

MINUTES
Combined Meeting of the Mayor and Council
Wednesday, November 9, 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, Councilwoman Libby, Councilman Marana, Councilman Sokoloski and Councilman Sotiropoulos were present. Councilman Amend and Councilman Piehler were absent.

Mayor Bazela congratulated Councilman Sokoloski and Councilman Elect Shepard on their election. He announced that former Mayor Hogan has won the Clerk’s seat in Bergen County and that he is very proud of him.

APPOINTMENTS & PERSONNEL CHANGES –

Motion by Councilman Marana; seconded by Councilman Sokoloski to approve the appointment of Nicholas Johnson of 415 Paulding Avenue to the Northvale Junior Fire Department, effective immediately.

ROLL CALL VOTE: All present in favor.

Motion by Councilman Sokoloski; seconded by Councilman Sotiropoulos to approve the appointment of Andrew Carpanini of 338 Bradley Avenue to the Northvale Junior Fire Department, effective immediately.

ROLL CALL VOTE: All present in favor.

Motion by Councilman Sokoloski; seconded by Councilwoman Libby to approve the appointment of Thomas Schneider of 467 Tappan Road to the Northvale Junior Fire Department, effective immediately.

ROLL CALL VOTE: All present in favor.

APPROVAL OF MINUTES –

Motion by Councilman Marana; seconded by Councilman Sotiropoulos to approve the minutes of the Regular Meeting of September 14, 2011.

ROLL CALL VOTE: All present in favor.

Motion by Councilman Sotiropoulos; seconded by Councilman Marana to approve the minutes of the Combined Meeting of October 12, 2011.

ROLL CALL VOTE: All present in favor.

FOR DISCUSSION –

There were no matters for discussion this evening.

MONTHLY CORRESPONDENCE –

Mayor Bazela stated that the following monthly reports are on file in the Clerk’s office and can be viewed by the public Monday through Friday between the hours of 9:00 a.m. and 4:00 p.m.

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

RESOLUTIONS –

Motion by Councilman Sotiropoulos; seconded by Councilman Marana to approve Resolution #'s 2011-121 through 2011-128, on Consent Agenda, as follows:

RESOLUTION #2011-121

Waive Building Department Fees for Thomas Jefferson School

BE IT RESOLVED that the above mentioned fees are hereby waived for the installation of four (4) A/C units at the Northvale Thomas Jefferson School at 441 Tappan Road.

RESOLUTION #2011-122

Authorize the Chief Financial Officer to Refund Bond and Escrow Fees for Plescia Roofing, Inc. – 530 Hughes Street

BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to refund the following fees:

Bond	\$7,541.65
Escrow	\$ 54.45

To:

Plescia Roofing Inc.
447 New Milford Avenue
Oradell, NJ 07649

RESOLUTION #2011-123

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)	\$ 110,804.72
General Capital Fund	\$ 12,225.74
Animal License Trust	\$ 6.20
Developer’s Escrow Trust	\$ 227.50

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	October 2011	\$ 32,456.43
Payroll	October 2011	\$ 232,210.98
Regional School	October 2011	\$ 515,539.77
Local School	October 2011	\$ 691,772.00
Recreation Transfer	October 2011	\$ 1,720.00

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that the claims totaling \$ **1,332,975.93** and ratified respectively.

The bill list is as follows:

Vendor	checkno	chktotal	description
N.J. Dept Of Health & Senior S	122	6.20	EXPENDITURES ANIMAL TRUST
Maser Consulting P.A.	439	227.50	RAB 1102/2,3,4
Hsbc Business Solutions	535	339.92	ORD 813-06 VARIOUS
Keystone Ridge Designs	536	431.80	ORD 813-06 VARIOUS
Metro Landscape Irrigation	537	1000.00	ORD 813-06 VARIOUS
Pharos Enterprises Llc	538	10032.27	ORD 879-10 VARIOUS
Shaw's Complete Security	539	421.75	ORD 813-06 VARIOUS
Kauker & Kauker, Llc	5434	-957.50	VARIOUS
Ruscon Truck Svce/Equip Co, In	6016	-75.08	DPW Streets & Roads O/E
A.C. Daughtry, Inc.	6155	60.00	Buildings & Grounds
American Trade Mark, Corp.	6156	28.69	Fire O/E
Anita Tire	6157	373.00	DPW Streets & Roads O/E
Arcola Bus Company	6158	120.96	McGuire Senior Center O/E
Argenti Plumbing & Heating	6159	175.00	Buildings & Grounds
Beckerle Lumber Supply Co.	6160	94.89	Recycling O/E
Bergen County Technical School	6161	1300.00	Board of Health O/E
Bi-State Brake Co., Inc.	6162	361.66	Recycling O/E
Borough Of Northvale	6163	0.00	VARIOUS
Cablevision	6164	59.63	VARIOUS
Cesco	6165	167.50	Buildings & Grounds
Chasan Leyner & Lamparello	6166	864.80	Legal Services O/E
Compound Signs	6167	675.00	VARIOUS
D & E Uniforms	6168	514.95	Police O/E
D'ercole Farm & Garden Center	6169	106.78	DPW Streets & Roads O/E
D. Lovenberg's	6170	104.97	DPW Streets & Roads O/E
Delta Dental Plan Of N.J.,Inc	6171	4850.83	Employee Group Insurance
Deluxe Sales And Service,Inc	6172	208.75	Sewer
Desesa Eng.Co.Inc	6173	1075.00	Buildings & Grounds
Dolores Alfis	6174	614.95	VARIOUS
Dorothy Garry	6175	200.00	McGuire Senior Center O/E
Ellen J. Springsteen	6176	60.00	Municipal Court O/E
End Dwi	6177	400.00	Appropriated Grants
Est Tire Distributors	6178	2418.12	Police O/E
Ferraioli, Wielkocz, Cerullo &	6179	3500.00	Financial Audit
Gall's Inc.	6180	137.89	Fire Prevention O/E
Ge Capital	6181	580.00	Administrative & Executive O/E
Gempler's	6182	509.65	VARIOUS
Gloria Donoghue	6183	140.00	McGuire Senior Center O/E
Grainger Industrial Equip Corp	6184	173.16	Recycling O/E
Gregg F. Paster & Assoc.	6185	3004.82	Legal Services O/E
Inserra Supermarket, Inc.	6186	261.08	VARIOUS
International Code Council, In	6187	46.00	Fire Prevention O/E
Interstate Battery System ,Cor	6188	209.90	Recycling O/E

