

MINUTES
Combined Meeting of the Mayor and Council
Wednesday, December 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, 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, Councilman Amend, Councilwoman Libby, Councilman Marana, Councilman Piehler, Councilman Sokoloski and Councilman Sotiropoulos were present.

Also present: Gregg Paster, Borough Attorney; Paul Neihoff, Borough Engineer and Wanda A. Worner, Borough Clerk.

APPOINTMENTS & PERSONNEL CHANGES –

Motion by Councilman Marana; seconded by Councilwoman Libby to approve the appointment of Daniel Pfeiffer of 12 Windsor Place, Old Tappan to the Northvale Fire Department, effective immediately.

ROLL CALL VOTE: All present in favor.

Motion by Councilman Sotiropoulos; seconded by Councilwoman Libby to approve the appointment of Jaroslaw Trela of 194 Walnut Street to the Northvale Fire Department, effective immediately.

ROLL CALL VOTE: All present in favor.

APPROVAL OF MINUTES –

Motion by Councilman Marana; seconded by Councilwoman Libby to approve the minutes of the Combined Meeting of November 9, 2011.

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

FOR DISCUSSION –

Maser Consulting Environmental Services – Reviewed both projects that the Borough has been involved in over the past years. Gave their bios.....A lot of studies

have been done over the past 12 years and he will talk about how to get it on the fast track after a further review of the documents.

MONTHLY CORRESPONDENCE –

Mayor Bazela stated that the following monthly correspondence is on file in the 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 – November
- Tax Collector – November
- Municipal Court – November
- Fire Prevention – November
- Building Department – November

RESOLUTIONS –

Motion by Councilman Marana; seconded by Councilman Sotiropoulos to approve Resolution #'s 2011-131 through 2011-143, on Consent Agenda, as follows:

RESOLUTION #2011-131

Cancellation of Delinquent Amounts Less than \$10.00

WHEREAS, N.J.S.A. 40A:5-17 allows for the cancellation of property tax delinquent amounts in the amounts of less that \$10.00; and

WHEREAS, the governing body may authorize the Tax Collector to process, without further action on their part, any delinquencies of less that \$10.00.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Northvale hereby authorize the Tax Collector to cancel said tax amounts as listed below.

<u>Block/Lot</u>	<u>Name</u>	<u>Address</u>	<u>Amount</u>
101/12	Corday, Christopher & Jane	453 Andre Avenue	\$ 0.42
102/4	Kim, Ji Young & Jung Hee	429 Andre Avenue	\$ 0.01
115/5	Mancuso, Mariano & Michelle	442 West Avenue	\$ 0.20
208/10	Torello-Viera, Paolo	476 Birchwood Road	\$ 0.05
405/1	Brogan, Bernard & Frances	608 Johnson Place	\$ 0.01
507/22	Solano, Carl & Kathleen	334 Lambert Avenue	\$ 0.24
706/13	Chin, Hyung Man & Rye Hwa	412 Johned Road	\$ 0.52
905/9	Murphy, Patrick & Margaret	206A Franklin Street	\$ 0.64
912/10	Saunier, John Francis	194 Washington Street	\$ 0.01
1009/1.03	Kyprianou, Theophanis	135 Rockland Avenue	\$ 0.01
1010/7	Rudolph, John & Alberta	173 Walnut Street	\$ 0.10

RESOLUTION #2011-132

Cancellation of Tax Overpayments Less than \$10.00

WHEREAS, N.J.S.A. 40A:5-17 allows for the cancellation of property tax overpayments in the amounts of less that \$10.00; and

WHEREAS, the governing body may authorize the Tax Collector to process, without further action on their part, any cancellation of property tax overpayments of less that \$10.00.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Northvale hereby authorize the Tax Collector to cancel said tax amounts as listed below.

<u>Block/Lot</u>	<u>Name</u>	<u>Address</u>	<u>Amount</u>
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506/9	Mauro Dev	325 Lambert Avenue	\$ 0.02
1009/6	Mauro Dev	152 Chestnut Street	\$ 0.02
1009/11	Mauro Dev	151 Walnut Street	\$ 0.04

RESOLUTION #2011-133

Authorize the Borough Clerk to Advertise for RFQ's for 2012 Professional Appointments

BE IT RESOLVED that the Borough Clerks is hereby authorized to advertise for the above mentioned appointments.

