

**MINUTES**  
**Combined Meeting of the Mayor and Council**  
**Wednesday, October 14, 2020**  
**7:00 PM**

**CONFERENCE CALL PHONE NUMBER 1-646-307-1479, GUEST PASSCODE 476570**

**CALL THE MEETING TO ORDER**

Mayor Marana called the meeting to order at 7:04 PM via telephone conference call.

**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 Acting 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 Councilman Shepard to lead in the Salute to the Flag. He also asked for a moment of silence for the Amorosso triplets, Hope, Faith, and Noah, who were born, very prematurely, and passed on September 22<sup>nd</sup>. He also asked to extend the moment of silence to their parents and extended families.

**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 Devlin	<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 Sotiropoulos	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**APPROVAL OF MINUTES**

**Combined Meeting of September 9, 2020**

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 Devlin
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<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 Devlin	<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 Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Closed Session Minutes of September 9, 2020**

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 Devlin
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<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 Devlin	<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 Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Special Meeting of September 21, 2020**

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

**APPOINTMENTS & PERSONNEL CHANGES**

Approve the Appointment of Frank Petrilli as Recreation Chairperson effective immediately.

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

**Councilman Sotiropoulos was on for roll call but then was disconnected. He was able to call back in after the vote for approval of Frank Petrilli as Recreation Chairperson.**

**MONTHLY CORRESPONDENCE**

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 - September
- Fire Department
- Fire Prevention–August, September
- Recreation Minutes - June
- Tax Collector - September
- Grantswriter- September

**CORRESPONDENCE**

1. Letter – Maser Consulting – Carl O’Brien – Oct. 13, 2020  
Re: Paris Avenue Sidewalk and Streetscape Improvements
2. Letter - Maser Consulting – Carl O’Brien - Oct.13, 2020  
Re: Municipal MS4 – Tier A Permitting

**RESOLUTIONS – Consent Agenda**

*“All items are considered to be non-controversial by the Council and will be approved by on 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 checked="" type="checkbox"/>	Councilman Argiro
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman Devlin
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

**RESOLUTION #2020-121**

**TITLE: WAIVE BUILDING PERMIT FEES FOR INSTALLATION OF RAMP FOR MITCHELL ARCHER, 424 BRIARWOOD LANE**

**BE IT RESOLVED** that the fees for any building permits will be waived for the installation of a ramp at 424 Briarwood Lane.

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**RESOLUTION #2020-122**

**TITLE: AUTHORIZE MAYOR MARANA TO SIGN THE 2020-2021 INTERLOCAL AGREEMENT WITH THE BOROUGH OF ROCKLEIGH FOR SNOW PLOWING SERVICES**

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:5-1, et.seq. governs shared service agreements between municipalities; and

**WHEREAS**, the Borough of Northvale desires to enter into an Agreement with the Borough of Rockleigh for the providing of sanding, salting, and snow plowing of streets located with the Borough of Rockleigh at an hourly rate of \$110/hour; and

**WHEREAS**, an Agreement has been prepared to encompass the months of November and December of 2020 and January through April, inclusive, of 2021.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Northvale that Mayor Patrick J. Marana and Acting Borough Clerk Frances Weston be and are hereby authorized to execute the aforesaid Agreement on behalf of the Borough.

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**RESOLUTION #2020-123**

**TITLE: AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ISSUE A REIMBURSEMENT TO THE TAX COLLECTOR FOR SENDING TAX BILLS BY FEDEX**

**WHEREAS**, the 2020/2021 Tax bills were ready to be mailed on September 30, 2020; and

**WHEREAS**, CoreLogic, the tax service with over 600 tax bills did not provide a FedEx envelope and Suzanne Burroughs, the Tax Collector was assured that CoreLogic would reimburse her if she sent the bills by FedEx and enclosed the paid receipt; and

**WHEREAS**, CoreLogic did refund the money paid for the FedEx but the refund check was made to the Borough of Northvale.

**WHEREAS**, the check was deposited in the Borough Current Account under the Line Item – Budget Offset – Miscellaneous.

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Northvale that the Chief Financial Officer shall issue a Refund to Suzanne Burroughs in the amount of \$149.41 for the tax bills sent to Texas by way of FedEx.

