

**MINUTES**  
**Combined Meeting of the Mayor and Council**  
**Wednesday, April 13, 2011**  
**7:30 PM**

**CALL THE MEETING TO ORDER –**

Mayor Bazela called the meeting to order at 7:40 PM in the Council Chambers of the Municipal Building located at 116 Paris Avenue, Northvale, New Jersey 07647.

**STATEMENT –**

Mayor Bazela 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 Bazela 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 –**

Mayor Bazela, Councilwoman Libby, Councilman Marana, Councilman Piehler, Councilman Sokoloski and Councilman Sotiropoulos were present. Councilman Amend was absent.

Also present were Meghan Tomlinson, representative for Gregg Paster, Paul Niehoff, Borough Engineer and Wanda A. Worner, Borough Clerk.

**PRESENTATIONS –**

Bronze Award Recipients –

Mayor Bazela stated that he had the pleasure of being invited to a Bronze award ceremony for the Girl Scouts. They collected over 1,800 books and distributed them to places that needed them. Mayor Bazela presented each girl with a certificate.

Troop 630	Alexandra George	Kiera Shepard	Elizabeth Salerno
Troop 617	Emily Otworth	Rachel Modery	

**APPOINTMENTS & PERSONNEL CHANGES –**

Motion by Councilman Marana; seconded by Councilwoman Libby to approve the appointment of Paul Iulo of 336 Bradley Avenue as an Alternate School Crossing Guard, effective immediately.

ROLL CALL VOTE: All present in favor.

**APPROVAL OF MINUTES –**

Motion by Councilman Sokoloski; seconded by Councilman Piehler to approve the minutes of the meeting of February 9, 2011.

ROLL CALL VOTE: All present in favor with the exception of Councilman Sotiropoulos who abstained.

**CORRESPONDENCE –**

1. Letter – Megan Kanka Foundation – March 1, 2011  
re: Free Fingerprinting for Recreation Coaches

Mayor Bazela stated that this is very important for Recreation and for the School as they are offering a free fingerprinting service for coaches and employees.

2. Letter – Zonta Club of Northern Valley – March 8, 2011  
re: 14<sup>th</sup> Annual R.A.V.E.Walk

Mayor Bazela stated that this event will take place on Saturday April 30<sup>th</sup>.

3. Letter – Bidly O’Malley’s Pub – March 14, 2011  
re: Request Permission for to Hang 3 Banners

The Council approved the signs for 30 days from the date of hanging

4. Letter – Arcadis – March 30, 2011  
re: Status of Grant Applications Tect – Deluxe  
Request for Payment of Bills

Mayor Bazela asked Councilman Sokoloski to speak with the firm.

5. Letter – Jeffrey Marcason – April 2, 2011  
re: Schools Request for Joint Purchase of Equipment

The Council agreed that Mr. Marcason can send the letter to the school.

6. Res. - Town of Kearny  
re: Authorizing Health Benefit Cost Sharing Deduction

This matter will be discussed in Closed Session.

7. Letter – Senator Gerald Cardinale – April 8, 2011  
re: Asking for Support for S54 – De-snagging & De-silting Streams

This will be resolution #2011-54.

**MONTHLY CORRESPONDENCE –**

Mayor Bazela stated that the following monthly correspondence in 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.

- Police Department – March
- Tax Collector – March
- Municipal Court – March
- Fire Prevention – March
- Building Department - March

**RESOLUTIONS –**

Motion by Councilman Marana; seconded by Councilman Sotiropoulos to approve Resolution #'s 2011-48 through 2011-54, as follows, on Consent Agenda, as follows:

**RESOLUTION #2011-48**

**Waive Building Department Fees for the Thomas Jefferson School**

WHEREAS, building permits have been obtained for various work to be performed at the TJ School, as follows:

1. Demolition of six boilers, stacks and related piping
2. Installation of piping for new boilers
3. Installation of three hot water boilers

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that fees connected with the above mentioned applications are hereby waived.

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#### **RESOLUTION #2011-49**

##### **Award the Proposal of the Concession Stand at Hogan Park to Demaria Deli**

WHEREAS, there exists a need for someone to run to Concession Stand at Hogan Park; and

WHEREAS, the Mayor and Council advertised for proposal and did receive same on March 31<sup>st</sup>; and

WHEREAS, the sole proposal was received by Demaria Deli in the amount of \$600.00 per month;

NOW, THEREFORE, BE IT RESOLVED, that the Proposal for the Concession Stand at Hogan Park is hereby awarded to Dimaria Deli; and

BE IT FURTHER RESOLVED, that Dimaria Deli will pay the Borough of Northvale \$600.00 per month for the operation of said Concession Stand.