RESOLUTION #2011-134

Authorize the Chief Financial Officer to Refund Taxes Overpaid Due to State Tax Court Judgment

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

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>	<u>Year</u>
915	4	20 Charles St LLC and Brach Eichler L.L.C. 101 Eisenhower Parkway Roseland, New Jersey 07068	\$3,490.17 \$3,614.95	2009 2010

WHEREAS, statutory interest pursuant to N.J.S.A. 54:3-27.2 having been waived by the taxpayers, shall not be paid provided the tax refund is paid within 60 days of the date of entry of the Tax Court judgment.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Northvale that the Chief Financial Officer shall issue a check in the amount of \$7,105.12 to 20 Charles St LLC and Brach Eichler L.L.C.

RESOLUTION #2011-135

Authorize the Tax Collector to Apply 2011 Overpaid Balances to 2012 Taxes

WHEREAS, 2011 taxes on four properties are overpaid on the Borough of Northvale tax records; and

WHEREAS, the overpayments are to be applied to the 2012 taxes as listed below; and

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 2011 overpaid taxes listed below to the 2012 Tax.

Block/Lot	Name/Address	Amount
207/17	Maryam Arakelian 231 Campora Drive	32.14
504/7	Xiu Qing Sie 211 Henmarken Drive	61.50
510/33	Joseph & Tina DeLucia	25.82

319 Scharer Avenue

820/10

Mooyun Chun
176 High Street

27.94

RESOLUTION #2011-136

RESOLUTION OPPOSING S-2950 AND A-4128, WHICH WOULD ALLOW FOR MODIFICATION TO LAND USE APPROVALS BECAUSE OF CHANGED ECONOMICS

WHEREAS, S-2950 and A-4128 provide a two-year window in which any development approval granted before 2006 or now in foreclosure or subject to a deed in lieu can apply for, and receive approval for, a use which is not permitted by ordinance, without the need for a use variance or otherwise complying with the zoning ordinance of the municipality; and

WHEREAS, a fundamental premise of land use law and sound planning is that land use decisions, including approvals of development applications and zoning, are made on the basis of the characteristics of the land, its environment, any unique characteristics, and what is in the best interest of the public, and not based on who happens to own the land; and

WHEREAS, S-2950 and A-4128 also establishes an expedited approval process, requiring the land use board to determine completeness of the application within 30 days, and then 60 days from the determination of completeness to rule on the application; and

WHEREAS, this time frame is insufficient considering what may be proposed, and it is inequitable to require an expedited process for a proposed “adaptive application” while other pending applications are accorded lower priority; and

WHEREAS, S-2950 and A-4128 put no standards in place for the local land use board to apply, other than proof that the approval is no longer economically viable, which is inadequately defined; and

WHEREAS, the lack of standards would expose any approval or denial by the municipality to possible legal challenge;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Northvale that enactment of S-2950 and A-4128 would usurp, undermine, and overturn local zoning by effectively rescinding all applicable zoning of the property, and provide no adequate public safeguards; and

BE IT FURTHER RESOLVED, the Governing Body of the Borough of Northvale strongly opposes S-2950 and A-4128; and

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the Governor of the State of New Jersey, District #37 Assembly and Senate members of the Senate Community and Urban Affairs Committee, the members of the Assembly Housing and Local Government Committee, Senator Steven Oroho, Assemblyman Albert Coutinho and the New Jersey State League of Municipalities.

RESOLUTION #2011-137

Approve the Cancellation of Site Plan Bond for the County of Bergen for Improvements Performed at the Northvale Diner

WHEREAS, the Northvale Dine had appeared before the Planning/Zoning Board to make improvements at their location; and

WHEREAS, the application was approved by the Planning/Zoning Board; and

WHEREAS, the improvements have been completed and the Borough Engineer and Planning/Zoning Board are satisfied with same;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that they have no objection to the cancellation of the Site Plan Bond for the County of Bergen in the amount of \$4,820.00.

Wharton Group
Policy No. 15854

RESOLUTION #2011-138

Waive Building Department Fee for St. Anthony's RC Church for the Haunted House

BE IT RESOLVED, that the above mentioned fee is hereby waived.

RESOLUTION #2011-139

Approve Raffle License #RL 172 for the St. Anthony's RC Church

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

NAME:	St. Anthony's RC Church
ADDRESS:	199 Walnut Street
LOCATION OF RAFFLE:	195 Walnut Street
TYPE OF RAFFLE:	Raffle
DATE OF RAFFLE:	December 28, 2011 – January 27, 2012
TIME:	8:00 AM – 6:30 PM
I.D.#:	353-1-146
RAFFLE LICENSE #:	RL 172

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.

