

**MINUTES**  
**Regular Meeting of the Mayor and Council**  
**Wednesday, September 14, 2011**  
**7:30 PM**

**CALL THE MEETING TO ORDER –**

Mayor Bazela called the meeting to order at 7:30 PM in the Council Chambers of the Municipal Building located at 116 Paris Avenue, Northvale, NJ 07647.

**STATEMENT –**

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

*“This is a regular 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, Councilman Amend, Councilwoman Libby, Councilman Marana, Councilman Piehler, Councilman Sokoloski and Councilman Sotiropoulos were present.

Also present: Megan Thomlinson for Borough Attorney Gregg Paster; Paul Niehoff, Borough Engineer; Shuaib Firozvi, Chief Financial Officer and Wanda A. Worner, Borough Clerk.

**APPOINTMENTS & PERSONNEL CHANGES –**

Motion by Councilman Piehler; seconded by Councilman Amend to approve the appointment of Richard Scaglione of 178 Franklin Street, Northvale, as alternate crossing guard, effective immediately.

ROLL CALL VOTE: All present in favor.

Motion by Councilman Amend; seconded by Councilman Marana to approve the appointment of Alisa Perretti of 177 Scharer Avenue, Northvale, as alternate crossing guard, effective immediately.

ROLL CALL VOTE: All present in favor.

**APPROVAL OF MINUTES –**

Motion by Councilman Marana; seconded by Councilman Piehler to approve the Minutes of August 10, 2011.

ROLL CALL VOTE: All present in favor.

**PRESENTATION –**

Maritza Leonard – Follett Library – Northvale Media Center – Councilman Piehler did a short presentation as Ms. Leonard had not arrived at this time; 7:40 PM. Councilman Piehler stated that he had passed out material for the Council to look at and gave a short presentation with regard how this whole idea came into being. He stated that

books will be accessible to all methods of media. He stated that \$20,000 would get the borough about 1,500 e-books or titles. He talked about the computers and furniture that has been and will be donated in the near future between the school and businesses that are moving out of town. He has stated that he is working in phases to get the program up and running. He stated that there will be a place for people to download books, training classes for people who don't know how to use other media. He stated that the goal is to maximize the use of books that are already in the Library. 1<sup>st</sup> is to find the money in order to get the e-books. They are looking to take donations for the media center by reaching out to the businesses in town. 2<sup>nd</sup> would be to get the volunteers to work at the media center and to set up the space. He has been working on costs estimates on what it would take to run the program.

The council entertained a question and answer period with regard to this program. William Sillery – Bradley Avenue and Peter Perretti – Dorato Place had questions that were answered by Councilman Piehler.

### **FOR DISCUSSION –**

Extension of Contract – Ken's Tree Care – Compost Facility

Mayor Bazela asked Councilman Amend to report on this matter. Councilman Amend stated that the DPW is very pleased with the services that are being provided by Ken's Tree Care. He stated that he would like to see the agreement extended for a five (5) year period. Councilman Piehler had a question with regard to the money that Mr. Barber is making off the product that he is selling and just wanted to make sure that we are getting the best value for the town. Councilman Amend stated that he would speak with Mr. Marcason with regard to this matter and that the resolution can be put on hold for another month.

The Borough Clerk explained that this request was one that she felt that the Mayor and Council should be voting on, as this is the first request of this kind and she wasn't sure how to proceed. Request for e-blast – Scalabrin - After School Bible Study Class.

After discussion with the Borough Attorney, the Council voted not to allow the e-blast to be sent out as this does not directly benefit the Borough in any way. (i.e. the golf outing sponsored by the Cho Dae Church and the contributions they made to the Ambulance Corps and Fire Department from the proceeds of same.)

Solid Waste Disposal Specifications – Councilman Marana stated that he is working on the specifications with Mr. Paster and that there is still a little work that needs to be done.

2011-2012 – Finance Update – Budget - Mr. Firozvi reported on the memos that he had sent to the council prior....Mayor thanked Councilman Marana for all his hard work in keeping the finances at a manageable level. He thanked the auditor and chief financial officer also.