Jacqueline Walker	6189	236.94	Appropriated Grants
Jeffry Marcason	6190	274.97	VARIOUS
Jet Vac,Inc.	6191	909.27	Sewer
John Micalizzi	6192	300.00	Appropriated Grants
Kaufmann,Bern & Deutche,L.L.P	6193	240.58	Planning Board O/E
Kay Printing & Envelope Co.	6194	132.00	Construction Code O/E
Ken-Jil Electl Contractors,Inc	6195	245.00	Buildings & Grounds
La Casa Formosa	6196	1615.00	McGuire Senior Center O/E
Laerdal Medical Corporation	6197	102.85	Police O/E
Lisa Salerno	6198	140.00	McGuire Senior Center O/E
Magellan Hill Technologies	6199	4591.14	Telephone
Margaret Raso	6200	663.00	Appropriated Grants
Mary Mcgowan	6201	160.00	McGuire Senior Center O/E
Maser Consulting P.A.	6202	3167.50	Engineering Services O/E
Mason-Helmstetter Associates	6203	8550.00	Tax Assessment O/E
Maureen Felici	6204	400.00	McGuire Senior Center S/W
Metro Pest Solutions	6205	50.00	Buildings & Grounds
Miele Sanitation Co	6206	36750.89	VARIOUS
Millennium Strategies Llc	6207	2500.00	Administrative & Executive O/E
Minuteman Press	6208	155.53	VARIOUS
Mis	6209	2560.00	Construction Code O/E
Mobile Fleet	6210	246.00	Police O/E
Moore Medical Corp.	6211	9.64	Police O/E
Motorola C/O Regional	6212	547.10	VARIOUS
Nam Knights Of America, Inc.	6213	250.00	Appropriated Grants
North East Fire And Safety	6214	550.90	Fire O/E
North Jersey Media Group	6215	202.26	Administrative & Executive O/E
Northvale Fire Association	6216	64.26	Fire O/E
Northwest Bergen Regional	6217	625.00	Board of Health O/E
Norwood Car Care	6218	351.90	Police O/E
Odb Co, Inc.	6219	219.04	Recycling O/E
Office Concepts Group	6220	231.50	Tax Collection O/E
One Call Concepts, Inc.	6221	16.80	Sewer
Patrick Johnson	6222	450.00	Administrative & Executive O/E
Pitney Bowes Postage By Phone	6223	510.00	Administrative & Executive O/E
Pojanowski & Trawinski P.C.	6224	2192.40	Legal Services O/E
Poland Spring Water Co.	6225	249.14	VARIOUS
Police Pipes & Drums Of Bergen	6226	250.00	Appropriated Grants
R. Alan Karch	6227	250.00	Municipal Court O/E
Rachles / Michele's Oil Co,Inc	6228	3692.14	Gasoline
Rcs	6229	239.00	DPW Streets & Roads O/E
Rfp Solutions, Inc.	6230	2774.64	Administrative & Executive O/E
Rfq Testing	6231	75.00	Sewer
Rick Carbaugh	6232	150.00	Police O/E
Robert Carlisle	6233	168.00	McGuire Senior Center O/E
Robert F, Walker	6234	70.00	McGuire Senior Center O/E
Rockland Electric Company	6235	4428.53	Electricity
Rose Savincki	6236	40.00	McGuire Senior Center O/E
Rudy's Ristornate & Pizzeria	6237	112.00	Recreation Golden Age
Schultz Ford,Inc.	6238	638.96	Police O/E
Sherwin Williams Co.	6239	390.51	Recycling O/E
Sports Time Inc.	6240	31.96	Recreation
Staples Business Advantage	6241	296.24	VARIOUS
State Line Fire And Safety Inc	6242	83.00	Fire O/E
State Treasurer, Nj	6243	30.00	Construction Code O/E
Tanya Dmitruk	6244	361.00	VARIOUS
Tenafly Mower Service,Inc.	6245	124.13	Parks & Playgrounds
Tilcon New York Inc.	6246	672.43	Storm Water Management
Tyco Animal Control Services	6247	610.00	Animal Control O/E
Valley Health Medical Group	6248	132.00	DPW Streets & Roads O/E
Verizon Wireless	6249	751.34	Telephone
Verizon/Bell Atlantic	6250	187.79	Telephone
Vinyl Graphics	6251	245.96	VARIOUS
William Guyt	6252	734.08	DPW Streets & Roads O/E
Z-A Auto Electric Inc.	6253	440.00	Recycling O/E
Borough Of Northvale	6254	2400.00	TAX SALE PREMIMUM
Northern Valley Reg. High School	1110281	515539.77	REGIONAL SCHOOL TAX
Northvale Board Of Education		691772.00	LOCAL SCHOOL TAX

RESOLUTION #2011-124

Approve the 2010 Audit and Corrective Action Plan

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2010 has been filed by a Registered Municipal Accountant with the Borough Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R. S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Northvale hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION #2011-125

Petition the Director of the Division of Local Government Services to Insert an Item of Revenue and Appropriation – Chapter 159 – Highway Traffic Safety Program (COPS in Shops - 2010) - \$4,832.92

WHEREAS, N.J.S.A 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Northvale in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of **\$4,832.92**, which is now available from **Highway Traffic Safety Program (COPS in Shops - 2010)**.

