPHONE SERVICE	125.98
181371	6/14/2019	VERIZON WIRELESS	2019 POLICE CELL PHONE SERVICE	612.31
181372	6/14/2019	VERIZON - XO COMMUNICATIONS	2019 POLICE PHONE SERVICE	637.92
181373	6/14/2019	WATERS, MCPHERSON, MCNEIL, PC	REFUND STATE COURT JUDGMENT	32,472.00
181374	6/14/2019	W.B. MASON CO., INC.	COPY PAPER	453.78
181374	6/14/2019	W.B. MASON CO., INC.	MAY19 SUPPLIES	431.27
181375	6/14/2019	WELLS FARGO VENDOR FIN SERVICE	2019 ADMIN COPIER LEASE	485.00
181376	6/14/2019	WESTWOOD MOTORS INC.	OIL CHANGE TIRES ROTATE SERVIC	110.00
181377	6/14/2019	WHITTAKER, NANCY	2019 SENIOR CTR MOVING W/MUSIC	180.00
40	6/14/2019	FELDMAN BROS ELECTRIC SUPPLY	STREET LIGHT POSTS STREETSCAPE	13,383.00
41	6/14/2019	MASER CONSULTING P.A.	2019 ENGINEERING CAPITAL	1,815.48
41	6/14/2019	NORWOOD FUELS LLC	MOTORCYCLE FUEL	591.38
14	6/14/2019	NJ DEPARTMENT OF HEALTH	2019 ANIMAL LICENSE FEES NJ	3.60
15	6/14/2019	PETRILLO'S DELI	2019 SENIOR CENTER MEALS	1,605.00
36	6/14/2019	EASTERN ALLIED CONSTRUCTION	REFUND ESCROW BALANCES	1,580.28
37	6/14/2019	GREGG F. PASTER & ASSOCIATES	2019 LEGAL ESCROW	300.00
38	6/14/2019	MASER CONSULTING P.A.	2018 ENGINEERING ESCROW	12,548.13
39	6/14/2019	NORTH JERSEY MEDIA GROUP	2019 LEGAL ADVERTISING ESCROW	17.05
40	6/14/2019	ROOTS CAFE, A PLACE TO EAT, LL	ESCROW RELEASE	30.00
76	6/19/2019	BOROUGH OF OLD TAPPAN	FIELD USAGE: ADULT SOFTBALL	250.00
77	6/19/2019	COLLEEN GIOFFRE	REIMBURSEMENT: PIZZA	83.36

78	6/19/2019	DICK DAVIS MEMORIAL BASKETBALL	SUMMER BASKETBALL LEAGUE FEES	5,750.00
79	6/19/2019	JOHN BRIGUGLIO	REIMBURSEMENT: APPLEBEE'S	100.00
80	6/19/2019	NORTH JERSEY MEDIA GROUP	2019 LEGAL ADV RECREATION	11.00
81	6/19/2019	SPORTS TIME	BASEBALL UNIFORMS	6,101.25
44	6/19/2019	BEN KUSMIN	07/03/19: BUBBLES!	250.00
45	6/19/2019	BERGEN COUNTY ZOOLOGICAL PARK	SUMMER RECREATION PROGRAMS	250.00
46	6/19/2019	CAMPER QUEST/ CAMPER GLOW LLP	CAMP ENTERTAINMENT	2,900.00
47	6/19/2019	GREEN MEADOWS FARM	07/09/19: PETTING ZOO	645.00
48	6/19/2019	KEEP THE COUNTRY DANCING INC.	07/16/19 SQUARE DANCING	400.00
49	6/19/2019	MOBILE ED PRODUCTIONS, INC.	07/18/19: SKY DOME PLANETARIUM	995.00
50	6/19/2019	ORIENTAL TRADING, INC.	2019 SUMMER CAMP ITEMS	1,091.14
51	6/19/2019	PARTIES ARE US RENTALS	07/17/19 CARNIVAL DAY	1,700.00
52	6/19/2019	UNIQUE CREATURES	07/08/19: ANIMAL PROGRAM	360.00
				256,944.41

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<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 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"/>



2019 MUNICIPAL BUDGET

Mayor Marana suspends the regular order of business at this time to entertain the Public Hearing on the 2019 Municipal Budget.

OPEN PUBLIC HEARING –

Mayor made the same statement, regarding the difficulty in creating this budget. At about 4:30 today we got word from the state that we have to amend the introduced budget. He stated that the increase to the tax levy will change from 6.5% to 7.4%.

The CFO has been in communication with the state fairly constantly since late last week. As of 4:30 this afternoon, they want us to increase the Reserve for Uncollected Taxes by \$54,000.

The municipal tax increase to the average assessed home (\$396,000) will be \$182.