RESOLUTION #2011-140

Authorize Mayor Bazela to Sign the 2011-2012 Interlocal Agreement with the Borough of Rockleigh for Snow Plowing Services

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, 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; and

WHEREAS, an Agreement has been prepared to encompass the months of November and December 2011 and January through April, inclusive, of 2012.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that Mayor Paul Bazela and Borough Clerk Wanda A. Worner be and are hereby authorized to execute the aforesaid Agreement on behalf of the Borough.

RESOLUTION #2011-141

Authorize Mayor Bazela to Sign an Agreement with Liberty Power for Energy Supply Charges for All Borough Owned Facilities

WHEREAS, the Mayor and Council are desirous of saving taxpayers dollars where ever possible; and

WHEREAS, ED Energy has reviewed the Borough’s present energy charges for all Borough owned facilities and finds that Liberty Power can supply the same services to the Borough for a 15% cumulative savings for our energy supply per year for a total annual savings of approximately \$6,155.46 per year.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that Mayor Bazela be and is hereby authorized to sign the Agreement with Liberty Power for Energy Supply charges.

RESOLUTION #2011-142

Transfer of Funds

WHEREAS, N.J.S.A.40:4-49 permits the transfer of appropriations during the last two months of the fiscal year from accounts showing unexpended balances to accounts in which commitments may exceed the original budgeted appropriations;

NOW THEREFORE, BE IT RESOLVED, that the following transfers are hereby authorized;

FROM:

Insurance – Liability (OE)	54,500.00
Other Insurance (OE)	500.00
Social Security (OE)	12,000.00
Police Department (SW)	15,000.00
Solid Waste Disposal (OE)	3,000.00

TO:

Tax Collection (OE)	2,800.00
Tax Assessment (OE)	12,000.00
Planning Board (OE)	10,000.00
Construction Code (OE)	2,900.00
Employee Insurance (OE)	6,600.00
Public Works - Streets (OE)	15,000.00
Buildings & Grounds (OE)	6,500.00
Board of Health (OE)	1,000.00
Summer Recreation (OE)	5,900.00
Vehicle Fuel - Gasoline (OE)	20,000.00
Ambulance - Maintenance (OE)	300.00
Ambulance – Contribution (OE)	2,000.00

TOTAL	\$85,000.00	\$85,000.00
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RESOLUTION #2011-143

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)	\$ 531,329.36
Appropriation Reserves (2010)	\$ 1,379.10
General Capital Fund	\$ 750.00
Animal License Trust	\$ 0.00
Community Development Trust	\$ 4,130.12
Developer’s Escrow Trust	\$ 7,143.42
Food Trust	\$ 0.00

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	November 2011	\$ 32,456.43
Payroll	November 2011	\$ 296,404.29
Regional School	November 2011	\$ 515,539.77
Local School	November 2011	\$ 691,772.00

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that the claims totaling \$ **1,752,105.46** and ratified respectively.

The bill list is as follows:

DATE	VENDOR	CHECK #	AMOUNT	DESCRIPTION
11/21/11	Kauker & Kauker	6255	4,500.00	Planning Board O/E
11/23/11	Diane Frohlich	6256	300.00	Recreation
12/05/11	Rockleigh Country Club	6258	2,500.00	Appropriated Grants
12/05/11	Dearborn National	6259	16.80	Group Insurance
12/14/11	20 Charles Street LLC	6260	7,105.12	Tax Overpayment
12/14/11	A. W. Meyers Co., Inc.	6261	294.00	Various
12/14/11	AGL Welding Supply	6262	212.65	DPW Streets & Roads
12/14/11	All American Metal	6263	800.00	Recycling O/E
12/14/11	American Hose & Hydrant	6264	756.00	Various
12/14/11	Anita Tire	6265	810.00	Various
12/14/11	Anne Delury	6266	88.00	McGuire Senior Ctr O/E
12/14/11	Annette Mattessich	6267	300.00	DPW Streets & Roads
12/14/11	ASFPM	6268	110.00	Emergency Management
12/14/11	AVS Technology	6269	830.00	Various
12/14/11	Beckerle Lumber Supply	6270	164.46	Various
12/14/11	Bergen County Soil	6271	1,095.00	Recycling O/E
12/14/11	Bergen County Police	6272	300.00	Police O/E
12/14/11	Bergen County	6273	4,000.00	Police O/E
12/14/11	Bi-State Brake Co.	6274	283.89	Recycling O/E
12/14/11	BSN Sports	6275	1,474.82	Various
12/14/11	Cablevision	6276	66.61	Various
12/14/11	Certified Speedometer	6277	140.00	Police O/E
12/14/11	Cesco	6278	167.50	Buildings & Grounds
12/14/11	Chasan Leyner	6279	1,218.60	Legal Services
12/14/11	Cliffside Body	6280	897.16	DPW Streets & Roads
12/14/11	CSX Transportation	6281	1,401.89	A & E O/E
12/14/11	Delta Dental Plan of NJ	6282	4,850.83	Group Insurance
12/14/11	Deluxe Sales and Service	6283	2,710.26	Various
12/14/11	DeSesa Engineering	6284	503.00	Buildings & Grounds
12/14/11	Display Sales Company	6285	408.00	Buildings & Grounds
12/14/11	Dorothy Garry	6286	200.00	McGuire Senior Ctr
12/14/11	Ellen Springsteen	6287	60.00	Municipal Court
12/14/11	Fairview Associates	6288	4,448.52	Other Insurance
12/14/11	Ferguson Enterprises	6289	55.60	Various
12/14/11	GE Capital	6290	580.00	A & E O/E
12/14/11	Grainger	6291	520.92	DPW Streets & Roads
12/14/11	Gregg F. Paster & Associates	6292	5,396.55	Legal Services
12/14/11	Hometown Hardware	6293	285.56	Various
12/14/11	Infocrossing	6294	912.52	Tax Collection O/E
12/14/11	Inserra Supermarket	6295	152.52	Various
12/14/11	Interstate Battery	6296	105.95	DPW Streets & Roads
12/14/11	Jacqueline Walker	6297	236.94	Appropriated Grants
12/14/11	Jeffry Marcason	6298	90.90	DPW Streets & Roads
12/14/11	Jersey Nick's	6299	720.00	Police O/E
12/14/11	Jesco, Inc.	6300	817.94	DPW Streets & Roads
12/14/11	Kaufmann, Bern & Deutsch	6301	258.75	Planning Board O/E
12/14/11	Ken-Jil Electric	6302	901.60	Various
12/14/11	L. Ross	6303	131.50	DPW Streets & Roads
12/14/11	La Casa Formosa	6304	1,530.00	McGuire Senior Ctr.
12/14/11	Lisa Salerno	6305	140.00	McGuire Senior Ctr.
12/14/11	Magellan Hill	6306	2,312.11	Telephone
12/14/11	Margaret Raso	6307	765.00	Appropriate Grants

12/14/11	Mary McGowan	6308	220.00	McGuire Senior Ctr.
12/14/11	Maser Consulting	6309	1,482.50	Engineering Services
12/14/11	Maureen Felici	6310	300.00	McGuire Senior Ctr.
12/14/11	Metro Landscape	6311	150.00	Buildings & Grounds
12/14/11	Miele Sanitation	6312	73,101.94	Various
12/14/11	Millenium Strategies	6313	5,000.00	A & E O/E
12/14/11	Minuteman Press	6314	37.00	McGuire Senior Ctr.
12/14/11	Mobile Fleet	6315	663.60	Various
12/14/11	Motorola Regional	6316	460.00	Fire O/E
12/14/11	Municipal Emergency	6317	31.20	Fire O/E
12/14/11	Municipal Record	6318	256.00	Municipal Court
12/14/11	Munidex, Inc.	6319	459.42	Tax Collection O/E
12/14/11	NJSACOP	6320	200.00	Police O/E
12/14/11	North East Fire & Safety	6321	120.00	Police O/E
12/14/11	North Jersey Media Group	6322	422.42	A & E O/E
12/14/11	Norwood Car Care	6323	1,379.10	Police O/E
12/14/11	Office Concepts Group	6324	88.40	Various
12/14/11	One Call	6325	21.28	Sewer
12/14/11	Pitney Bowes	6326	1,696.03	Postage
12/14/11	PL Custom Emergency	6327	1,807.37	Ambulance
12/14/11	Pojanowski & Trawinski	6328	4,085.59	Legal Services
12/14/11	Poland Springs Water	6329	250.51	Various
12/14/11	Police Traffic	6330	400.00	Various
12/14/11	Precast Concrete Sales	6331	107.70	DPW Streets & Roads
12/14/11	Rachels/Michele's	6332	10,875.03	Gasoline
12/14/11	Re-Tire LLC	6333	376.00	Recycling O/E
12/14/11	Robert Carlisle	6334	63.00	McGuire Senior Ctr.
12/14/11	Robert E. Demange	6335	70.00	McGuire Senior Ctr.
12/14/11	Rockland Electric	6336	11,544.85	Street Lighting
12/14/11	Rockland Electric	6337	3,563.46	Street Lighting
12/14/11	Rose Savincki	6338	40.00	McGuire Senior Ctr.
12/14/11	Rudy's Ristorante	6339	112.00	Recreation Golden Age
12/14/11	Ruscon Truck	6340	519.21	Fire O/E
12/14/11	SP & SK LLC	6341	175.00	Municipal Court
12/14/11	Staples	6342	269.44	Various
12/14/11	State Line Fire & Safety	6343	314.15	Fire O/E
12/14/11	Tanya Dmitruk	6344	361.00	Various
12/14/11	Tenafly Mower	6345	43.85	Parks & Playgrounds
12/14/11	The Star Ledger	6346	298.12	A & E O/E
12/14/11	Treasurer, State of New Jersey	6347	50.00	Code Compliance
12/14/11	Treasurer, State of New Jersey	6348	100.00	Marriage License Fees
12/14/11	Trooper Foods	6349	564.20	McGuire Senior Ctr.
12/14/11	TYCO Animal Control	6350	610.00	Animal Control
12/14/11	United Water	6351	310.41	Water
12/14/11	Verizon Wireless	6352	43.15	Telephone
12/14/11	Verizon/Bell Atlantic	6353	57.82	Telephone
12/14/11	Verizon Wireless	6354	693.99	Telephone
11/15/11	Northern Valley Regional	1111151	515,539.76	Regional School Tax
11/15/11	Northvale Board of Education	1111152	691,772.00	Local School Tax
11/11/11	Payroll Account	20111111	127,883.39	Various Pay
11/16/11	NJSHBP	20111116	32,456.43	Health Insurance
11/25/11	Payroll Account	20111125	168,520.90	Various Pay
12/01/11	NJSHBP	20111201	32,460.77	Health Insurance
12/14/11	Brooker Engineering	540	750.00	Ordinance #879-2010
TOTAL			1,752,105.46	