Suzanne Burroughs, 110 Old Hook Road, Westwood, NJ 07657

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**RESOLUTION #2020-124**

**TITLE: RESOLUTION AUTHORIZING ACCEPTANCE OF PARIS AVENUE SIDEWALK AND STREETSCAPE IMPROVEMENT AGREEMENT BY MASER CONSULTING, P.A. PROPOSAL NUMBER NVBO12P**

**WHEREAS**, by letter agreement dated October 13, 2020 Maser Consulting, P.A. presented the Borough with an Engineering Agreement for the design of the Paris Avenue Sidewalk and Streetscape Improvement Project in the Borough(the “Project”); and

**WHEREAS**, this phase of the work will include improvements along both sides of Paris Avenue, from Scharer Avenue to Tappan Road; and

**WHEREAS**, the Project was the subject of a NJDOT Local Aid application and was awarded two (2) grants in the amount of \$202,000.00 and \$195,000.00 respectively; and

**WHEREAS**, the current scope of services for the Project is divided into two tasks, Task 1.0 Survey Services and Task 2.0 Design and Bidding Services in an amount not to exceed \$9,500.00 for Task 1.0 and \$32,500.00 for Task 2.0 and a total amount of \$42,000.00; and

**WHEREAS**, it is in the best interest of the Borough to enter into the Agreement with Maser Consulting, P.A. and to authorize the payment referenced herein for completion of Task 1.0 and Task 2.0.

**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 Borough enter into the Agreement, the Mayor is authorized to execute all necessary documents effectuating same and to authorize the payment to Maser Consulting, P.A. in an amount not to exceed Forty Two Thousand and 00/100ths (\$42,000.00) Dollars.

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**RESOLUTION #2020-125**

**TITLE: APPROVE RAFFLE LICENSE #RL 214 FOR NORTHVALE PTO –ON PREMISE RAFFLE – VARIOUS DATES**

**BE IT HEREBY RESOLVED**, that the following license to conduct a Raffle be issued to:

NAME: Northvale PTO  
 ADDRESS: 441 Tappan Road  
 LOCATION OF RAFFLE: 441 Tappan Road  
 ID: 353-5-37377  
 RAFFLE LICENSE #: RL 214

DATE	HOURS
10/30/2020	8 am – 3 pm
11/24/2020	8 am – 3 pm
12/21/2020	8 am – 3 pm

**BE IT FURTHER RESOLVED**, that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

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 Devlin	<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 Sotiropoulos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**OPEN MEETING TO PUBLIC**

Mayor Marana opened the meeting to the public for questions or comments on the resolutions.

**CLOSE MEETING TO PUBLIC**

There being no questions or comments from the public, Mayor Marana closed the meeting to the public.

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**RESOLUTION #2020-126**

**TITLE: RESOLUTION AUTHORIZING TASK 3.0 PAYMENT FOR FACILITY INSPECTIONS AND GIS MAPPING OUT OUTFALL RELATIVE TO ENGINEERING AGREEMENT WITH MASER CONSULTING, P.A. FOR MUNICIPAL MS4-TIER A PERMITTING**

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 Devlin
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

**WHEREAS**, by letter agreement dated October 13, 2020 Maser Consulting, P.A. presented the Borough with an Engineering Agreement for Professional Services identified as Municipal MS4-Tier A Permitting, Proposal number NVB-010P (the “Agreement” and

**WHEREAS**, the Agreement provides for serviced to be rendered in connection with implementing new conditions of the Tier “A” Municipal Storm Sewer Systems (“MS4”) and New Jersey Pollutant Discharge Elimination System (“NJPDDES”) permit; and

**WHEREAS**, the new Tier “A” permit was implemented on January 1, 2018 and expires on January 1, 2023; and

**WHEREAS**, Task 3.0 Facility Inspections and GIS Mapping of Outfall includes Maser Consulting performing a GPS field inventory of stormwater outfall inspections and mapping requirements with data collected in the field using GPS equipment and other tasks as more fully set forth in greater detail in the Agreement (“Task 3.0”); and

**WHEREAS**, Task 3.0 shall be performed for a flat fee not to exceed Fourteen Thousand Five Hundred and 00/100ths (\$14,500.00) Dollars;

**WHEREAS**, it is in the best interest of the Borough to enter into the agreement with Maser Consulting, P.A. and to authorize the payment referenced herein for completion of Task 3.0.

**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 Borough enter into the Agreement, the Mayor is authorized to execute all necessary documents effectuating same and to authorize the payment to Maser Consulting, P.A. in an amount not to exceed Fourteen Thousand Five Hundred and 00/100ths (\$14,500.00) Dollars.

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 Devlin	<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 Sotiropoulos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Mayor Marana explains these are stormwater management tasks that have to be done. There are 3 tasks but this resolution is for task 3 only for \$14,500. This task is due in December which is why it is being approved tonight. Ms. Raffay then explained what task 3 consists of. It is mapping out all stormwater areas. The deadline for the other two tasks is in March. Councilman Argiro asked what is the life span of Task 3. Ms. Raffay answered that there is no timeline when this will expire, it is a new requirement.**

