CALL THE MEETING TO ORDER –

Mayor Hogan called the meeting to order at 7:36 PM in the Council Chambers of the Municipal Building located at 116 Paris Avenue, Northvale, New Jersey 07647.

STATEMENT –

Mayor Hogan 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 Hogan 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 Hogan, Councilman Marana, Councilman Sillery, Councilwoman Traub and Councilman Winans were present. Councilman Furletti and Councilman Sotiropoulos were absent.

Also present: Paul Kaufman, Borough Attorney and Louis A. Raimondi, Borough Engineer.

APPROVAL OF MINUTES –

Motion by Councilman Marana; seconded by Councilman Sillery to approve the Minutes of the Regular Meeting of June 13, 2007 – Student Government Day.

All present in favor.

Motion by Councilwoman Traub; seconded by Councilman Marana to approve the Minutes of the Special Meeting of June 19, 2007.

All present in favor.

Motion by Councilwoman Traub; seconded by Councilman Sillery to approve the Minutes of the Combined Meeting of July 11, 2007 with the change as indicated by Councilwoman Traub that everything is transparent.

All present in favor.

APPOINTMENTS & PERSONNEL CHANGES –

Motion by Councilwoman Traub; seconded by Councilman Sillery to accept the resignation of Chris Hrbeck and Robert Babbini from the Recreation Committee, effective immediately.

All present in favor.
Motion by Councilwoman Traub; seconded by Councilman Marana to approve the appointment of the following to the Recreation Committee, effective immediately:

Fred Eilker, Jr.
Fred Flesche
Rich Mager

All present in favor.

UPDATE ON ENVIRONMENTAL PROJECTS –

Remington Vernick – Paul Kenny – explained where the progress is on the two sites at this time. He stated that he worked with the state and received a grant in the amount of approximately $300,000. He reported that the previous consultant received a grant in the amount $87,000 and he believes that they went over budget and that he will be working with the State to get approval from the DEP to work out the overpayment.

Mr. Kaufman asked the CFO to check to see if BBL was authorized to do the extra work and were the funds ever authorized. Mr. Shuaib stated that he believes that a grant was received in early 2006 that would cover the work that was done by BBL. He stated that he thinks that there should be a meeting with the two environmental consultants to go over grants received and paid.

Mr. Kenny further reported that they have completed the scope of work at Deluxe Cleaners and found that there was no clay layer; installed monitoring wells and they have a pretty good idea of where the contamination is but not the actual limit. He stated that they will need additional wells around the perimeter. He further stated that none of the houses tested have been impacted by the contamination. He stated that there will be more testing at the houses in the near future.

On Tect/Danzig; Mr. Kenney stated that he has done an inspection of the property and he feels that the drums and residue that were left behind should be removed from the site. He reported that a Grant application went to state in September inorder to do the proper investigation and remediation. He stated that a Pilot testing is going to be done by injecting chemicals into the ground. He stated that he has major concerns about work done by BBL. He stated that a plan has been submitted to the state for a 2.5 million dollar grant. He feels that it should be approved by the end of this year to early next year.

CORRESPONDENCE –

1. Letters – Various – Requests for Banners/Grand Opening Signs & Other
   A. Taste of Spain – Advertisements
   B. Fenix Sports – Grand Opening
   C. Jewelry Express – Grand Opening
   D. Prestige Cleaners – Grand Opening
   E. Madeleine’s Petit Paris – Advertising Talent Show
   F. Vacuum Store – Grand Opening Sign
   G. Mr & Mrs Farah – Annual Block Party

Motion by Councilman Marana; seconded by Councilwoman Traub to approve the above.

All present in favor.

   re: Renwal of Membership Application

3. Letter – Northvale Police Department – August 9, 2007
   re: Requests for Ordinances
   Towing
   No Parking
Motion by Councilman Marana; seconded by Councilwoman Traub to authorize the Borough Attorney to prepare Ordinances for Towing and No parking.

All present in favor.

4. Letter – Bergen County 200 Club – August 20, 2007
   re: $4,000 Grant for Junior Police Department

   re: Reverse 9-1-1 and Swift Reach 9-1-1

Mr. Kaufman is to draft an agreement for the council to review at their next work session meeting.