ROLL CALL VOTE: All present in favor.

**8:00 PM
Receipt of Bids
Solid Waste**

Borough Attorney Paster opened and read the bids as follows:

Waste Management:

Proposed Option #1 – Tipping by Weight

Year	Solid Waste	Recyclables	Schools	Tipping PT
Year 1	\$186,672.00	\$60,480.00	\$4,152.00	\$69.77
Year 2	\$190,488.00	\$61,680.00	\$4,152.00	\$69.77
Year 3	\$194,376.00	\$62,916.00	\$4,152.00	\$72.00
Year 4	\$198,348.00	\$64,176.00	\$4,152.00	\$74.00
Year 5	\$202,392.00	\$65,460.00	\$4,152.00	\$74.00
Total	\$972,276.00	\$314,712.00	\$20,760.00	

Proposed Option #1 – Aggregate Including Tipping

Year	Solid Waste	Recyclables	Schools
Year 1	\$317,922.00	\$60,480.00	\$4,152.00
Year 2	\$323,613.00	\$61,680.00	\$4,152.00
Year 3	\$329,376.00	\$62,916.00	\$4,152.00
Year 4	\$335,223.00	\$64,176.00	\$4,152.00
Year 5	\$341,142.00	\$65,460.00	\$4,152.00
Total	\$1,647,276.00	\$314,712.00	\$20,760.00

Proposed Option #2 – Tipping by Weight – 1 Pickup Fall/Winter

Year	Solid Waste	Recyclables	Schools	Tipping PT
Year 1	\$140,004.00	\$60,480.00	\$4,152.00	\$69.77
Year 2	\$143,823.00	\$61,680.00	\$4,152.00	\$69.77
Year 3	\$147,708.00	\$62,916.00	\$4,152.00	\$72.00
Year 4	\$151,680.00	\$64,176.00	\$4,152.00	\$74.00
Year 5	\$155,724.00	\$65,460.00	\$4,152.00	\$74.00
Total	\$738,936.00	\$314,712.00	\$20,760.00	

Proposed Option #2 – Aggregate Including Tipping – 1 Pickup Fall/Winter

Year	Solid Waste	Recyclables	Schools
Year 1	\$271,254.00	\$60,480.00	\$4,152.00
Year 2	\$276,945.00	\$61,680.00	\$4,152.00
Year 3	\$282,708.00	\$62,916.00	\$4,152.00
Year 4	\$288,555.00	\$64,176.00	\$4,152.00
Year 5	\$292,474.00	\$65,460.00	\$4,152.00
Total	\$1,413,936.00	\$314,712.00	\$20,760.00

Miele Sanitation:

Proposed Option #1 – Tipping by Weight

Year	Solid Waste	Recyclables	Schools	Tipping PT
Year 1	\$213,696.00	Included	Included	Included
Year 2	\$213,696.00	Included	Included	Included
Year 3	\$213,696.00	Included	Included	Included
Year 4	\$223,696.00	Included	Included	Included
Year 5	\$223,696.00	Included	Included	Included
Total	\$1,808,480.00			