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**RESOLUTION #2020-127**

**TITLE: PAYMENT OF BILLS**

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Councilman DeLisio
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman Devlin
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<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 Fund Appropriations (2019)	
Current Fund Appropriations (2020)	\$311,552.75
General Capital Fund	\$7,296.96
Grant Fund	\$10,017.40
Police DEA Trust	\$7,735.64
Animal Trust	\$6.00
Food Trust	
Escrow Trust	\$14,128.75
Recreation Trust	\$5,830.40
Summer Recreation Trust	
<b>TOTAL</b>	<b>\$356,567.90</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	07-10-2020	\$148,365.03
Payroll – Salaries & Wages	07-24-2020	\$144,938.57
Payroll – Salaries & Wages	08-07-2020	\$160,409.63
Payroll – Salaries & Wages	08-21-2020	\$155,760.55
Payroll – Salaries & Wages	09-04-2020	\$172,909.96
Payroll – Salaries & Wages	09-18-2020	\$146,823.17
Health Benefits	July – September 2020	\$147,751.73
Debt Service – Emergency Notes	09-23-2020	\$121,935.00
School Taxes – Local	July - August 2020	\$1,686,587.50
School Taxes – Regional	July - August 2020	\$1,219,222.40
<b>TOTAL</b>		<b>\$4,104,703.54</b>

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Northvale that the claims totaling **\$4,461,271.44** and ratified respectively.

**ON THE QUESTION: Councilman McGuire asked what the payment for legal services for Rio Vista is.**

**Mayor Marana explained the \$8,400 payment to Dutra Excavating for sewer line repairs on Campora Drive. It has been a constant sewer problem area. A few houses have had backups into their homes. DPW used the jet vac and then had to call in Dutra to straighten out a line in the street.**

**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 Devlin	<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 Sotiropoulos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**OPEN MEETING TO THE PUBLIC**

**Andrew Durfee, 174 Walnut Street** – Thanked the Police for putting the speed sign on Walnut Street. He asked if the mapping would include the storm drains in his backyard. Ms. Raffay said they will be recording what is out there. He also inquired as to why the bills lists are not being posted. Mayor Marana informed him that the Resolution for Payment of Bills is in the Minutes. He also asked about the resolutions that are posted in the code book on the web site.

**CLOSE MEETING TO THE PUBLIC**

There being no other questions or comments from the public, Mayor Marana closed the meeting to the public.

**ORDINANCE – 1<sup>ST</sup> READING**

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**ORDINANCE #1025-2020**

**AN ORDINANCE OF THE BOROUGH OF NORTHVALE AMENDING AND SUPPLEMENTING CHAPTER 200 ENTITLED “ZONING”, ARTICLE III “REGULATIONS AND RESTRICTIONS”, ARTICLE IV “MULTIPLE-FAMILY HOUSING DISTRICTS, AND ARTICLE VIII “SIGNS”, AND CHAPTER 159 “SITE PLAN REVIEW”**

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

**WHEREAS**,the Borough adopted a Master Plan & Development Regulations Reexamination on March 4, 2020; and

**WHEREAS**, the Reexamination details a number of recommended changes to the Borough’s Zoning Ordinance; and

**WHEREAS**, the recommend changes include revisions to Sections 200-6, 200-9, 200-10, 200-13, 200-14, 200-16, 200-19, 200-19.1, and 200-28; and site plan submission requirements in Chapter 159; and

**WHEREAS**, the Borough is desirous of adopting an Ordinance intended to implement the recommended Zoning Ordinance for these particular sections.

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

**Section 1.** Chapter 200 of the Code of the Borough of Northvale, Article III entitled “Regulations and Restrictions”, Section 6 entitled “R 12.5 and R 7.5 Residential Zones” is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~

A. In the R 12.5 and R 7.5 Residential Zoning Districts, the following uses are hereby expressly permitted, and no building, land or premises shall be used and no building shall be erected or altered which is constructed, designed, arranged or intended to be used in whole or in part for any other use than that which is expressly set forth herein:

(2) Accessorial uses.

~~(a) Home offices and occupations.~~

- (a) ~~(b)~~ Garages, maximum four vehicles of the passenger type, in accordance with Section 200-10.
- (b) ~~(c)~~ Off-street parking.
- (c) ~~(d)~~ Swimming pools.
- (d) ~~(e)~~ Tennis courts.
- (e) ~~(f)~~ Greenhouses.
- (f) ~~(g)~~ Residential agriculture.
- (g) ~~(h)~~ Storage sheds.
- (h) ~~(i)~~ Fences or fence walls.
- (i) ~~(j)~~ Signs.

(3) Conditional uses.

(a) The following conditional uses are permitted:

[2] Home occupations as an accessory use, subject to the following conditions:

[a] No person other than members of the family residing on the premises shall be engaged in such occupation, and an occupant shall have a proprietary interest in the occupation.

[b] The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and provided further that such professional service or office is located on the first floor of said dwelling and not more than 25% of the floor area of the dwelling unit, including basement, shall be used in the conduct of the home occupation.

[c] There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation other than one wall sign which may be a maximum of three-square feet.

[d] The professional service or office shall be carried on wholly within the principal building and shall not be conducted in any accessory building.