### **MONTHLY CORRESPONDENCE –**

Mayor Bazela stated that the following monthly reports are on file in the Borough Clerk's office and can be viewed by the public between the hours of 9:00 AM and 4:00 PM.; Monday through Friday.

Police Department – September  
Tax Collector – September  
Municipal Court – September  
Fire Prevention – September  
Building Department – September

### **RESOLUTIONS –**

Motion by Councilman Sokoloski; seconded by Councilman Sotiropoulos to approve Resolution #2011-103 through 2011-112 on Consent Agenda, as follows:

**RESOLUTION #2011-103**

**SPECIAL EMERGENCY RESOLUTION N.J.S.A. 40A:4-53**

WHEREAS, an ordinance has been adopted creating a special emergency appropriation of \$78,000 for severance liabilities for Payment of Accrued Vacation and Sick Time and no adequate provision was made in the 2011 budget for the aforesaid purpose, and N.J.S.A. 40A:4-53 provides for the creation of a special emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of Emergency Appropriations created including the appropriation to be created by this resolution is.....\$78,000

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48 and 40A:4-53:

1. A special emergency appropriation be and the same is hereby made for Severance Liabilities for Payment of Accrued Vacation and Sick Time .....\$78,000
2. Total amount per ordinance is for \$78,000 and the Mayor and Council hereby requests that an exclusion from the "Cap" be granted by the Director of the Division of Local Government Services in accordance with P.L. 1981 Chapter 56 in the amount of \$15,600 per year in the budgets of the next five succeeding years commencing with the budgets of 2011 in accordance with 40A:4-55 (C).
3. That a special emergency note or notes be authorized not in excess of \$78,000, the amount appropriated by ordinance as stated above.
4. Such notes are hereby authorized to be issued pursuant to the Ordinance and this resolution and shall be negotiable notes payable to bearer, or registered notes, and shall bear interest at a rate per annum within the limitations prescribed by law, and such interest shall be payable at the maturity of such notes. The notes shall be dated on or about the date of their issuance and may be renewed from time to time, but at least 1/5 of the total amount of notes hereby authorized, and the renewals thereof, shall mature and be paid in each year, so that all notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the date of this resolution. The issuing officers are authorized to provide that the notes may be redeemable at the option of the Borough.
5. The Mayor and the Chief Financial Officer are hereby authorized to execute said notes, and the Borough Clerk is hereby authorized to affix the seal of the Borough to such notes and to attest such seal and said notes, and said officers are hereby authorized to issue said notes in such form as they may adopt in conformity with law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes, and that said notes are within every debt and other limit prescribed by the Constitution or statutes of New Jersey.
6. The Chief Financial Officer is hereby authorized to sell said notes and any renewals thereof from time to time, at public or private sale, at not less than par and accrued interest and to determine within the limitations prescribed by this resolution, the date, principal amount, maturity date, and denomination of said notes, and the rate of interest said notes shall bear and to deliver such notes upon receiving the purchase price to be paid therefor.

7. The Borough Council hereby designates the Special Emergency Notes as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"). It is hereby determined and stated that the Special Emergency Notes (1) are not "private activity bonds" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$30 million of tax-exempt obligations (other than private activity bonds) during the calendar year 2010. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, the Borough does not covenant to do so, and expressly states that a covenant is not made hereby.
8. That three certified copies of this resolution be filed with the Director of the Division of Local Government Services.
9. This resolution shall take effect immediately upon its adoption.