Proposed Option #1 – Aggregate Including Tipping

Year	Solid Waste	Recyclables	Schools
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Year 1	\$356,160.00	Included	Included
Year 2	\$356,160.00	Included	Included
Year 3	\$356,160.00	Included	Included
Year 4	\$356,160.00	Included	Included
Year 5	\$356,160.00	Included	Included
Total	\$1,808,480.00		

Proposed Option #2 – Tipping by Weight – 1 Pickup Fall/Winter

Year	Solid Waste	Recyclables	Schools	Tipping PT
Year 1	\$178,080.00	Included	Included	Included
Year 2	\$178,080.00	Included	Included	Included
Year 3	\$178,080.00	Included	Included	Included
Year 4	\$190,000.00	Included	Included	Included
Year 5	\$190,000.00	Included	Included	Included
Total	\$914,240.00			

Proposed Option #2 – Aggregate Including Tipping – 1 Pickup Fall/Winter

Year	Solid Waste	Recyclables	Schools
Year 1	\$329,560.00	Included	Included
Year 2	\$329,560.00	Included	Included
Year 3	\$329,560.00	Included	Included
Year 4	\$340,000.00	Included	Included
Year 5	\$340,000.00	Included	Included
Total	\$1,668,680.00		

Borough Attorney Paster reported that he will look over the bids and report back to the Mayor and Council at the Sine Die Meeting to be held on December 27th at 7:00 PM. He stated that the Mayor and Council will mostly likely award the bid that evening.

ORDINANCES – 2nd reading –

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

ORDINANCE #901-2011

BOND ORDINANCE PROVIDING FOR SITE INVESTIGATION/REMEDIAL INVESTIGATION ON BOROUGH OWNED PROPERTY IN AND BY THE BOROUGH OF NORTHVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF 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 improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Northvale, in the County of Bergen, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$100,000, including the sum of \$5,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$95,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is site investigation/remedial investigation on Borough owned property located at 254 Livingston Street and 151 Livingston Street, more specifically known as Block 303, Lot 5 and Block 1003, Lot 12, respectively, on the tax maps of the Borough, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All 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 subject to the provisions of the Local Bond Law. 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 Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 15 years.

(c) 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 \$95,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. 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 10. 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 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion: Councilman Sokoloski

Second: Councilman Marana

Open Public Hearing –

Mayor Bazela opened the public hearing on Ordinance #901-2011.

Close Public Hearing –

There being no questions or comments from the public on Ordinance #901-2011; Mayor Bazela closed the public hearing and called for a roll call vote.

ROLL CALL VOTE: All present in favor.

**BOROUGH OF NORTHVALE
County of Bergen**

State of New Jersey

ORDINANCE #902-2011

ORDINANCE APPROPRIATING \$118,308, \$59,154 OF WHICH IS FROM THE COUNTY OF BERGEN OPEN SPACE TRUST FUND AND \$59,154 OF WHICH IS FROM THE MUNICIPAL OPEN SPACE FUND TO PROVIDE FOR IMPROVEMENTS TO HOGAN'S PARK IN AND BY THE BOROUGH OF NORTHVALE, IN THE COUNTY OF BERGEN, NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF NORTHVALE, IN THE COUNTY OF BERGEN, NEW JERSEY AS FOLLOWS:

\$118,308 is hereby appropriated, \$59,154 of which is from the County of Bergen Open Space Trust Fund and \$59,154 of which is from the Municipal Open Space Fund to provide for improvements to Hogan's Park in and by the Borough of Northvale, in the County of Bergen, New Jersey (the "Borough"), including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

Section 2. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect as provided by the law.

Motion: Councilman Sotiropoulos

Second: Councilman Piehler

Open Public Hearing –

Mayor Bazela opened the public hearing on Ordinance #902-2011.

Close Public Hearing –

There being no questions or comments from the public on Ordinance #902-2011; Mayor Bazela closed the public hearing and asked for a roll call vote:

ROLL CALL VOTE: All present in favor.

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

ORDINANCE #903-2011

BOND ORDINANCE AMENDING SECTION 2 OF ORDINANCE #813-2006, AS AMENDED BY ORDINANCE #857-2008 IN ITS ENTIRETY, AND PROVIDING FOR THE REFURBISHING OF HOGAN'S PARK IN AND BY THE BOROUGH OF NORTHVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$89,154 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$89,154 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF 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. Section 2 of ordinance #813-2006, finally adopted February 8, 2006, as amended by ordinance #857-2008 in its entirety, finally adopted June 11, 2008, is hereby amended to delete the reference to the \$89,154 grant from the County of Bergen Open Space, Recreation, Farmland and Historic Preservation Trust Fund.