[e] There shall be no on-site sales in connection with such professional service or office.

[f] No overnight hospital facilities shall be provided for animals or persons in connection with such professional service or office.

[g] No such professional service or office shall generate traffic in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.

[h] No equipment or process shall be used in such professional service or office which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the premises. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.

(i) A "home occupation," as defined herein, does not include a veterinarian, construction or repair contractor, a real estate or insurance agent, a carpenter, cabinetmaker or furniture repairman, an animal hospital or kennel, an auto repairman, a restaurant, tearoom, coffee shop, tavern, mortuary or beauty or barber shop.

**Section 2.** Chapter 200 of the Code of the Borough of Northvale, Article III entitled "Regulations and Restrictions", Section 9 entitled "Provisions applicable to all zones" is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

B. Prohibited uses. The following uses are expressly prohibited in all zones in the Borough

of Northvale:

- (2) Drive-in facilities, except in the C-2 Zone where restaurants with drive-in facilities shall be permitted.

**Section 3.** Chapter 200 of the Code of the Borough of Northvale, Article III entitled "Regulations and Restrictions", Section 10 entitled "General design standards", is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

~~B. Home occupations. The following design standards apply:~~

- ~~(1) No person other than members of the family residing on the premises shall be engaged in such occupation, and an occupant shall have a proprietary interest in the occupation.~~
- ~~(2) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and provided further that such professional service or office is located on the first floor of said dwelling and not more than 25% of the floor area of the dwelling unit, including basement, shall be used in the conduct of the home occupation.~~
- ~~(3) There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation other than one sign which shall be erected in compliance with the relevant provisions of Article VIII, Signs, of this chapter.~~
- ~~(4) The professional service or office shall be carried on wholly within the principal building and shall not be conducted in any accessory building.~~
- ~~(5) There shall be no on site sales in connection with such professional service or office.~~
- ~~(6) No overnight hospital facilities shall be provided for animals or persons in connection with such professional service or office.~~
- ~~(7) No such professional service or office shall generate traffic in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.~~
- ~~(8) No equipment or process shall be used in such professional service or office which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the premises. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.~~
- ~~(9) A "home occupation," as defined herein, does not include a veterinarian, construction or repair contractor, a real estate or insurance agent, a carpenter, cabinetmaker or furniture repairman, an animal hospital or kennel, an auto repairman, a restaurant, tearoom, coffee shop, tavern, mortuary or beauty or barber shop.~~

~~B. C. Restaurants. The following design standards shall apply:~~

- ~~(1) Location; fFrontage and depth; conflicting provisions.~~
  - ~~(a) Any part of the lot upon which the proposed restaurant is to be situated cannot be within a radius of 1,000 feet of the property line of another restaurant.~~

(a) ~~(b)~~The minimum frontage of the lot of a restaurant shall be 200 feet, and the minimum depth shall be 200 feet.

(b) ~~(c)~~This subsection shall take precedence over any conflicting provisions set forth in the Limiting Schedule which are hereby adopted and made a part of this chapter.

(2) In order to assure compliance with the requirement that a restaurant have as its primary function the preparation and serving of food and drink on the premises and for on-site consumption, the following design standards apply~~requirements are hereby imposed~~:

~~C.~~ ~~D.~~ Shopping Centers. The following design standards shall apply:

~~D.~~ ~~E.~~ Commercial and light industrial buildings. The following design standards shall apply:

~~E.~~ ~~F.~~ Occupancy limitation in multidwelling units.

~~F.~~ Trash and recyclable containers. The following design standards shall apply:

(1) Trash and recyclable containers shall not be visible from any public street and shall be located in the rear half of the side yard or rear yard only.

(2) All trash and recyclable containers shall be enclosed by a solid fence or masonry on three sides and a solid, heavy-duty gate on the fourth side.

Parking lot landscaping. For every surface parking lot containing 20 or more parking spaces, the following design standards shall apply:

~~G.~~ Parking lot landscaping. For every surface parking lot containing 20 or more parking spaces, the following design standards shall apply:

(1) For every 20 parking spaces, at least one landscape island, containing at least 162 square feet shall be provided within the parking area.

(2) Half of the landscape islands shall contain shade trees, while the remainder shall contain shrubs.

(3) Shade trees shall be planted with a caliper of at least three inches and shrubs shall be planted with a height of at least two feet.

**Section 4.** Chapter 200 of the Code of the Borough of Northvale, Article III entitled "Regulations and Restrictions", Section 13 entitled "Off-street parking", is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

~~G.~~ All non-residential off-street parking areas adjacent to any residential zone and used by more than three vehicles shall be screened by a six-foot-tall solid fence or a five-foot-wide landscaping buffer strip containing evergreen trees in a staggered row planted at a minimum height of six feet to screen vehicles from adjacent residential properties.~~in accordance with the requirements of this chapter.~~

~~I.~~ The Board is hereby authorized to establish the required number of parking spaces for any nonresidential use erected or to be erected pursuant to this chapter. In establishing the required number of parking spaces for any use, the Board shall use the following standards:

(1) ~~Retail~~ All commercial and office uses ~~in any zone shall be required to provide~~ one parking space for every 300 square feet of floor area or any part thereof.

