

MINUTES
Special Meeting of the Mayor and Council
Tuesday, May 25, 2021
7:00 PM

CALL THE MEETING TO ORDER

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

STATEMENT

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

“This is a Special Meeting of the Mayor and Council of the Borough of Northvale. The date, time and location of this meeting have 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.”

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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| Councilman Hogan | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Councilman McGuire | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Councilman Sotiropoulos | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

RESOLUTION #2021-100

TITLE: RESOLUTION APPOINTING ROBERT CONNELL AS CONSTRUCTION CODE OFFICIAL AND BUILDING SUB-CODE OFFICIAL FOR FOUR YEAR TERM

| 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 Hogan |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilman McGuire |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilman Sotiropoulos |

WHEREAS, Robert Connell was appointed Construction Code Official and Building Sub-Code Official for a 60 day period effective April 1, 2021; and

WHEREAS, Robert Connell has the requisite skills and experience to hold the positions of Construction Code Official and Building Sub-Code Official; and

WHEREAS, the 60 day period will expire on June 1, 2021.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Northvale hereby appoints Robert Connell to the positions of Construction Code Official and Building Sub-Code Official for a four year term effective June 1, 2021.

| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| Councilman Hogan | <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 Sotiropoulos | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

ORDINANCE – 1ST READING

ORDINANCE #1037-2021

ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY LOCATED IN THE BOROUGH OF NORTHVALE AS SHOWN ON THE TAX MAP AS BLOCK 1011, LOT 5.01 AND BLOCK 1011, LOT 5.02

| 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 Hogan |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilman McGuire |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Councilman Sotiropoulos |

WHEREAS, the Borough of Northvale is the owner of two (2) parcels of real property, the first being commonly known as 146A Walnut Street and designated as Lot 5.01 in Block 1011 on the Tax Map of the Borough of Northvale (hereinafter, “Lot 5.01”), and the second being commonly known as 155 Veterans Drive and designated as Lot 5.02 in Block 1011 on the Tax Map of the Borough of Northvale (hereinafter, “Lot 5.02”; hereinafter, collectively with Lot 5.01, the “Parcels”);

WHEREAS, the Governing Body of the Borough of Northvale previously determined that the Parcels are not needed for any public use and should be sold for public benefit; and

WHEREAS, by Resolution 2021-80 adopted April 14, 2021, the Governing Body of the Borough of Northvale authorized the offering of the Parcels for sale to the highest bidder at public auction to be conducted pursuant to the Local Lands and Buildings Laws, N.J.S.A. 40A:12-13(a); and

WHEREAS, the public auctions for the sale of each of the Parcels, as authorized by Resolution 2021-80, were conducted by the Borough of Northvale on May 7, 2021 and 151 Veterans Drive, LLC was determined to be the highest and successful bidder at the auction for the sale of Lot 5.01 and at the auction for the sale of Lot 5.02; and

WHEREAS, the Borough of Northvale desires to complete the sale and dispose of each of the Parcels in accordance with the provisions of N.J.S.A. 40A:12-13.

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Northvale as follows:

Section 1. The aforementioned recitals are incorporated herein by reference as though fully set forth at length.

Section 2. In accordance with the provisions of N.J.S.A. 40A:12-1 et seq., and consistent with Resolution 2021-80 adopted April 14, 2021, the Governing Body of the Borough of Northvale shall and hereby does authorize the sale of the real property commonly known as and located at 146A Walnut Street in the Borough of Northvale and designated on the Official Tax Map of the Borough of Northvale as Block 1011, Lot 5.01 to 151 Veterans Drive, LLC for the sum of \$200,000.00, said sale price being determined at public auction conducted May 7, 2021 as authorized by Resolution 2021-80. The Governing Body shall and hereby does further authorize the Mayor and Acting Borough Clerk to execute an agreement with 151 Veterans Drive, LLC, the highest and successful bidder at the public auction for the sale of this real property, and all other documents necessary to consummate said sale of this real property, in a form satisfactory to

Kaufman, Semeraro & Leibman, LLP, counsel to the Borough of Northvale, and to complete the sale of this real property pursuant to and consistent with the terms of said agreement and related documents.

Section 3. In accordance with the provisions of N.J.S.A. 40A:12-1 et seq., and consistent with Resolution 2021-80 adopted April 14, 2021, the Governing Body of the Borough of Northvale shall and hereby does authorize the sale of the real property commonly known as and located at 155 Veterans Drive in the Borough of Paramus and designated on the Official Tax Map of the Borough as Block 1011, Lot 5.02 to 151 Veterans Drive, LLC for the sum of \$465,000.00, said sale price being determined at public auction conducted May 7, 2021 as authorized by Resolution 2021-80. The Governing Body shall and hereby does further authorize the Mayor and Acting Borough Clerk to execute an agreement with 151 Veterans Drive, LLC, the highest and successful bidder at the public auction for the sale of this real property, and all other documents necessary to consummate said sale of this real property, in a form satisfactory to Kaufman, Semeraro & Leibman, LLP, counsel to the Borough of Northvale, and to complete the sale of this real property pursuant to and consistent with the terms of said agreement and related documents.

Section 4. Kaufman, Semeraro & Leibman, LLP, counsel to the Borough of Northvale, shall be and is hereby further authorized and directed to prepare any and all documents required to consummate the sale of each of the Parcels as said sales are authorized by Resolution 2021-80 adopted April 14, 2021 by the Governing Body of the Borough of Northvale and as authorized by this ordinance, and all relevant Borough officials shall be and are hereby authorized to execute any and all documents necessary in furtherance of the intentions of the within Ordinance, so long as said documents are in a form satisfactory to counsel to the Borough of Northvale.

Section 5. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the fullest extent possible. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance.

Section 6. 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 7. This ordinance shall take effect after publication and passage according to law.

ON THE QUESTION: Councilman McGuire asked if there was enough time between the introduction and 2nd reading of the Ordinance. Ms. Rosendahl explained there is 10 days needed between introduction and adoption. She will present the council with a contract before the next meeting. This ordinance authorizes the Mayor to sign the contract and for the sale of the property. The closing should be the end of June.

| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| Councilman Hogan | <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 Sotiropoulos | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Mayor Marana informed the council that Livingston Street milling will begin tomorrow for three days. Paving is scheduled for the Tuesday after Memorial Day. They are starting from north of Paris Avenue and working south to Broadway in Norwood. Riverside Coop had a precon meeting. Milling will be done June 16-18 with paving to follow on June 18, 21 and 22. Memorial Day observance will be on Monday at the American Legion at 11:30 a.m.

OPEN MEETING TO THE PUBLIC

Judith Reilly, Attorney for Robert & Diane Bettega – Attorney Reilly explained the escrow problem they encountered in January. The Bettega’s are due a refund of \$160. This refund will be on the June 9th bills list. Attorney Reilly wanted to know why there is a delay in receiving an escrow refund. Attorney Reilly wanted to let the Mayor and Council know of this problem.

ADJOURNMENT TIME:

| 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 Hogan |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Councilman McGuire |
| <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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| Councilman Hogan | <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 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: June 9, 2021