Section 2. The improvement described in Section 4(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Northvale, in the County of Bergen, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 4(a), there is hereby appropriated the sum of \$89,154. Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the improvement since the project described in Section 4(a) hereof is being partially funded by a \$100,000 state grant from the New Jersey Department of Transportation, originally appropriated by ordinance #813-2006, as amended by ordinance #857-2008.

Section 3. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$89,154 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 4. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the refurbishing of Hogan's Park, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 3 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 5. All 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 subject to the provisions of the Local Bond Law. 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 6. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 4(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 15 years.

(c) 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 \$89,154, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$17,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 8. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 3 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purpose described in Section 4(a) of this bond ordinance. This Section 8 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 9. Any grant moneys received for the purpose described in Section 4(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 10. 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 11. 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 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion: Councilman Marana

Second: Councilman Sotiropoulos

Open Public Hearing –

Mayor Bazela opened the public hearing on Ordinance #903-2011.

Close Public Hearing –

There being no questions or comments from the public on Ordinance #903-2011; Mayor Bazela closed the public hearing and asked for a roll call vote:

ROLL CALL VOTE: All present in favor.

ORDINANCES – 1st reading –

There were no ordinances for 1st reading this evening.

HEARING OF THE PUBLIC –

There were no questions or comments from the public at this time.

MAYOR & COUNCIL REPORTS –

Mayor Bazela reported that it was the hardest year of his life as his first time as Mayor. He stated that it was a difficult year and he commended the council for sticking together to achieve everything that needed to be done. He thanked Councilman Marana for working so hard with the budget this year and stated that he also thanks our Chief Financial Officer. He feels that in the years to come it will get better if they all stick together.

Councilman Amend stated that he did not get a report from the Department of Public Works, but, he knows that they are working hard to remove the debris from the last snow storm. He had no further report this evening.

Councilwoman Libby stated that the Senior Center Christmas Party is on December 19th at the Center and that the Golden Age Club Christmas Party was a great success at the Florentine Gardens.

Councilman Piehler reported that there have been two resignations on the Recreation Committee; Ron Weston and Rich Madger. He stated that they are looking to fill those roles in the near future and that he would like to honor Mr. Weston at an upcoming meeting for his years of service to the baseball program.

Councilman Piehler further reported that the Library sign has been removed and it will be recycled to make a new sign for the media center. He further reported that the Cho Dae Church has a library expert and that they will work with the town to implement the media center in the spring.

Councilman Piehler further reported that the grants firm will be working on a grant for a safe streets to school program on Paris Avenue. The Board of Education will get letters to the Borough in support of the program.

Councilman Sotiropoulos gave his report on the statistics for the Ambulance Corps and the Fire Department for the last month. He had no further report at this time.

Councilman Sokoloski reported that the Board of Health meeting was canceled; therefore, he had nothing to report with regard to same. He reported that the Planning Board had one meeting in November and one in December and that the 7-11 application has been approved.

Councilman Sokoloski further stated that he is sorry to see Councilman Amend go at the end of the year.

Mayor Bazela asked Councilman Amend if he would remain involved and help during an emergency with the warming center (Senior Center) and to help get the word out that there is a place for people to go during a power outage. Mayor Bazela further thanked the Chairman of the Planning Board for working with the citizens of the town to make the 7-11 application more neighbor friendly.

Councilman Marana reported that the Council met with the Chief Financial Officer to go over the year end budget and that Fire Prevention conducted 48 inspections this month. Councilman Marana echoed the Mayor's sentiments with regard to the finances this year. He further stated that the transfer resolution really means that we were able to get through 2011 without resorting to emergency appropriation which would have to be paid for with 2012 tax dollars. Not being forced into making any emergency appropriations has been a goal of this Council since January. That was just about the time when we all started to really understand what a horrible financial year this was really going to be. This in a year with a budget that the Borough Auditor has described as being the tightest since he started working for Northvale in 1991. The fact that we were able to get through this year, with this budget, and without running out of money before December 31 is a tribute to the job that all of the Department Heads have done managing the austere budget. Councilman Marana had nothing further to report.

BOROUGH ENGINEER REPORTS –

Mr. Niehoff reported that the sidewalk issues at 194 Livingston Street have been resolved. He further reported that there is an issue with the Bergen County Planning Board about the Deluxe Cleaners property and that it appears that the issue is not complete, but, it will be worked out. He further reported that the safe routes to school application will be worked out to not disturb any trees along Paris Avenue. Lastly, he thanked everyone for a great year and he looks forward to working with everyone in the future.