(2) Restaurants – one parking space for every three seats and one space for every two employees during the maximum shift.

- (3) Medical offices and personal service establishments – one parking space for every 200 gross square feet.
- (4) Exercise studio – one parking space for every 120 square feet of public area for students/customers.
- (5) Laundromats – one parking space for every 200 gross square feet.
- (6) Dog-kennels – three parking spaces.
- (7) All industrial uses in any zone shall be required to provide one parking space for every 600 square feet of floor area or one parking space for every employee during the maximum shift, or any part thereof.
- (8) Places of worship in any zone shall be required to provide one parking space for every three permanent or fixed seats based on seating capacity. Places of worship with no permanent or fixed seating shall provide one parking space for every three persons based on the maximum capacity of the facility, which shall be calculated by taking the total square footage of the space and dividing it by the square footage of space allotted to each person in attendance as determined by application of the Fire Department Occupancy Load Code.

**Section 5.** Chapter 200 of the Code of the Borough of Northvale, Article III entitled “Regulations and Restrictions”, Section 14 entitled “Off-street loading.”, is hereby amended and supplemented by adding the following underlined text:

- A. No retail, industrial, manufacturing, warehousing, or wholesale distribution building shall be used, erected or expanded unless off-street loading space shall be provided in such amount and manner that all loading and unloading operations will be conducted entirely within the boundaries of the lot concerned, and no vehicles shall in any manner use public streets, sidewalks or rights-of-way for loading or unloading operations except for access to the lot.

**Section 6.** Chapter 200 of the Code of the Borough of Northvale, Article IV entitled “Multiple-Family Housing Districts”, Section 16 entitled “Affordable Housing Community Commercial District”, is hereby deleted in its entirety and replaced with “Reserved”.

**Section 7.** Chapter 200 of the Code of the Borough of Northvale, Article IV entitled “Multiple-Family Housing District”, Section 19 entitled “AH-2 Affordable Senior Housing District”, subsection I entitled “Affordable housing regulations” is hereby deleted in its entirety.

**Section 8.** Chapter 200 of the Code of the Borough of Northvale, Article IV entitled “Multiple-Family Housing District”, Section 19.1 entitled “Paris Avenue Inclusionary Overlay”, is hereby amended and supplemented by deleting text in ~~strikeout~~:

- C. Permitted accessory uses.
  - (5) Tenant amenities including, ~~but not limited to, recreational and fitness facilities, lobbies, leasing and management offices and mail rooms.~~

**Section 9.** Chapter 200 of the Code of the Borough of Northvale, Article VIII entitled “Signs”, Section 26 entitled “Definitions” shall be amended and supplemented by adding the following underlined text, deleting text in ~~strikeout~~, and inserting the terms alphabetically

**FREESTANDING SIGN**

A sign which is supported by poles, pylons, or other structural components so that the bottom edge of the sign face is six feet or more above grade.

## GROUND SIGN

A sign in which the entire bottom is in contact with or is close to the ground and is independent of any other structure. Includes any sign supported by uprights or braces placed upon the ground and not attached to any building.

**Section 10.** Chapter 200 of the Code of the Borough of Northvale, Article VIII entitled “Signs”, Section 28 entitled “Permitted Signs” shall be amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

### B. Business and industrial districts.

~~(1) All signs as permitted in Residential A or B Districts shall be permitted, with the limitation as to size, number and type for the use permitted therein.~~

(1) ~~(2) In addition to the foregoing, there shall be permitted for any use.~~ The following signs shall be permitted:

(a) One ground sign per street frontage with an overall width of not more than six feet and an overall height not exceeding six~~eight~~ feet above ground. ~~The bottom of the facing of any ground sign shall be at least three feet above the ground.~~ Ground signs may be internally illuminated.

(b) One wall sign per establishment per street frontage. Said sign shall be not more than two feet high nor more than 24 square feet in area. Wall signs shall not project more than six inches from the façade of the building.

~~(3) There shall be permitted no more than a total of one ground sign or a total of three signs of all types for each applicant.~~

~~(4) No more than two wall signs advertising the name, products, and seal of an industry will be allowed, provided that they comply with the following specifications:~~

~~(a) Signs shall be attached to the main building and are limited to one per façade.~~

~~(b) Signs must be permanently attached to or constructed with the building and shall not extend more than six inches from the façade of the building.~~

(2) ~~(5)~~ Illumination of signs shall be in such a manner as to cause no glare or blinding light to adjacent properties or roadways.