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**RESOLUTION #2011-104**

**RESOLUTION OF THE BOROUGH OF NORTHVALE COUNTY OF BERGEN, STATE OF NEW JERSEY AUTHORIZING ADVERTISEMENT AND SOLICITATION OF BIDS-MUNICIPAL SOLID WASTE/RECYCLING COLLECTION AND DISPOSAL**

WHEREAS, the Borough of Northvale is currently engage in a contract for Municipal Solid Waste and Recycling collection and disposal; and

WHEREAS, the existing contract is due to expire and the Borough now seeks to solicit bids for a new contract for trash and recycling pickup; and

WHEREAS, N.J.S.A. 40A:11-23(a) requires at least 60 days notice and publication in official local and state publications in advance of receipt of bids; and

WHEREAS, the Mayor and Council now seek to adopt the specifications and authorize solicitation of bids for solid waste and recycling pickup and disposal.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Northvale, County of Bergen, State of New Jersey that the Borough Clerk is hereby authorized to advertise for bids for the aforementioned contract, pursuant to statute, upon approval of specifications in a form and substance approved by the Borough Attorney; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be published as required by statute, if any, upon adoption and execution hereof.

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**RESOLUTION #2011-105**

**RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE LIVINGSTON AVENUE SIDEWALKS IMPROVEMENT PROJECT FISCAL YEAR 2012**

WHEREAS, the New Jersey Department of Transportation makes funds available to municipalities and counties for road improvement projects through the municipal aid portion of the New Jersey Transportation Trust Fund;

WHEREAS, the Borough Engineer has recommended that the Borough's Mayor and Council apply to the New Jersey Department of Transportation for funds that are available under

the New Jersey Transportation Trust Fund Authority Act, Fiscal Year 2012 Municipal Aid Program for the purpose of constructing Livingston Avenue Sidewalk Improvement Project;

WHEREAS, the Borough's Mayor and Council has considered this recommendation;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Northvale, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2012-Northvale Borough-00276 to the New Jersey Department of Transportation on behalf of the Borough of Northvale.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Northvale and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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### **RESOLUTION #2011-106**

#### **CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS**

WHEREAS, a Bergen County Community Development grant of \$70,000.00 has been proposed by the Mayor and Council of the Borough of Northvale for the Operation of the James F. McGuire Memorial Senior Center; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Northvale; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Northvale hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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### **RESOLUTION #2011-107**

#### **AUTHORIZE THE TAX COLLECTOR TO APPLY AND COLLECT COSTS CERTIFIED BY THE SUPERINTENDENT OF THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, in accordance with Northvale Borough Ordinances 147-22 & 147-23 the Code Enforcement Official made several attempts to contact the owner of 305 Conger Avenue, Louis & Edith Debiasa which were unanswered; and

WHEREAS, the Department of Public Works Superintendent was contacted to cut the grass and cleanup 305 Conger Avenue; and

WHEREAS, the Department of Public Works Superintendent has certified the costs to the Tax Collector.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that the Tax Collector is hereby authorized to apply the

penalties and costs as certified by the Code Enforcement Official and the Superintendent of the Department of Public Works to 305 Conger Avenue as a Lien against the property and shall collect and enforce in the same manner as taxes.

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**RESOLUTION #2011-108**

**WAIVE PERMIT FEES NVPAL BON FIRE**

BE IT RESOLVED that the fees for the Bon Fire for NVPAL are hereby waived.

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**RESOLUTION #2011-109**

**WAIVE BUILDING DEPARTMENT FEES FOR RIFLE RANGE A/C UNIT**

BE IT RESOLVED that the above mentioned fees are hereby waived.

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**RESOLUTION #2011-110**

**WAIVE BUILDING DEPARTMENT FEES FOR FIRE HOUSE A/C UNIT**

BE IT RESOLVED that the above mentioned fees are hereby waived.

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**#2011-111 Firemans/Ambulance grant application**

Resolution is not available at this time.

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**RESOLUTION #2011-112**

**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)	\$ 282,774.92
Appropriation Reserves (2010)	\$ - 0 -
General Capital Fund	\$ 31,048.27
Animal License Trust	\$ 218.60
Community Development Trust	\$ - 0 -
Developer's Escrow Trust	\$ 5,307.00
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	August 2011	\$ 32,456.43
Payroll	August 2011	\$ 110,902.60

Regional School	August 2011	\$ 515,539.77
Interest On Bonds	August 2011	\$ 46,500.00

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that the claims totaling \$ **786,628.63** and ratified respectively.