BOROUGH ATTORNEY REPORTS –

Mr. Paster reported that the Supreme Court rejected the Planning Board/Board of Adjustment Appeal for the PFD Investco, case, therefore, it is over. He will have more to report in closed session. He stated that the cell tower construction will proceed. He further reported that it was his pleasure to work with everyone this year and he looks forward to next year.

CLOSED SESSION –

Motion by Councilman Piehler; seconded by Councilman Marana to enter into Closed Session and to approve Resolution #2011-144, as follows:

RESOLUTION #2011-144

Providing for a Meeting not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act

WHEREAS, the Council of the Borough of Northvale is subject to certain requirements of the Open Public Meetings Act, NJSA 10:4-6, et seq; and

WHEREAS, the Open Public Meetings Act, NJSA 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by resolution; and

WHEREAS, it is necessary for the Council of the Borough of Northvale to discuss in session not open to the public certain matter relating to an item or items authorized by NJSA 10:4-12b, as listed below:

1. Matters required by law to be confidential
2. Matter involving individual privacy
3. Matters relating to a collective bargaining agreement

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.

ROLL CALL VOTE: All in favor.

OPEN TO THE PUBLIC –

Motion by Councilman Marana; seconded by Councilman Piehler to re-open the meeting to the public.

ROLL CALL VOTE: All present in favor.

POSSIBLE RESOLUTION AFTER CLOSED SESSION –

Motion by Councilman Sokoloski; seconded by Councilwoman Libby to approve Resolution #2011-145, as follows:

RESOLUTION #2011-145

Authorize the Settlement of Charles and Florence Joseph V. Borough of Northvale , with Respect to Docket Nos. 008968-2010 and 009561-2011 Block 1102 Lot 1 (132-144 Ludlow Avenue)

WHEREAS, Charles and Florence Joseph are the owners of property known as 132-144 Ludlow Avenue, Block 1102, Lot 1, Northvale, New Jersey and have filed tax appeals against the Borough challenging its assessment for tax year 2010 and 2011 under Tax Court Docket Nos. 008968-2010 and 009561-2011, respectively; and

WHEREAS, the assessment for the subject property for tax year 2010 was \$4,980,000.00 and the assessment for 2011 was \$4,731,400.00; and

WHEREAS, the parties have discussed the amicable resolution of these two appeals and the property owner has agreed to accept a \$100,000.00 reduction for tax year 2010 to reduce the assessment to \$4,880,000.00 and to withdraw its challenge to the 2011 assessment of \$4,731,400.00; and

WHEREAS, the property owner has agreed to waive interest provided the payment is paid by the Borough within forty-five (45) days of the receipt of the Tax Court Judgment; and

WHEREAS, both the Borough's Assessor, John Guercio and its Special Tax Counsel, Joseph A. Pojanowski, III, Esq., recommend and endorse this settlement and believe that it is fair and equitable to both parties.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Northvale hereby authorizes its Special Tax Counsel, Joseph A. Pojanowski, III, Esq., to enter into a settlement stipulation reducing the assessment for block 1102, Lot 1, 132-144 Ludlow Avenue from \$4,980,000.00 to \$4,880,000.00 for tax year 2010; and

BE IT FURTHER RESOLVED, that the property owners have agreed to withdraw the 2011 tax appeal; and

BE IT FURTHER RESOLVED, that both the Borough's Special Tax Counsel, Joseph A. Pojanowski, III, Esq., and its Assessor, John Guercio believe that this is a fair and reasonable settlement; and

BE IT FURTHER RESOLVED, that as part of this settlement the taxpayers agree to waive interest for the refund provided that the refund is paid to the taxpayers within forty five (45) days of receipt of the Judgment by the Tax Collector's office in the Borough of Northvale; and

BE IT FURTHER RESOLVED, that Joseph A. Pojanowski, III, Esq., is specifically authorized to execute a settlement stipulation to effectuate the above referenced settlement, and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to Joseph A. Pojanowski, III, Esq., and to John Guercio, Assessor as soon as practicable after it is passed.

ROLL CALL VOTE: All present in favor.

HEARING OF THE PUBLIC –

There were no further questions or comments from the public at this time.

ADJOURNMENT –

Motion by Councilman Marana; seconded by Councilman Sotiropoulos to adjourn the meeting at 8:57 PM.

ROLL CALL VOTE: All present in favor.

PAUL BAZELA, MAYOR

ATTEST:

Wanda A. Worner
Borough Clerk

Approved: February 8, 2012