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#### **RESOLUTION #2011-50**

##### **Resolution in Opposition of Senate Bill 1351**

WHEREAS, the Mayor and Council of the Borough of Northvale believes members of the public should be present at all meetings of public bodies and should be able to participate in discussions that will ultimately affect them; and

WHEREAS, at every regular meeting the Mayor and Council has portions dedicated to public comments; and

WHEREAS, Senate Bill No. 1351 proposes several amendments to the Open Public Meetings Act some of which would make conducting official business more difficult; and

WHEREAS, S1351 would prohibit action or discussion on any matter that is not listed on the agenda which notice was given three days prior to the meeting; and

WHEREAS, if a member of the public brings up a subject, the Mayor and Council would be prohibited from doing so unless they made the Borough Clerk aware of their specific issue at least three business days prior to the agenda being posted; and

WHEREAS, S1351 would also require that draft minutes be made available to the public either within two weeks of the meeting or at least three days before the next regularly scheduled meeting whichever is sooner; and

WHEREAS, members of the public should not have access to any minutes before the Mayor and Council has had an opportunity to review them; and

WHEREAS, S1351 requires the retention of any recording media of a meeting for seven years making it difficult to store and properly maintain them, therefore unfairly burdening the municipality with additional costs; and

WHEREAS, portions of S1351 make the Mayor and Council meetings less responsive to the public; creates conditions that make it inefficient for the Mayor and Council to serve the needs of the public; would most likely result in more special meetings, and make it more costly in terms of advertising, time, manpower and in other ways will delay time sensitive matters that are in the public interest from being acted upon; and

WHEREAS, portions of S1351 place financial and other burdens on Municipalities during an era of reductions in municipal staff; furloughs; cuts in municipal departmental funding and during a time of tighter budget CAPS; and

WHEREAS, it has been a policy for decades in New Jersey that “State Mandate, State Pay” yet no State funding is in place to effectuate these new mandates as included in S1351 or any other legislation.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Northvale, County of Bergen, State of New Jersey that in today’s ever changing climate that they acknowledge some changes do need to be made to the Open Public Meetings Act; and

BE IT FURTHER RESOLVED that the Mayor and Council, for reasons stated above, do hereby oppose S1351 in its current form and they urge the Senate and Assembly to oppose this bill as well.

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**RESOLUTION #2011-51**

**Payment of Bills**

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

Current Appropriations (2011)	\$ 389,954.95
Appropriation Reserves (2010)	\$ 50,000.00
General Capital Fund	\$ 46,843.29
Animal License Trust	\$ -- 0 --
Community Development Trust	\$ -- 0 --
Developer’s Escrow Trust	\$ 2,034.26
Food Trust	\$ -- 0 --

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:

Health Benefits	March 2011	\$ 34,119.30
Regional School Taxes	March 2011	\$ 594,189.71
Local School Taxes	March 2011	\$ 681,526.00
Payroll	March 2011	\$ 105,161.83

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Northvale that the claims totaling \$ **1,765,300.21** be approved and ratified respectively.

The bill list is as follows:

vendor	checkno	chktotal	description
BERGEN NEWSPAPER GROUP, LLC	415	29.39	277 LIVINGSTON STREET LLC
BROOKER ENGINEERING, PLLC	416	1125.00	VARIOUS
GREGG F. PASTER & ASSOC.	417	294.87	INVESTORS FIRST MORTGAGE
MASER CONSULTING P.A.	418	585.00	CHODAE PRESBYTERIAN CHURCH
AZZOLINA & FEURY ENGINEERING,	488	41000.00	VARIOUS
BECKERLE LUMBER SUPPLY CO.	489	87.60	ORD 871-09 VARIOUS
BSN SPORTS	490	377.67	ORD 813-06 VARIOUS
KEYSTONE RIDGE DESIGNS	491	2633.00	ORD 813-06 VARIOUS
ROGUT MCCARTHY LLC	492	821.04	ORD 879-10 VARIOUS
YABOO FENCE CORP.	493	1923.98	ORD 871-09 VARIOUS
PUBLIC WORKS ASSOCIATION OF NJ	5366	-50.00	DPW Streets & Roads O/E:
COMPOUND SIGNS	5394	1940.00	Recreation:
AAA EMERGENCY SUPPLY CO.,INC.	5395	255.60	Fire O/E:
ANITA E. CALABRO	5396	40.00	McGuire Senior Center O/E:
APPRAISAL SYSTEMS, INC.	5397	50000.00	Emergency Revaluation
BEATRIZ GERAMITA	5398	100.00	Municipal Court O/E:
BECKERLE LUMBER SUPPLY CO.	5399	67.26	Buildings & Grounds:
BERGEN COUNTY MUNICIPAL JUDGE'	5400	75.00	Municipal Court O/E:
BERGEN MUNICIPAL JOINT INS FUN	5401	54766.55	Worker's Compensation Insuranc
BERGEN NEWSPAPER GROUP, LLC	5402	140.06	VARIOUS
BI-STATE BRAKE CO., INC.	5403	325.70	DPW Streets & Roads O/E:
BOROUGH OF NORTHVALE	5404	2200.00	Recreation:
C & H DISTRIBUTORS	5405	180.03	McGuire Senior Center O/E:
CABLEVISION	5406	113.80	VARIOUS
CERTIFIED SPEEDOMETER SVC INC.	5407	105.00	Police O/E:
CLEATUS FARMS INC.	5408	17.60	Recycling O/E:
CLOSTER RECREATION COMMISSION	5409	1441.66	Recreation:
COACHMAN INTERNATL TOURS,INC	5410	750.00	Recreation Senior Bus Trips:
CODY COMPUTER SYSTEMS	5411	2812.50	Police O/E:
COOPER TANK	5412	3825.00	Appropriated Grants
CREATIVE FORCASTING, INC.	5413	60.00	McGuire Senior Center O/E:
D & E UNIFORMS	5414	2682.00	VARIOUS
DELTA DENTAL PLAN OF N.J.,INC	5415	4592.00	Employee Group Insurance:
DELUXE SALES AND SERVICE,INC	5416	55.54	DPW Streets & Roads O/E:
DESESA ENG.CO.INC	5417	1054.00	Buildings & Grounds:
DOLORES ALFIS	5418	145.79	VARIOUS
DONNA L. GAMBUTTI	5419	14.99	Administrative & Executive O/E
DOROTHY GARRY	5420	200.00	McGuire Senior Center O/E:
ELLEN J. SPRINGSTEEN	5421	140.00	Municipal Court O/E:
FERGUSON ENTERPRISES INC.	5422	95.72	Buildings & Grounds:
FERRAIOLI, WIELKOTZ, CERULLO &	5423	350.00	Financial Audit
GE CAPITAL	5424	580.00	Administrative & Executive O/E
GLORIA DONOGHUE	5425	140.00	McGuire Senior Center O/E:
GREGG F. PASTER & ASSOC.	5426	4069.97	VARIOUS
INFOCROSSING, A WIPRO CO.	5427	192.57	Tax Collection O/E
INSERRA SUPERMARKET, INC.	5428	86.98	McGuire Senior Center O/E:
INTERBORO RADIO	5429	28295.71	Interboro Radio:
JACQUELINE WALKER	5430	236.94	Appropriated Grants
JAMES KURPIEL	5431	197.50	Storm Water Management:
JEFF PANDICH	5432	110.00	Recreation:
JEFFRY MARCASON	5433	341.11	VARIOUS
KAUKER & KAUKER, LLC	5434	957.50	VARIOUS
L. ROSS DISTRIBUTORS,INC	5435	169.40	Buildings & Grounds:
LA CASA FORMOSA	5436	1796.75	McGuire Senior Center O/E:
LANDS' END BUSINESS OUTFITTERS	5437	75.40	DPW Streets & Roads O/E:
LAWNGROWERS OF AMERICA	5438	315.00	Buildings & Grounds:
LIFESAVER INC.	5439	152.30	Police O/E:
LISA SALERNO	5440	175.00	McGuire Senior Center O/E:

MARGARET RASO	5441	816.00	Appropriated Grants
MARY MCGOWAN	5442	120.00	McGuire Senior Center O/E:
MASER CONSULTING P.A.	5443	780.00	Engineering Services O/E
MAUREEN FELICI	5444	400.00	Appropriated Grants
METRO PEST SOLUTIONS	5445	100.00	Buildings & Grounds:
METRO TEAM OUTFITTERS, INC	5446	4702.00	Recreation:
MGL PRINTING SOLUTIONS	5447	787.80	Tax Assessment O/E
MIELE SANITATION CO	5448	32322.08	VARIOUS
MILLENNIUM STRATEGIES LLC	5449	5000.00	VARIOUS
MINUTEMAN PRESS	5450	37.00	McGuire Senior Center O/E:
MOBILE FLEET	5451	39.50	Police O/E:
MOORE MEDICAL CORP.	5452	119.90	Police O/E:
MOR POWER EQUIPMENT,INC.	5453	14.19	Parks & Playgrounds:
MUNIDEX, INC.	5454	80.00	Tax Collection O/E
N.J. DEPT OF COMMUNITY AFFAIRS	5455	752.00	DUE TO STATE UCC FEES
N.J. DIVISION OF WEIGHTS AND	5456	200.00	Police O/E:
NEW JERSEY CONFERENCE OF	5457	295.00	Administrative & Executive O/E
NEW JERSEY STATE LEAGUE	5458	441.00	Administrative & Executive O/E
NORTH EAST FIRE AND SAFETY	5459	158.50	Police O/E:
NORTH JERSEY MEDIA GROUP	5460	174.83	VARIOUS
NORTHVALE FIRE ASSOCIATION	5461	5772.50	Fire Rent:
NORTHVALE FLORIST	5462	100.00	Administrative & Executive O/E
NORTHWEST BERGEN REGIONAL	5463	7208.20	Board of Health O/E:
OFFICE CONCEPTS GROUP	5464	1173.63	VARIOUS
ONE CALL CONCEPTS, INC.	5465	69.55	Sewer:
ORIENTAL TRADING CO, INC.	5466	108.87	Public Events Celebration:
PASCACK VALLEY INDOOR SOCCER	5467	150.00	Recreation:
PITNEY BOWES	5468	50.98	Administrative & Executive O/E
PITNEY BOWES PURCHASE POWER	5469	562.28	Administrative & Executive O/E
POJANOWSKI & TRAWINSKI P.C.	5470	2710.00	Legal Services O/E
POLAND SPRING WATER CO.	5471	231.34	VARIOUS
PROFESSIONAL GOVT EDUCATORS,IN	5472	90.00	Administrative & Executive O/E
PSE&G CO.	5473	8585.99	Natural Gas:
R. & R.RADAR, INC.	5474	725.50	Police O/E:
RACHLES / MICHELE'S OIL CO,INC	5475	9141.22	Gasoline:
RECREATIONAL SAND LLC	5476	1290.00	Parks & Playgrounds:
RFQ TESTING	5477	75.00	Sewer:
RICK BEDFORD	5478	1160.00	Recreation:
RIDGEWOOD TYPWRITER, INC.	5479	20.02	Police O/E:
RIVERSIDE COOPERATIVE	5480	500.00	Administrative & Executive O/E
ROBERT CARLISLE	5481	189.00	McGuire Senior Center O/E:
ROCKLAND ELECTRIC CO	5482	5345.49	Street Lighting:
ROCKLAND ELECTRIC COMPANY	5483	9853.04	Electricity:
ROGUT MCCARTHY LLC	5484	605.67	Financial Administration O/E
RUSCON TRUCK SVCE/EQUIP CO, IN	5485	75.08	DPW Streets & Roads O/E:
RUTGERS,THE STATE UNIVERSITY	5486	368.00	Board of Health O/E:
SCHULTZ FORD,INC.	5487	924.77	Police O/E:
STATE LINE FIRE AND SAFETY INC	5488	61.50	Fire O/E:
TANYA DMITRUK	5489	361.00	VARIOUS
TENAFLY MOWER SERVICE,INC.	5490	40.50	Parks & Playgrounds:
THE HARDWARE STORE	5491	186.21	VARIOUS
TREASURER STATE OF NEW JERSEY	5492	1050.00	Appropriated Grants
TROOPER FOODS	5493	805.00	VARIOUS
TYCO ANIMAL CONTROL SERVICES	5494	550.00	Animal Control O/E:
UNITED COMPTR SALES & SVCE,INC	5495	750.00	Administrative & Executive O/E
UNITED WATER NEW JERSEY	5496	6667.14	Fire Hydrants Service:
VERIZON WIRELESS	5497	750.49	Telephone:
VERIZON/BELL ATLANTIC	5498	0.00	VARIOUS
WESTWOOD MOTORS INC.	5499	20.00	Fire Prevention O/E:
WILLIAM GUYT	5500	482.00	DPW Streets & Roads O/E:
BERGEN CNTY UTILITIES AUTHORIT	5501	123603.00	Sewer Contractual - BCUA:
VERIZON/BELL ATLANTIC	5502	263.62	Telephone:
UNITED WATER NEW JERSEY	5503	183.33	Water:
NJSHBP	1103161	34119.30	Employee Group Insurance:
NORTHERN VALLEY REG. HIGH SCHO	1103251	594189.71	REGIONAL SCHOOL TAX
NORTHVALE BOARD OF EDUCATION	1103252	681526.00	LOCAL SCHOOL TAX