The bill list is as follows:

Vendor	checkno	chktotal	description
Mgl Printing Solutions	120	188.00	EXPENDITURES ANIMAL TRUST
N.J. Dept Of Health & Senior S	121	30.60	EXPENDITURES ANIMAL TRUST
Kaufmann,Bern & Deutche,L.L.P	434	2719.75	VARIOUS
Maser Consulting P.A.	435	2540.00	VARIOUS
North Jersey Media Group	436	47.25	VARIOUS
Metro Landscape Irrigation	500	-25557.00	VARIOUS
Beckerle Lumber Supply Co.	524	271.92	ORD 883-10 VARIOUS
Boyce Associates	525	2326.06	ORD 879-10 VARIOUS
Pharos Enterprises Llc	526	2483.29	ORD 883-10 VARIOUS
Steve Macchio Home Improvement	527	410.00	ORD 883-10 VARIOUS
Linda Sue Clark	5887	-74.20	Police O/E
Yaboo Fence Corp.	5940	-88.00	Buildings & Grounds
Regional Communications	5947	0.00	VARIOUS
Shaw's Complete Security	5948	170.00	Buildings & Grounds
S&S Worldwide , Inc.	5949	529.93	Summer Recreation
Linda Sue Clark	5950	74.20	Police O/E
Atlantic Bingo Supply	5951	90.00	McGuire Senior Center O/E
Aw Direct Truck Access,Inc.	5952	286.75	DPW Streets & Roads O/E
Ballys Atlantic City	5953	834.00	VARIOUS
Benaquista Construction,Co, In	5954	14.10	DPW Streets & Roads O/E
Bi-State Brake Co., Inc.	5955	417.07	Recycling O/E
Bon-Jour Embroidery Corp.	5956	2137.50	Recreation
Bsn Sports	5957	2436.95	VARIOUS
Butterworth's Bagels	5958	145.45	Summer Recreation
Cablevision	5959	173.97	VARIOUS
Certified Products Company	5960	498.90	DPW Streets & Roads O/E
Certified Speedometer Svc Inc.	5961	1108.00	VARIOUS
Cesco	5962	167.50	Buildings & Grounds
Cherry Valley Tractor Sales	5963	131.70	DPW Streets & Roads O/E
Coachman Internatl Tours,Inc	5964	675.00	Recreation Senior Bus Trips
Compound Signs	5965	464.00	VARIOUS
Cooper Electric Supply Co.	5966	148.50	Buildings & Grounds
D. Lovenberg's	5967	136.64	DPW Streets & Roads O/E
Delta Dental Plan Of N.J.,Inc	5968	4850.83	Employee Group Insurance
Digital Ally, Inc.	5969	187.50	Police O/E
Dolores Alfis	5970	422.00	VARIOUS
Dorothy Garry	5971	250.00	McGuire Senior Center O/E
Ellen J. Springsteen	5972	60.00	Municipal Court O/E
Enforsys Fire Systems, Inc	5973	500.00	Fire Prevention O/E
Ferraioli, Wielkotz, Cerullo &	5974	5000.00	Financial Audit
Ge Capital	5975	580.00	Administrative & Executive O/E
Gregg F. Paster & Assoc.	5976	875.00	Legal Services O/E
Hillsdale Board Of Health	5977	30.00	Board of Health O/E
Infocrossing, A Wipro Co.	5978	3604.55	Tax Collection O/E
Inserra Supermarket, Inc.	5979	551.21	VARIOUS
Jacqueline Walker	5980	236.94	Appropriated Grants
Jeffry Marcason	5981	134.80	VARIOUS
Joseph Scaglione	5982	727.50	DPW Streets & Roads O/E
Kathleen A. Donovan	5983	3653.11	Administrative & Executive O/E
Kaufmann,Bern & Deutche,L.L.P	5984	2756.84	Planning Board O/E
L. Ross Distributors,Inc	5985	66.90	Buildings & Grounds
La Casa Formosa	5986	1976.25	McGuire Senior Center O/E
Lisa Salerno	5988	105.00	McGuire Senior Center O/E
Magellan Hill Technologies	5989	2284.39	Telephone
Margaret Raso	5990	765.00	Appropriated Grants
Mary Mcgowan	5991	80.00	McGuire Senior Center O/E
Maser Consulting P.A.	5992	585.00	Engineering Services O/E