BE IT FURTHER RESOLVED, that the like sum of **\$4,832.92** is hereby appropriated under the caption **Highway Traffic Safety Program (COPS in Shops - 2010)**; and

BE IT FURTHER RESOLVED that the above is the result of funds from **Highway Traffic Safety Program (COPS in Shops - 2010)** in the amount of **\$4,832.92**.

RESOLUTION #2011-126

Petition the Director of the Division of Local Government Services to Insert an Item of Revenue and Appropriation – Chapter 159 – Highway Traffic Safety Program (COPS in Shops) - \$4,000.00

WHEREAS, N.J.S.A 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Northvale in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of **\$4,000.00**, which is now available from **Highway Traffic Safety Program (COPS in Shops)**.

BE IT FURTHER RESOLVED, that the like sum of **\$4,000.00** is hereby appropriated under the caption **Highway Traffic Safety Program (COPS in Shops)**; and

BE IT FURTHER RESOLVED that the above is the result of funds from **Highway Traffic Safety Program (COPS in Shops)** in the amount of **\$4,000.00**.

RESOLUTION #2011-127

Petition the Director of the Division of Local Government Services to Insert an Item of Revenue and Appropriation – Chapter 159 – Northvale Drug Alliance (Police Golf) - \$12,079.02

WHEREAS, N.J.S.A 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Northvale in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2011** in the sum of **\$12,079.02**, which is now available from **Northvale Drug Alliance (Police Golf)**.

BE IT FURTHER RESOLVED, that the like sum of **\$12,079.02** is hereby appropriated under the caption **Northvale Drug Alliance (Police Golf)**; and

BE IT FURTHER RESOLVED that the above is the result of funds from **Northvale Drug Alliance (Police Golf)** in the amount of **\$12,079.02**.

RESOLUTION #2011-128

Petition the Director of the Division of Local Government Services to Insert an Item of Revenue and Appropriation – Chapter 159 – Police Body Armor Grant - \$1,522.49

WHEREAS, N.J.S.A 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Northvale in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2011** in the sum of **\$1,522.49**, which is now available from **Police Body Armor Grant Fund**.

BE IT FURTHER RESOLVED, that the like sum of **\$1,522.49** is hereby appropriated under the caption **Police Body Armor Grant Fund**; and

BE IT FURTHER RESOLVED that the above is the result of funds from **Police Body Armor Grant Fund** in the amount of **\$1,522.49**.

ROLL CALL VOTE: All present in favor.

HEARING OF THE PUBLIC –

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

ORDINANCES – 1st reading –

Motion by Councilman Marana; seconded by Councilman Sokoloski to introduce Ordinance #901-2011, as follows:

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.

ON THE QUESTION: Councilman Marana explained the need for this Ordinance and explained that Bond Counsel agrees that this qualifies as a Capital Project.

ROLL CALL VOTE: All present in favor.

Motion by Councilman Marana; seconded by Councilman Sokoloski to introduce Ordinance #902-2011, as follows:

**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:

Section 1. \$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 2. This ordinance shall take effect as provided by the law.

ON THE QUESTION: Councilman Marana explained that this Ordinance as well as the next Ordinance are housekeeping items for the Chief Financial Officer.

ROLL CALL VOTE: All present in favor.

Motion by Councilman Marana; seconded by Councilman Sotiropoulos to introduce Ordinance #903-2011, as follows:

**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.

ROLL CALL VOTE: All present in favor.

ORDINANCES – 2nd reading –

**BOROUGH OF NORTHVALE
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE #900-2011

AN ORDINANCE AUTHORIZING THE SALE OF BOROUGH OWNED REAL PROPERTY KNOWN AS BLOCK 1003 LOT 6 ON THE TAX MAP OF THE BOROUGH OF NORTHVALE, MORE COMMONLY KNOWN AS 150 SCHARER AVENUE

WHEREAS, the Borough of Northvale currently is the Fee Simple owner of a certain parcel of real property, to wit, Lot 6 in Block 1003 of the Northvale Tax Map, otherwise known as 150 Scharer Avenue; and

WHEREAS, it appears that the Borough seeks to sell and there appears to be a market for said parcel of property, provided that the parcel is not used to subdivide or to amend the zoning requirements for the existing private residential parcel, and;

WHEREAS, it appears that bidding should be open to the public, and that a private sale is authorized to a contiguous landowner pursuant to NJSA 40A:12-13(b)(5), and;

WHEREAS, at least one contiguous property owner has made an inquiry of the borough as a precursor to an offer for the purchase of the said property.