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**RESOLUTION #2011-52**

**Approve the Tonnage Grant Report and Application for 2010**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing the municipality to apply for such tonnage grants (for calendar year 2010) will memorialize the commitment of the municipality to recycling and to indicate the assent of the Northvale Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Northvale hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Jeffry Marcason, Recycling Coordinator, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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**RESOLUTION #2011-53**

**Resolution Authorizing Capital Surplus Funds in the Amount of \$90,267.00 of the Interborough Radio Dispatch System and Held by the Borough of Closter and No Longer Needed for Capital Purposes to be Released to the Interborough Radio Dispatch system for General Operating Support**

WHEREAS, the Borough of Northvale is a member of the Interborough Radio Dispatch System (“Interborough Radio”) made up of participating Northern Valley municipalities; and

WHEREAS, it has been determined by agreement of the municipalities that a President of the Interborough Radio will be elected from amongst the representatives of the municipalities for a two-year term on a rotating basis; and

WHEREAS, Mayor DeRienzo of Haworth has been elected as President of the Interborough Radio and has opened an account for the purposes of receiving funds from the participating municipalities and for making payment necessary for the operation of the Interborough Radio; and

WHEREAS, the Borough of Closter is holding \$90,267.00 in capital surplus funds that were contributed by the Interborough Radio municipalities for capital purposes; and

WHEREAS, it has been determined that the purposes for which said funds were originally contributed by the municipalities are no longer required;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Northvale do hereby authorize the release and transfer of said funds by the Borough of Closter to the account established by the Borough of Haworth for the purpose of providing general operation support for the Interborough Radio Dispatch System; and

BE IT FURTHER RESOLVED that the Municipal Clerk be and is hereby authorized and directed to mail a certified copy of this resolution to the Municipal Clerks of Closter and Haworth.

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### **RESOLUTION #2011-54**

#### **Resolution in Support of S-54**

WHEREAS, flooding of local streams is a major problem for the residents of low lying areas of Bergen County; and

WHEREAS, regular de-snagging and de-silting of our local streams would provide significant relief of the flooding problems; and

WHEREAS, the permitting process required before de-snagging and de-silting may be undertaken is extremely onerous; and

WHEREAS, the permitting process is also very costly to the local municipalities involved; and

WHEREAS, relief from some of the requirements of that permitting process would facilitate de-snagging and de-silting operations being undertaken in a more timely manner;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Northvale hereby urges the legislature to quickly enact, and the Governor to approve, S-54 which would relieve some of these regulatory burdens; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to forward a certified copy of this resolution to Governor Christie, Senate President Sweeney, Assembly Speaker Oliver, Senator Smith, Chairman of the Senate Environmental Committee and Assemblyman McKeon, Chairman of the Assembly Environmental Committee.

ROLL CALL VOTE: All present in favor.

**ORDINANCES – 1<sup>st</sup> reading –**

**ORDINANCES – 2<sup>nd</sup> reading –**

**BOROUGH OF NORTHVALE  
County of Bergen  
State of New Jersey**

**ORDINANCE #893-2011**

**REFUNDING BOND ORDINANCE PROVIDING FOR PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN AND BY THE BOROUGH OF NORTHVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$107,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$107,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF NORTHVALE, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Borough of Northvale, in the County of Bergen, New Jersey (the "Borough") is hereby authorized to pay an aggregate amount not exceeding \$107,500 for amounts owed by the Borough to the owners of various properties for taxes levied in the Borough (inclusive of certain costs associated therewith), as more particularly described on the List of Settled Appeals and available for inspection in the office of the Borough Clerk, which list is hereby incorporated by reference as if set forth at length herein.