Maureen Felici	5993	400.00	McGuire Senior Center S/W
Metro Pest Solutions	5994	50.00	Buildings & Grounds
Miele Sanitation Co	5995	33383.50	VARIOUS
Millennium Strategies Llc	5996	2500.00	Administrative & Executive O/E
Minuteman Press	5997	247.40	VARIOUS
New Jersey State League	5998	276.00	VARIOUS
Nicola Lepore	5999	174.96	Construction Code O/E
North Jersey Media Group	6000	141.76	Administrative & Executive O/E
Northvale Body & Fender Co.	6001	4011.85	Police O/E
Norwood Car Care	6002	3131.90	VARIOUS
Office Concepts Group	6003	193.83	VARIOUS
One Call Concepts, Inc.	6004	16.80	Sewer
Patrick Johnson	6005	450.00	Administrative & Executive O/E
Paul Bazela	6006	53.56	Administrative & Executive O/E
Pitney Bowes	6007	507.00	Administrative & Executive O/E
Pojanowski & Trawinski P.C.	6008	3690.00	Legal Services O/E
Poland Spring Water Co.	6009	220.18	VARIOUS
Rachles / Michele's Oil Co,Inc	6010	5240.61	Gasoline
Ridgewood Typewriter, Inc.	6011	129.60	VARIOUS
Robert Carlisle	6012	168.00	McGuire Senior Center O/E
Rockland Electric Co	6013	5183.02	Street Lighting
Rockland Electric Company	6014	7068.40	Electricity
Rudy's Restaurant & Pizzeria	6015	112.00	Recreation Golden Age
Ruscon Truck Svce/Equip Co, In	6016	75.08	DPW Streets & Roads O/E
S&S Worldwide , Inc.	6017	321.82	Summer Recreation
Schultz Ford,Inc.	6018	37.95	Police O/E
Sherwin Williams Co.	6019	2879.63	Parks & Playgrounds
Staples Business Advantage	6020	326.39	Summer Recreation
State Of New Jersey	6021	90.00	Financial Administration O/E
Stephen Epstein	6022	40.00	McGuire Senior Center O/E
Suzanne Burroughs	6023	52.00	Tax Collection O/E
Tanya Dmitruk	6024	361.00	VARIOUS
Tastefully British	6025	625.00	RESERVE MCGUIRE CENTER
Tenaflly Mower Service,Inc.	6026	112.70	DPW Streets & Roads O/E
The Hardware Store	6027	628.32	VARIOUS
Tilcon New York Inc.	6028	1194.04	Appropriated Grants
Traffic Safety & Equipment Co.	6029	646.80	VARIOUS
Treasurer State Of New Jersey	6030	1850.00	VARIOUS
Treasurer, State Of New Jersey	6031	30.00	Fire Prevention O/E
Treasurer,State Of New Jersey	6032	150.00	MARRIAGE FEES
Trooper Foods	6033	458.20	McGuire Senior Center O/E
Trophy King	6034	25.50	McGuire Senior Center O/E
United Water New Jersey	6035	1206.66	Water
United Water New Jersey	6036	6667.14	Administrative & Executive O/E
Verizon Wireless	6037	843.74	Telephone
Verizon/Bell Atlantic	6038	259.07	Telephone
Linda Sue Clark	6039	74.20	Police O/E
Tyco Animal Control Services	6040	1160.00	Animal Control O/E
Chase Bank	1108151	46500.00	Interest on Bonds
Northern Valley Reg. High School	1108191	515539.77	REGIONAL SCHOOL TAX
Payroll Account - Northvale	20110819	110902.60	VARIOUS

ROLL CALL VOTE: All present in favor.

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**RFP's Red Light Cameras**

The Borough Clerk stated that one RFP was received by her office and it will be given to the Borough Attorney for his review and advice to the Mayor and Council.