(3) ~~(6)~~ All signs shall be set back a minimum distance of 20 feet from the edge of the right-of-way or any public road and 10 feet from any side lot line and shall not be located so as to interfere with the view of adjacent properties.

(4) ~~(7)~~ Customary warning, trespassing and posted signs shall be allowed.

### C. Shopping center developments.

(1) In shopping center developments, one freestanding sign shall be permitted, advertising the name of the shopping center, as defined in this chapter, or the uses found within; provided, however, that they meet the following specifications:

(d) The freestanding sign shall be internally illuminated. ~~Floodlights shall be so located and shielded~~ as to prevent any glare or blinding effect upon any adjacent property or roadways.

**Section 11.** Chapter 159 of the Code of the Borough of Northvale entitled “Site Plan Review”, Section 3 entitled “Site plan approval required; application information” shall be amended and supplemented by the following underlined text:

A. In each case where an application for a zoning or building permit is made, a site plan, drawn to scale of not smaller than one inch equals 50 feet and showing the following information shall be submitted (no fewer than 10 copies) with the application.

(18) Architectural plans illustrating the existing and proposed floor plans and existing and proposed building elevations. A list of the proposed exterior materials and proposed exterior material colors.

(19) ~~(18)~~Such other information and data as may be required by the approving authority in order to determine that the details of the site plan are in accord with the standards of the zoning ordinances and other ordinances of the Borough of Northvale and, further, that the building or use will not be detrimental to the public interest.

**Section 12.** All other sections of this Ordinance shall remain in full force and effect.

**Section 13.** All Ordinances and parts of Ordinances inconsistent with the provisions hereof are hereby repealed.

**Section 14.** This Ordinance shall take effect immediately upon passage and publication as required 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 Devlin	<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 Sotiropoulos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**MAYOR & COUNCIL REPORTS**

**Council President Sotiropoulos** – reported on the Police activity for the months of August and September. Four tasers have been purchased and 6 body cams. There are a total of 90 COVID cases. He also reported on the DPW projects. The Mayor received a letter from a resident complimenting the DPW. Ambulance Corps. is looking for new members.

**Councilman Devlin** – reported that the Senior Center and Golden Age Club are still closed. He also reported on applications that were before the Planning Board. PSE&G energy saving program was approved. The new lighting will begin in two weeks, the boiler will be installed in 4 weeks, and the new HVAC will be scheduled at a later date. The Board of Health will be having a meeting on October 15<sup>th</sup> which he will be unable to attend. The 125<sup>th</sup> anniversary for the Fire Association and town day planning has been moving along well.

**Councilman DeLisio** – reported on grants that Millenium has applied for. He spoke about the Cares Act for schools. He attended the Northern Valley Greenway meeting on October 5<sup>th</sup>. Mayor Marana spoke with Carl, who checked with the DOT, which should be awarding the Clinton Avenue grant around Thanksgiving.

**Councilman Shepard** – reported that the Fire Marshal had 49 inspections in August and 54 in September. The Fire Department had 109 runs.

**Councilman Argiro** – started his report on Recreation and congratulating Frank Petrilli becoming the new chairperson. He also thanked Amy for all her efforts over the last few years and what an asset she was to the town. Frank has a lot of great ideas. Soccer and basketball are in full swing. Adult softball finished last month and had a good season. They will be continuing to play on Sundays. He sent kudos to the DPW for having the parks looking so great. On October 1<sup>st</sup> the Library extended their hours. They still have indoor and outdoor service. Mayor Marana received an email that Jennifer Kelemen has resigned effective November 13<sup>th</sup>.

**Councilman McGuire** – reported that the high school has had in person and online classes and all is going well. They will be starting Phase 2 in the next few weeks with more in person learning. Northvale Public School has been running smoothly with no issues.

**Mayor Marana** – reported that through the Bergen County Cares Portal, Northvale will be receiving \$73,000 All submissions have been accepted without additional requests for documentation. In August the tax collection delinquencies were \$617,000. As of October 7<sup>th</sup> delinquencies were down to \$131,000. Building Department fees collected for September were \$5,366. Year to date is \$91,491. The Clinton Avenue railroad crossing rebuild is underway. The projected completion date from the DOT is October 21<sup>st</sup> at 7 pm. The DOT Railroad Engineers and Borough Engineers will be happy when this job is over! He also reported on the IT upgrades at the Borough Hall. Borough Hall is completely recabled for wifi. The hardware rack in the Mayor’s office has been moved into the closet in the clerk’s office. New router and modem have been installed. The desktops and laptops are in. We are in the process of obtaining a Microsoft 365 Office license. There will be a special meeting on October 20<sup>th</sup>, with roll call and right to closed session to discuss ongoing litigation.