Mr. Paul Bazela – 165 Walnut Street – Stated that you have to move on this budget and that there is not much you can do on it. He stated that Northvale will be repaired.

CLOSE PUBLIC HEARING –

There being no further questions or comments on the 2019 Municipal Budget; Mayor Marana closed the public hearing at 7:39 PM.

MAYOR & COUNCIL COMMENTS –

There being no questions or comments from the Council; Mayor Marana called for a motion and second to amend the 2019 Municipal Budget, as follows:

RESOLUTION #2019-114

TITLE: AMENDMENT TO THE 2019 INTRODUCED BUDGET

Motion	Second	Name
--------	--------	------

<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Councilman Sotiropoulos

WHEREAS, the local municipal budget for the year 2019 was approved on 29th day of April, 2019; and

WHEREAS, the public hearing on the said budget has been held as advertised on 12th day of June, 2019; and

WHEREAS, it is desired to amend said approved budget;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Northvale, County of Bergen, that the following amendments to the approved budget of 2019 be made:

ANTICIPATED REVENUES:	FROM	TO
3. Miscellaneous Revenues		
Section B: State Aid without Offsetting Appropriations		
Consolidated Municipal Property Tax Relief Act	7,334.00	0.00
Energy Receipts Tax	553,971.00	561,305.00
Total Section B: State Aid w/out Offsetting App.	561,305.00	561,305.00
Total Miscellaneous Revenues	1,723,857.00	1,723,857.00
6. Amount to be Raised by Taxes		
(a) Local Tax for Municipal Purposes including Reserve for Uncollected Taxes	6,644,913.00	6,698,913.00
Total Amount to be Raised by Taxes	6,974,733.00	7,028,733.00
Total General Revenues	9,171,590.00	9,225,590.00

GENERAL APPROPRIATIONS	FROM	TO
M. Reserve for Uncollected Taxes	180,000.00	234,000.00
Total General Appropriations	9,171,590.00	9,225,590.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the 2019 local municipal budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with N.J.S.A. 40:4-9, be published in the Record in the issue of June 17th, 2019 and that said publication contain notice of public hearing on said amendment to be held at Borough Hall on June 24th, 2019 at 7:00 PM.

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<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 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"/>



Mayor Marana resumed the regular order of business at this time.

ORDINANCES – 2nd reading –

ORDINANCE #997-2019 - AN ORDINANCE TO AMEND ORDINANCE #925-13 OF THE BOROUGH OF NORTHVALE, KNOWN AND DESIGNATED AS “FLOOD DAMAGE PREVENTION ORDINANCE” OF THE BOROUGH OF NORTHVALE

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

BE IT ORDAINED by the Mayor and Council of the Borough of Northvale as follows:

Article II.

AH Zone- Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone

AO Zone- Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

Elevated Building — A non-basement building (i) built, in the case of a building in an Area of Special Flood Hazard, to have the top of the elevated floor, elevated above the base flood elevation plus freeboard by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters

Freeboard — A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Section 1. Section 3.2 of Ordinance #925-2013 is hereby deleted in its entirety and replaced with the following amendment:

“3.2. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARDS.

The areas of special flood hazard for the Borough of Northvale, Community No. 340056 are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- a) A scientific and engineering report “Flood Insurance Study, Bergen County, New Jersey (All Jurisdictions)” dated August 28, 2019.
- b) Flood Insurance Rate Map for Bergen County, New Jersey (All Jurisdictions) as shown on Index and panel(s) 34003C0114H and 34003C0202H, whose effective date is August 28, 2019.

4.3-5 SUBSTANTIAL DAMAGE REVIEW

a) After an event resulting in building damages, assess the damage to structures due to flood and non-flood causes.

b) Record and maintain the flood and non-flood damage of substantial damage structures and provide a letter of Substantial Damage Determination to the owner and the New Jersey Department of Environmental Protection, Bureau of Flood Control.

c) Ensure substantial improvements meet the requirements of sections 5.2-1, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, 5.2-2, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION and 5.2-3, SPECIFIC STANDARDS, MANUFACTURED HOMES.

5.1-5 ENCLOSURE OPENINGS

All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two (2) openings in at least two (2) exterior walls of each enclosed area, having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

5.2-1 RESIDENTIAL CONSTRUCTION

a) New construction and substantial improvement of any residential structure located in an A or AE zone shall have the lowest floor, including basement together with the attendant utilities(including all electrical, heating, ventilating, air- conditioning and other service equipment) and sanitary facilities, elevated at or above the more restrictive base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1;

b) Require within any AO or AH zone on the municipality's DFIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

2 NONRESIDENTIAL CONSTRUCTION

In an Area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure located in an A or AE zone shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities as well as all electrical, heating, ventilating, air-conditioning and other service equipment:

Either:

a) Elevated at or above the more restrictive base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1, and

b) Require within any AO or AH zone on the municipality's DFIRM to elevate above the depth number specified in feet plus one (1) foot, above the highest adjacent grade] (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures;

Or

Be floodproofed so that below the more restrictive, base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 6-1, the structure is watertight with walls substantially impermeable to the passage of water.