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

Motion by Councilman Marana; seconded by Councilman Amend to Introduce Ordinance #899-2011, as follows:

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

**ORDINANCE #899-2011**

**AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION N.J.S. 40A:4-53**

BE IT ORDAINED by the Mayor and Council of the Borough of Northvale, County of Bergen, State of New Jersey, that pursuant to N.J.S. 40A:4-53 (Ch. 48, P.L. 1956 as amended, including Ch. 46, P.L. 2010 and Ch. 38, P.L. 1969) the sum of \$78,000 is hereby appropriated for severance liabilities for the Payment of Accrued Vacation and Sick Time and shall be deemed a special emergency appropriation as defined and provided for in N.J.S. 40A:4-55.

The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized pursuant to this act (N.J.S. 40A:4-55).

BE IT FURTHER ORDAINED that this ordinance shall take effect at the time and in the manner provided by law.

ROLL CALL VOTE: Councilman Marana, Councilman Amend, Councilwoman Libby, Councilman Piehler, Councilman Sokoloski and Councilman Sotiropoulos voted yes.

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

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

**ORDINANCE #898-2011**

**AN ORDINANCE AMENDING SECTION 97-14 OF THE BOROUGH OF NORTHVALE CODE TO ESTABLISH A MINI-REVIEW FEE**

WHEREAS, the joint Planning/Zoning Board of Adjustment of the Borough of Northvale is charged with the responsibility for vetting and review of commercial tenancies and occupancy of space for commercial purposes within the Borough; and

WHEREAS, the Board has established a protocol and procedure to have such tenancies reviewed by a sub-committee whose task it is to review and inquire of the commercial landlord and/or tenant the uses and operations intended in or on a particular parcel or building; and

WHEREAS, the Board has requested that a fee be instituted to defray administrative costs in performing the tenancy review by the sub-committee for review and recommendation to the greater Board for approval or denial of such tenancy applications.

NOW THEREFORE, BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF NORTHVALE, AS FOLLOWS:

**1. Purpose**

This ordinance establishes a fee for application, submission, review and recommendation by the Planning Board commercial tenancy review subcommittee to be collected upon submission of a commercial tenancy application. Fees collected pursuant to this ordinance shall be used for the sole purpose of offsetting the administrative costs of such applications and reviews.

## 2. Basic Requirements

Upon submission of an application for review of a commercial tenancy, the applicant shall submit a non-refundable fee as set forth herein to the Board Secretary to be deposited in the Borough's General fund, to be treated as any other fee in Section 97 of the Borough Code.

## 3. Commercial Tenancy ('Mini-Review') Fees

Each landlord or tenant seeking to occupy commercial space within the Borough for a business purpose, whether for profit or non-profit entity, shall submit, prior to review by the Planning Board subcommittee or the full Planning Board, a fee of One Hundred Fifty (\$150) Dollars, payable by the applicant to defray the Board's cost incurred in the processing and review of the tenancy application. This fee may be increased, decreased or eliminated only by further action of the Mayor and Council in the form of a duly adopted Ordinance.

Motion: Councilman Sokoloski

Second: Councilman Piehler

### Open Public Hearing –

Mayor Bazela opened the public hearing on Ordinance #898-2011.

### Close Public Hearing –

There being no question or comments from the public; Mayor Bazela closed the public hearing on Ordinance #898-2011.

**ROLL CALL VOTE:** Councilman Sokoloski, Councilman Piehler, Councilman Amend, Councilwoman Libby, Councilman Marana, Councilman Sokoloski and Councilman Sotiropoulos voted yes.

### HEARING OF THE PUBLIC –

**Bill Sillery – 324 Bradley Avenue** – Spoke with regard to the Solid Waste Contract. He wanted to know if it was going to be changed in the future. He further asked about grants that are being applied for. Councilman Piehler stated that various items are being applied for including a new fire truck. He doesn't know what grants the Borough will be receiving at this point. Mr. Sillery further asked about the air conditioning unit that is to be installed at the fire house. He gave two dates that would not be convenient for installation.