Section 2. An aggregate amount not exceeding \$8,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the cost of the project described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount of \$107,500 pursuant to the Local Bond Law.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations.

All notes issued hereunder may be renewed from time to time, but all such notes including renewals shall mature and be paid no later than the fifth anniversary of the date of the original notes; provided, however, that no notes shall be renewed beyond the first or any succeeding anniversary date of the original notes unless an amount of such notes, at least equal to the first legally payable installment of the bonds in anticipation of which the notes are issued, determined in accordance with the maturity schedule for the bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that the period during which the bond anticipation notes and any renewals thereof and any permanent bonds are outstanding, shall not exceed the period set for the maturity of the bonds by the Local Finance Board.

The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to

be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 6. The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$107,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the chief financial officer of the Borough as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 9. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 3 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 1 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

**Motion:** Councilman Sokoloski

**Second:** Councilman Marana

**Open Public Hearing –**

Mayor Bazela opened the public hearing on Ordinance #893-2011.

Mr. Edward Durfee – 215 Livingston Street – asked what the purpose of the Ordinance was. Councilman Marana explained that it is to finance the payment of taxes for a tax appeal that was settled at the end of last year. He stated that it will be paid back in three years as opposed to the town taking the entire hit in one year.

**Close Public Hearing –**

There being no further questions or comments from the public; Mayor Bazela closed the public hearing on Ordinance #893-2011.

**ROLL CALL VOTE:** All present in favor.

**HEARING OF THE PUBLIC –**

Mayor Bazela opened the hearing of the public for any questions or comments on any matter at this time.

Robert Alfonso – President of the Board of Trustees of the Library. Mr. Alfonso stated that the Financial Information that was requested was provided to the Mayor and Council last night. He stated that in order to protect the employees of the Library the names and social security numbers were blacked out. He questioned the referendum and the amount that would be given to the Library if the question passed on the 27<sup>th</sup>.

Councilman Piehler explained the plan that the Mayor and Council would like to accomplish would be to sit down and discuss a plan for the future for the Library and that they would like to see more money going to technology and not on salaries. He stated that will be discussed when and if the referendum has been approved by the public.

Councilman Sokoloski asked if the Library has been filing the required paperwork with the IRS? The answer was no, only payroll taxes. Mayor Bazela asked if the Library was a 501c organization? Mr. Alfonso was not sure. Mayor Bazela stated that he has spoken with Senator Weinberg with regard to this issue. He brought up the fact that the prior administrations had asked for information, but, not received it.

JoAnn Chow – Stated that she has been a resident of Northvale for over 30 years and believes in the Library and she will vote yes for the referendum. She had many questions regarding the referendum as she did not understand the math involved with it.

Virginia Beckman – 600 Johnson Place – Stated that last year they received \$250,000 and they spent \$290,000. She stated that the Library cannot survive on what the Borough pays the Library. She stated that the surplus was used to pay BCCLS which is what they have to pay before the end of the year or early in the year. She further reported that their current surplus is \$89,000 that's because they haven't received any checks from the Borough.

There were other members of the audience who had questions asked and answered by the Mayor and Council on the Library issue.

Motion by Councilman Sokoloski; seconded by Councilman Marana to close the hearing of the public at 9:39 PM.

**MAYOR AND COUNCIL REPORTS –**

There were no reports from the Mayor and Council at this time.

**BOROUGH ENGINEER REPORTS –**

The Borough Engineer had no report this evening.

**BOROUGH ATTORNEY REPORTS –**

The borough Attorney had no report this evening.

**CLOSED SESSION –**

Motion by Councilman Sotiropoulos; seconded by Councilwoman Libby to enter into closed session at 9:42 PM.

**ADJOURNMENT –**

Motion by Councilman Marana; seconded by Councilman Piehler to adjourn the meeting at 9:45 PM.

PAUL BAZELA, MAYOR

ATTEST:

Wanda A. Worner  
Borough Clerk

Approved: May 10, 2011