**BOROUGH ENGINEER REPORT**

**Marie Raffay** – reported on the various projects Maser is working on. The paving is completed on Industrial Parkway/Union Street. Next month Maser will meet with the Borough to go over capital improvements for next year. CSX began construction and hopefully will be completed on time.

**BOROUGH ATTORNEY REPORT**

**Deena Rosendahl** – has issues to discuss in closed session.

**OPEN MEETING TO PUBLIC**

**Andrew Durfee, 174 Walnut Street** – was glad to hear about the IT improvements. He also asked if a new paving plan map would be posted on the web site. He also asked about the swings at the parks being closed and how are the parks staying clean. Mayor Marana said the playground equipment is sanitized daily. He also asked who checks the sanitation units at the park as they are empty. Mayor Marana advised that Fran would advise the DPW.

**CLOSED SESSION – TIME: 8:13 PM**

*Action may  not  be taken upon return to open session.*

**RESOLUTION #2020-128**

**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 checked="" type="checkbox"/>	Councilman Argiro

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

**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 Devlin	<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 Sotiropoulos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RETURN TO OPEN SESSION – TIME: 9:03 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 Devlin
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<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 Devlin	<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 Sotiropoulos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Councilman Shepard had to leave the meeting.**

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**RESOLUTION #2020-129**

**TITLE: RESOLUTION ACCEPTING THE PROPOSAL OF, AND AWARDING A CONTRACT TO, MASER CONSULTING, P.A. FOR PROFESSIONAL PLANNING SERVICES IN CONNECTION WITH PREPARING A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT INVESTIGATION OF PROPERTIES IDENTIFIED AS LOTS 5.01 AND 5.02 IN BLOCK 1011 PURSUANT TO N.J.S.A.40A:12A-1 ET SEQ. AND AUTHORIZING AND DIRECTING THE COMBINED PLANNING BOARD/BOARD OF ADJUSTMENT OF THE BOROUGH OF NORTHVALE TO EXAMINE WHETHER THESE PROPERTIES SHOULD BE DETERMINED TO BE, AND DESIGNATED AS, AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.**

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

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

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 etseq. (the “**LRHL**”), authorizes, and provides the procedures for, municipalities to determine whether certain parcels of land located therein constitute an “area in need of redevelopment”; and

**WHEREAS**, the Governing Body of the Borough of Northvale (the “**Borough**”) has identified certain real properties commonly known as 155 Veterans Drive and which, following a subdivision as approved by Resolution 20-13 adopted August 19, 2020 by the Combined Planning Board/Board of Adjustment of the Borough, are now identified as Lots 5.01 and 5.02 in Block 1011, as delineated on the Subdivision Map filed September 9, 2020 with the Office of the Bergen County Clerk, which is incorporated herein and made a part hereof by reference, inclusive of any and all streets, “paper” streets, private drives and right of ways, to be considered (the “**Study Area**”) for designation as an “area in need of redevelopment” pursuant to the LRHL; and

**WHEREAS**, pursuant to the required redevelopment procedures specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined to be, and designated as, an “area in need of redevelopment” unless and until such time as the governing body of the municipality shall, by resolution, authorize the Planning Board of the municipality to undertake a preliminary investigation to determine whether a proposed area is an “area in need of redevelopment” meeting the criteria set forth in N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

**WHEREAS**, the New Jersey Legislature adopted, and the Governor signed, P.L. 2013, Chapter 159, which amended the LRHL, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6(a), “[t]he resolution authorizing the Planning Board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a ‘Non-Condensation Redevelopment Area’) or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a ‘Condensation Redevelopment Area’)”; and

**WHEREAS**, the Study Area currently consists of a vacant building surrounded by underutilized land; and

**WHEREAS**, the Borough finds it to be in the best interests of the Borough and its residents to authorize the Borough’s Combined Planning Board/Board of Adjustment to undertake such preliminary investigation as to whether the Study Area qualifies as a Non-Condensation Redevelopment Area pursuant to the LRHL; and

**WHEREAS**, the Borough hereby states that any redevelopment area determination shall authorize the Borough to use all of those powers provided by the LRHL for use in a redevelopment area other than the use of eminent domain, known as a Non-Condensation Redevelopment Area and the notice of any hearing to be conducted by the Combined Planning Board/Board of Adjustment with regard to this Resolution shall specifically state that a redevelopment area determination shall not authorize the municipality or exercise the power of eminent domain to acquire any property in the delineated area; and

**WHEREAS**, in furtherance of the Borough’s Combined Planning Board/Board of Adjustment conducting this preliminary investigation as authorized and directed by this Resolution, the Borough requires the services of a professional planner to prepare a study of

whether the Study Area meets the criteria set forth in N.J.S.A. 40A:12A-5 and to report the same to the Borough's Combined Planning Board/Board of Adjustment; and