**Charles Amorosso – 326 Bradley Avenue** – Stated that he would like to see the parking spaces at Northvale Square changed. He stated that the parking situation there is causing havoc. Mr. Niehoff responded that there is a binding agreement between the developer and the planning board and that issue would have to be passed by the attorney.

**John Lorenzini – Glanz Avenue** – Stated that he would like permission for his daughter to park in the Borough parking lot when she comes home from school. The Borough Clerk will speak with the Chief on this matter.

## **MAYOR & COUNCIL REPORTS –**

**Councilman Sokoloski** - Stated that there is nothing to report with regard to the Planning Board. He reported that there will be a flu clinic on October 1<sup>st</sup> at the senior center between 1:30 – 3:00 PM. The rabies clinic will be on October 29<sup>th</sup> at the DPW building between 9:00 – 10:00 AM. He further thanked Father Jerry for the space to store furniture that was donated for the new Media Center.

**Councilwoman Libby** - Reported that there will be a fish fry dinner at the Senior Center on September 22<sup>nd</sup> between 5:00 – 8:00 PM. A further discussion was held on the fate of the old senior van. It was determined that it is needed as a backup in case the new one fails.

**Councilman Amend** - Reported that there will be a computer electronics recycling program on Saturday, September 24<sup>th</sup> in the Borough Hall parking lot between 9:00 – 1:00. There will also be a Bergen County Mobile Shredding event in the Borough Hall parking lot on October 1<sup>st</sup> between 9:00 – 1:00. Lastly, he thanked the Department of Public Works for all of their hard work on Town Day and the work that they put into the Rifle Range Building. He stated that local nurseries donated landscaping material around the park and he also thanked them.

**Councilman Sotiropoulos** – Stated that the fire department did an excellent job during hurricane Irene. He further reported on the Ambulance Calls for the last month. He further reported that Brady's is sponsoring a golf outing for the benefit of the Ambulance Corps.

**Councilman Marana** - Stated that he didn't have much to report, but that the Fire Prevention Bureau did 26 Inspections this past month.

**Mayor Bazela** - Thanked OEM for their hurricane response and the police department for managing the night. Mayor Bazela stated that he went to every call and feels that everyone did an excellent job. He also thanked the DPW for all their hard work during the storm. He stated that the DPW did a quick clean up and the Borough will be partially reimbursed for storm costs from FEMA. Mayor Bazela further thanked Councilman Piehler, Diane Frohlich and all the volunteers for the work done on Northvale Day. He further thanked Larry Inserra, Cho Dae Church, the Slaters and many more for making the day a -0- expense to the Northvale Tax Payers. Everyone had a great time and they are already working toward next year's event. He also thanked all council for their hard work.

**Councilman Piehler** - Stated that he had nothing more to report. He stated that DPW did an excellent job and he thanked everyone who participated and he hopes to continue this day in the future.

## **BOROUGH ENGINEER REPORTS –**

Mr. Niehoff discussed various street paving programs, Firenze Street north and south of Paris Avenue and Franklin Street (drainage and repair). He further stated that he would like to start compiling a list of roads for 2012 paving. Mr. Niehoff further reported that he has attended FEMA meetings and it's possible the overtime might be reimburseable for Hurricane Irene. He will be working with Mr. Lepore and Mr. Marcason on that in the future.

## **BOROUGH ATTORNEY REPORTS –**

Ms. Thomlinson stated that Mr. Paster has submitted a written report to the Mayor and Council last week and presently Mr. Paster is working on the Solid Waste bids.

## **HEARING OF THE PUBLIC –**

**Charles Amorosso – 326 Bradley Avenue** – complimented on the job that was done for Northvale Day.

**ADJOURNMENT –**

There being nothing further to come before the Council; motion by Councilman Amend; seconded by Councilman Sokoloski to adjourn the meeting at 9:29 PM.

PAUL BAZELA, MAYOR

ATTEST:

Wanda A. Worner  
Borough Clerk

Approved: November 9, 2011