THEREFORE, BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Northvale, in the County of Bergen and State of New Jersey, that the Borough Clerk and Attorney be and hereby are authorized to solicit bids for the purchase of the said property directly from all contiguous landowners as well as by advertising once in an official borough publication designated for the advertisement of such notices; and

BE IT FURTHER ORDAINED, that all steps necessary pursuant to the aforementioned statute section shall be complied with prior to entry into a contract for the sale of the said property, and

BE IT FURTHER ORDAINED, that if the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance, and

BE IT FURTHER ORDAINED, all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency, and

BE IT FURTHER ORDAINED, this Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Motion: Councilman Marana

Second: Councilman Sotiropoulos

Open Public Hearing –

Mayor Bazela opened the public hearing on Ordinance #900-2011.

Close Public Hearing –

There being no questions or comments from the public; Mayor Bazela closed the public hearing on Ordinance #900-2011.

ROLL CALL VOTE: Councilman Marana, Councilman Sotiropoulos and Councilwoman Libby voted yes. Councilman Sokoloski voted no. Councilman Amend and Councilman Piehler were absent.

HEARING OF THE PUBLIC –

Charles Amorosso – 326 Bradley Avenue – Asked questions with regard to the sidewalk safety to school program. A discussion ensued with regard to the program and it was determined that the sidewalks on Paris Avenue between the streetscape plan that will be implemented at the Shell Station/7-11 on Tappan Road and between the streetscape that will be implemented at the Livingston Street/Paris Avenue road

improvements project would qualify for this program and that street lights and streetscape could be included as part of the grant.

MAYOR & COUNCIL REPORTS –

Councilman Sokoloski - reported that the Planning Board was a little busy. He stated that 2 major projects were approved; one a restaurant at the shopping center and that the property owner will add parking for employees in back of Boston Market to ease the parking problem at the shopping center. He stated that the property owner has gotten the approval of the DEP in order to do this. He stated that the other application; the 7 – 11 has been approved. Councilman Sokoloski explained the application. He stated that they did a nice job on the application.

Councilman Sokoloski further reported that the Board of Health had a very successful rabies clinic. He stated that 61 dogs and 12 cats were vaccinated. The next meeting of the Board of Health will be on December 8th at 8:00 PM and that the next blood pressure screening is Thursday, November 17th at the Senior Center.

Councilman Sokoloski reported for Councilman Amend that there will be a computer and residential recycling event on December 3rd at 9:00 a.m., weather permitting.

Councilman Marana - reported that the Fire Prevention Department had 46 inspections in the last month. He stated that he has nothing further to report.

Councilman Sotiropoulos - stated that the DPW did an excellent job during the Halloween snow storm. He reported that the fire department responded to many, many calls and also did an excellent job. He further reported that there was a serious house fire on Tappan Road and that both the fire department and the ambulance corps did a wonderful job. He reported that the statistics for the Ambulance Corps for the last month was 37 calls.

Councilman Sotiropoulos further reported that he attended a meeting in support of Pascack Valley Hospital and that it was very well attended. He had nothing further to report.

Councilwoman Libby on behalf of Councilman Piehler – reported the following:

Council Report 11-9-11:

Recreation:

- 2 Members of recreation have put in their resignation (Rich Mager and Ron Weston). I was going to suggest that we acknowledge Ron in some way for his 20 years of service. Director and Assistant Director of Baseball. We are actively seeking replacement candidates for both positions.