5.2-3 MANUFACTURED HOMES

- a) Manufactured homes shall be anchored in accordance with section 5.1-1
- b).
 - b) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall:
 - i. Be consistent with the need to minimize flood damage,
 - ii. Be constructed to minimize flood damage,
 - iii. Have adequate drainage provided to reduce exposure to flood damage,
 - iv. Be elevated on a permanent foundation such that the top of the lowest floor is at or above the more restrictive base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1 and,
 - v. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

SECTION 6.0 SEVERABILITY

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

Section 2. The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study, maps and advisory documents are on file at 116 Paris Avenue, Northvale, New Jersey 07647.

Section 3. All remaining Sections and Subsections of Ordinance #925-2013 shall remain in full force and effect.

Section 4. Any Ordinance or portions thereof, inconsistent with the terms of this Ordinance, are hereby repealed as to such inconsistencies only.

Section 5. This Ordinance shall take effect immediately upon passage and publication as required by law.

OPEN PUBLIC HEARING –

Mayor Marana opened the public hearing on Ordinance #997-2019 for questions or comments.

CLOSE PUBLIC HEARING –

There being no questions or comments on Ordinance #997-2019; Mayor Marana entertained any questions or comments from the Council.

COUNCIL COMMENTS –

There being no questions or comments from the Council; Mayor Marana asked for a roll call vote.

ROLL CALL VOTE –

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<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 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 – 1st reading –

ORDINANCE #998-2019

AN ORDINANCE AMENDING AND MODIFYING SECTION 140 OF THE CODE OF THE BOROUGH OF NORTHVALE ENTITLED “PEDDLING AND SOLICITING”

Motion	Second	Name
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Councilman Argiro
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Section 1. Purpose and Authority.

The purpose of this ordinance is to modify and amend Chapter 140, Peddling and Soliciting, pursuant to N.J.S.A. 40:48-1 and 40:49-2.

Section 2. Amendments.

Section 140-5 License Application

(A) Any person desiring a license shall file with the Borough Clerk an application blank. The blanks shall contain the following information for all license classes:

- (1) The name of the applicant.
- (2) His permanent home residence.
- (3) The name and address of the firm represented.
- (4) Three business references.
- (5) The place or places of residence of the applicant for the preceding three years.
- (6) The length of time for which the license is desired.
- (7) A description of the wares to be offered for sale.
- (8).A statement whether the applicant has been convicted of any crime/disorderly person offense or petty disorderly person offense involving deceptive business practices or fraud.
- (9) Photo I.D.
- (10) Motor vehicle registration number and the make/model of any vehicle used by the applicant in connection with the peddling/solicitation.

Section 140-6 Verification of information; issuance; transferability.

A. Following the filing of the application, the Chief of Police shall review the application statement within three (3) business days to determine its compliance with the terms of this Chapter and shall signify his approval or rejection on the reverse side of the form. Upon verification of the application and payment of the prescribed fee, the license therewith shall be issued by the Borough Clerk within one (1) business day.

B. For all licenses, the license issued shall not authorize any person except the designated person named in said license to engage in business thereunder. Said license shall not be transferable from the person to whom issued to any other person without the consent of the Mayor and Council. A separate license must be obtained by a licensed peddler for every agent or employee working for him.

Section 3. Repealer.

All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

Section 4. Savings and Construction.

This ordinance shall be construed consistent with the purpose stated in Section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Northvale Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Northvale Code.

Section 5. Codification.

This ordinance shall be codified as amendments to the chapters set forth herein.

Section 6. Effective Date.

This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<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 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 –

Mr. William Sillery – 324 Bradley Avenue – Questioned the \$17,000 for escrow for CSX and asked what is the town’s exposure? What are we paying for? Mr. O’Brien responded that we are paying for the design and that originally the price was twice that amount and they were able to negotiate the price down. Mr. Sillery feels that the CSX Engineers are going to reap the benefit all the way down the line. He would like to make sure that there is fire protection during the time that the tracks are closed.