**WHEREAS**, Maser Consulting, P.A. submitted to the Borough a written proposal dated October 2, 2020 for the providing of these required professional planning services to the Borough, which services include the preparation of a preliminary investigation for designation of the Study Area as a non-condemnation "area in need of redevelopment"; and

**WHEREAS**, the Borough finds it to be in the best interests of the Borough and its residents to retain Maser Consulting, P.A. to provide the required professional planning services and undertake such a preliminary investigation as to whether the Study Area qualifies as a non-condemnation "area in need of redevelopment" pursuant to the LRHL; and

**WHEREAS**, the services to be performed pursuant to the contract being awarded herein are professional services, within the meaning of those terms as they are used in the Local Public Contracts Law, N.J.S.A. 40A:11-2 etseq. and, accordingly, this contract may be awarded without public advertising for bid and bidding in accordance with N.J.S.A. 40A:11-5; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 etseq., requires that a resolution authorizing the appointment for professional services without competitive bids must be publicly advertised; and

**WHEREAS**, the estimated value of the contract is expected to be not more than \$9,500.00, and the duration of the contract is until the services are completed; and

**WHEREAS**, there are funds available for the payment of the aforesaid services.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Northvale that a professional services contract for professional planning services for the preparation of a preliminary investigation and study for designation of the Study Area as a non-condemnation "area in need of redevelopment" in the sum of \$9,500.00 be, and the same is, hereby awarded to Maser Consulting, P.A. in accordance with its submitted written proposal dated October 2, 2020 which is annexed hereto as Exhibit "A" and the Mayor is hereby authorized and directed to execute this contract on behalf of the Borough of Northvale and Maser Consulting, P.A., along with other representatives of the Borough of Northvale, are hereby authorized to prepare a preliminary investigation and study for designation of the Study Area as a non-condemnation "area in need of redevelopment" and to submit same to the Combined Planning Board/Board of Adjustment of the Borough of Northvale for its consideration as is authorized and directed by this Resolution; and

**BE IT FURTHER RESOLVED**, that the Borough's Combined Planning Board/Board of Adjustment is hereby authorized and directed to conduct the necessary investigation and to hold a public hearing to examine whether the lands comprising and identified as Lots 5.01 and 5.02 in Block 1011, as shown on the Subdivision Map filed September 9, 2020 with the Office of the Bergen County Clerk, qualify as, and should be determined and designated to be, an area in need of redevelopment authorizing the municipality to use all powers provided by LRHL for use in a Non-Condensation Redevelopment Area under the criteria and pursuant to the public hearing process set forth in the LRHL; and

**BE IT FURTHER RESOLVED**, that the notice of any hearing which is to be conducted by the Borough's Combined Planning Board/Board of Adjustment with regard to this Resolution shall specifically state that a redevelopment area determination shall not authorize the municipality to exercise the power of eminent domain to acquire any property in the delineated area; and

**BE IT FURTHER RESOLVED** that the Borough's Combined Planning Board/Board of Adjustment shall submit its findings and recommendations to the Governing Body of the Borough of Northvale in the form of a Resolution with supporting documentation; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the Acting Borough Clerk, the Borough’s Chief Financial Officer and the Borough’s Combined Planning Board/Board of Adjustment and the Secretary of the Borough’s Combined Planning Board/Board of Adjustment; and

**BE IT FURTHER RESOLVED**, that the Acting Borough Clerk is hereby authorized and directed to publish a copy of this Resolution in The Record within ten (10) days from the date hereof.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

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 Devlin	<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 checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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**RESOLUTION #2020-130**

**TITLE: RESOLUTION AUTHORIZING MAYOR MARANA AND THE ACTING BOROUGH CLERK TO SIGN AN AGREEMENT FOR PROFESSIONAL LEGAL SERVICES – SPECIAL COUNSEL WITH GREGG PASTER AND ASSOCIATES, 530 SYLVAN AVENUE – SUITE 201, ENGLEWOOD CLIFFS, NEW JERSEY 07632**

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 Devlin
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

**WHEREAS**, the Borough is in need of legal representation as Special Counsel to represent the Borough in connection with essential service reimbursement claimed by the Northvale Greens/Paris Square homeowner’s association,

**WHEREAS**, the term of said agreement shall be October 1, 2020 through September 30, 2021, OR until the assignment is completed,

**WHEREAS**, prior to each public meeting of the Mayor and Council, Counsel will provide a written update for the Borough Clerk including a brief description of the activity to date, the current status, and what developments are expected during the current month,

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Northvale that Mayor Patrick J. Marana and Acting Borough Clerk Frances Weston be and are hereby authorized to execute the aforesaid Agreement on behalf of the Borough.

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 Devlin	<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 checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**ADJOURNMENT TIME: 9:07 PM**

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 Devlin
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<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 Devlin	<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 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:**

*Frances M. Weston*

Frances M. Weston  
Acting Borough Clerk

Approved: November 10, 2020