Library:

- Currently have 200 volunteers and e-mails of residents who wish to assist in pilot of the new E-Book program.
- I have asked Follett if they will begin providing service now and invoice in 2012. Waiting to hear.
- I will present Library proposal to Rockleigh for a split of costs. At December Meeting
- The DPW has been working in the former library space, removing carpet, shelving and preparing for paint and other volunteer work. Mostly rainy days.
- The “Northvale Library Sign” has been removed from above the front door. Nice to see the old “Nathan Hale School” sign etched in marble.

Grants:

- Paul Niehoff will speak about the “Safe Routes to School” grant (Due 12/31)
- Attached is October Monthly Status report.

Board of Education:

- Windows in courtyard are being replaced this week at Nathan Hale School; this coupled with HVAC replacements, new boiler and lighting updates should result in a significant savings on heating and electrical expenses.
- School will make up 2 snow days used last week during storm and power outage. ½ day on 11/15 and attendance on Martin Luther King Day.

Councilwoman Libby - Reported that the Senior Center was used as a warming center during the recent storm. She reported that Norwood and other residents stayed at the center until their power came on. She further reported that the Senior Center Christmas Party will be held on December 20th at noon.

Mayor Bazela - Reported further on the warming center and the events of the day. He stated that everyone worked together and everyone did an excellent job. He stated that he would like to see more generators at our facilities – he feels that showers should also be installed at the Senior Center in case there are other incidents such as this one. He would like to see a speaker system instituted to alert the residents that the center is open and he will work out the details of how to work on this in the future. He thanked Tom Gannon with Rockland Electric for getting the electric turned on faster than most other towns.

Mayor Bazela further reported on the Golf outing sponsored by the Cho Dae Church,, He stated that they donated \$3,000 each for the Fire Department and Ambulance Corps. He stated that he is very grateful to the Church, to Elder Chang and the whole congregation.

Mayor Bazela further reported that former Mayor Rooney received an award at a facility where the lights had gone out. The fire department was there to provide lighting once the lights went out and he thanks them very much for their service that evening.

Mayor Bazela further reported on the Veterans Day ceremony in front of Borough Hall and then to the American Legion for refreshments. He stated that he hopes that everyone will attend.

BOROUGH ENGINEER REPORTS –

Mr. Niehoff reported on the Hogan Park Drainage Project and that it is his feeling that there are plans but no specifications at this time. He feels that the Borough should authorize Brooker Engineering to complete the specifications for an amount not to exceed \$750.00, as provided for in their original quote for the project.

Motion by Councilman Sokoloski; seconded by Councilman Sotiropoulos to authorize Brooker Engineering to prepare the specifications for the above mentioned project.

ROLL CALL VOTE: All present in favor.

BOROUGH ATTORNEY REPORTS –

Steve Klineman for Gregg Pastor stated that Mr. Paster has e-mailed a monthly report to the Mayor and Council and if they have any questions he would be happy to answer them. There were no questions or comments from the Mayor and Council on the monthly report.

CLOSED SESSION –

Motion by Councilman Sotiropoulos; seconded by Councilman Marana to approve Resolution #2011-129 and enter into closed session to discuss a tax appeal. Action may or not be taken upon returning to Open Session.

RESOLUTION #2011-129

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 present in favor.

POSSIBLE RESOLUTION AFTER CLOSED SESSION –

Motion by Councilman Marana; seconded by Councilwoman Libby to return to open session at 8:32 PM.

Motion by Councilman Marana; seconded by Councilwoman Libby to approve Resolution #2011-130, as follows:

ROLL CALL VOTE: All present in favor.

HEARING OF THE PUBLIC –

There being no questions or comments from the public at this time; Mayor Bazela asked for a motion to adjourn the meeting.

ADJOURNMENT –

Motion by Councilman Marana; seconded by Councilwoman Libby to adjourn the meeting at 8:35 PM.

ROLL CALL VOTE: All present in favor.

PAUL BAZELA, Mayor

ATTEST:

Wanda A. Worner
Borough Clerk

Approved: December 14, 2011