MAYOR AND COUNCIL REPORTS –

Councilman Sotiropoulos - Reported that Officer Albanese is now running the Junior Police Academy and he is doing a fantastic job. The Borough has purchased a used piece of equipment from Ridgefield for the use of the DPW (Sewer Jet/Vac) at a tremendous cost savings to the Borough. He stated that we should be taking delivery of the equipment in the near future. He further reported on the Cho Dae Golf Outing that occurred on Monday. He stated that numerous people were there. He stated that every year for the last 9 years there has been a friendly competition between Northvale and Norwood during the outing and for the first time in 9 years, Northvale won the competition which means that Northvale Ambulance Corps will receive an additional \$1,000 in donations from the Cho Dae Church. He further reported that the Ambulance Corps had their yearly Coin Toss at the intersection of Livingston and Paris Avenues and despite the rain they were able to raise \$2,200. He further reported on the statistics for the department for the past month. He further stated that a few years ago, the Corps tried a recruitment program up at the high school. He stated that they are going to try this program again and that Councilman DeLisio has offered his help to get the process going.

Councilman McGuire - Reported that graduation for the High School is coming up. He stated that Northvale Schools has a new Superintendent of Schools. He reported that they are getting close in shared service agreement with the schools and that he is working with Kevin Trainor and the Committee on Town Day which will occur on September 7th from 2 to 6 pm. He further reported that he attended a deer control meeting in Englewood which explained the effects of overpopulation and how to combat it. He stated that some towns are doing Ordinances to prohibit feeding deer. It's an emotional issue for many people and that we just need to keep an eye on the situation and that it's not a great issue for the Borough of Northvale.

Councilman Argiro - Reported that the Library has been working great and it is a very inviting facility and he asks everyone to participate. He detailed their activities over the month. He further reported that with Recreation summer basketball just starting and that baseball and softball is over and are into playoff season. He stated that the registration numbers were up from last year. Kudos to the committee for making it a great year and making it work. Kudos to DPW for having all the fields in shape for the games. He stated that there was a breakfast fund raiser at Applebee's. They were able to raise \$200 for Recreation.

Councilman Shepard - Stated that he had no report this evening.

Councilman DeLisio - Stated that the Planning/Zoning Board had a quiet meeting. There was one approval for a sign at the Northvale Plaza indicating the directions for a new facility located on Pegasus Avenue.

Mayor Marana - Reported that ALSA Architecture is working on a plan for the Library that will make the facility have a better flow. He briefly reported on the Cho Dae Golf Outing. He stated that he attended a Suez lead pipe meeting yesterday and he also attended a meeting in Harrington Park regarding CSX. He stated that a Regional Representative for CSX was also in attendance. He and the Borough Engineer, Carl O'Brien, also attended a meeting with CSX and other towns. He reported that the agreement will be signed this evening for the work involved on Clinton Avenue and he explained the work that will be done. He stated that there is a lot more work being done than he originally thought and that the lead time is 6 months from May 13. He stated that the work may start in mid-November and the work should be done in about 5 days.

BOROUGH ENGINEER REPORTS –

Mr. O'Brien stated that the Engineers report has been submitted. He reported that the 2019 road program has been completed. Mayor Marana asked when the final quantities will be calculated. Mr. O'Brien stated that he will be working on those numbers in the near future and perhaps the Borough would be able to pave another road if the numbers come in under the bid amount. Mr. O'Brien further reported that there will be a preconstruction meeting on the Streetscape project tomorrow morning and that construction should be starting soon thereafter. He reported that he is working to get pricing for the basketball court at Hogan Park from the contractor. It will be on state contract. DOT grants are due mid- July, there will be a resolution on for the next meeting. He stated that the site of the next Streetscape project is Paris Avenue. He stated that the DOT has accelerated their notification process and we should know if the grant is accepted in about three months after submission.

BOROUGH ATTORNEY REPORTS –

Ms. Rosendahl had no report at this time.

HEARING OF THE PUBLIC –

Mayor Marana opened the meeting to the public for questions or comments; there being none; Mayor Marana closed the meeting to the public.

CLOSED SESSION – TIME: 8:00 PM

Action may not be taken upon return to open session.

RESOLUTION #2019-115

TITLE: TO PROVIDE FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT N.J.S.A 10:4-12

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input checked="" 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. Matters where the release of information would impair the right to receive funds.
- 3. Matters involving individual privacy
- 4. Matters relating to collective bargaining
- 5. Matters relating to the purchase, lease or acquisition of real property or the investment of public funds.
- 6. Matters relating to public safety and property.
- 7. Matters relating to litigation, negotiations and attorney client privilege.
- 8. Matters relating to the employment relationship – Personnel
- 9. Matters relating to the potential imposition of a penalty.

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 Argiro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<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 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"/>

RETURN TO OPEN SESSION – TIME: 8:30 PM

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<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 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"/>

ADJOURNMENT – TIME: 8:30 PM

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

<input type="checkbox"/>	<input checked="" type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Small
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<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 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"/>

Patrick J. Marana

Mayor

ATTEST:

Wanda A. Worner

Wanda A. Worner
Borough Clerk

Approved: June 24, 2019