6. Letter – County Executive – August 11, 2007
   re: POW/MIA Recognition Day

7. Letter – Northvale Public Schools – August 24, 2007
   re: Thanking Mayor and Council and DPW for Assistance

Mayor Hogan stated that the Board of Education is thanking the Department of Public works for the work that they performed recently at the school.

   re: CVFF Letter of Credit

   re: Inviting Council to Regional Meeting – CSX & Quiet Zones

    re: Hughes Street Improvements

    re: Rio Vista Greens

    Mayor Hogan stated that this resident thought that the prices of the units were going to be lower. He stated that this has also been discussed at the Planning Board Meeting.

12. Petition – Residents of Wildwood Road & Holly Place
    re: Removal of Dead End Sign

    Mayor Hogan stated that this has been discussed with Lt. Amorosso and Mr. Marcason of the DPW. The sign will be replaced with a smaller sign above the sign post.

    re: NIMS Training – October 10, 2007

    re: Budget and Added Assessment Bills

15. Letter – Ken’s Tree Care – August 24, 2007
    re: Northvale Compost Facility

    Councilman Sillery explained the meeting that he had with Mr. Keegan. He outlined the outsourcing of the work at the Compost facility. He stated that this firm will be managing the facility. He outlined the agreement with Ken’s Tree Care and feels that it is a nice deal for Northvale. Mr. Marcason was asked to explain the process at the compost facility. He stated that more that 400 man hours are spent at the facility in any season.
Motion by Councilman Sillery; seconded by Councilwoman Traub to approve Resolution #2007-122, as follows:

RESOLUTION #2007-122

RESOLUTION AUTHORIZING EXECUTION AND DELIVERY OF THE COMPOST FACILITY SERVICES AGREEMENT WITH KEN’S TREE CARE

WHEREAS, the Borough of Northvale has recognized a need for a contractor to manage and maintain the Borough’s leaf compost facility (“Compost Facility”) at the Borough’s recycling site; and

WHEREAS, the Borough has received a proposal from Ken’s Tree Care dated August 24, 2007, in connection with providing such services; and

WHEREAS, it is in the best interests of the Borough to enter into an Agreement with Ken’s Tree Care to provide such services (“Compost Facility Services Agreement”) for a five (5) year period; and

WHEREAS, pursuant to the Compost Facility Services Agreement, the Contractor shall provide its own equipment and manpower to maintain and manage the Compost Facility and otherwise reduce the Borough’s cost and expense; and

WHEREAS, in consideration for the services performed by Ken’s Tree Care, the Borough of Northvale shall compensate Ken’s Tree Care based upon the amount of finished compost that Ken’s Tree Care removes from the Compost Facility; and

WHEREAS, as the anticipated value of the Compost Facility Services Agreement is not in excess of Seventeen Thousand, Five Hundred ($17,500.00) Dollars, public bidding is not required pursuant to N.J.S.A. 40A:11-3, and the Agreement does not have to be awarded under the Fair and Open Process of the Pay-to-Play laws pursuant to N.J.S.A. 40A:11-3; and

WHEREAS, the proposed Compost Facility Services Agreement with Ken’s Tree Care is in the best interests of the Borough;

NOW THEREFORE, BE IT RESOLVED that the Borough shall accept the proposal from Ken’s Tree Care on the terms set forth above and that the Mayor is hereby authorized to execute and deliver the Compost Facility Services Agreement in the form annexed hereto on behalf of the Borough; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption.

ON THE QUESTION: Councilman Winans inquired about the termination clause, he felt that it should be for cause or no cause. Councilman Sillery didn’t agree and said that he is counting on them to take the leaves.

All present in favor.

   re: Hogan’s Park Expansion

Mayor Hogan read the letter submitted by the County. He stated that the next step is a site visit by the committee and that they will be inviting members of the council to their meeting. He further stated that he believes that we are getting the grant. He stated that the only impediment is that the funding will not be provided until next year, that’s why there is a need for the bond ordinance. He further stated that he feels that the borough is going to be successful in obtaining the grant.

Motion by Councilwoman Traub; seconded by Councilman Marana to approve Resolution #2007-121, as follows:

RESOLUTION #2007-121
Acquisition of 217 New York Avenue

WHEREAS, the Borough of Northvale had become aware that 217 New York Avenue was available for acquisition; and

WHEREAS, on March 15, 2007, the Mayor and Council authorized the Borough Attorney to present an offer to purchase on behalf of the Borough and thereafter to negotiate a contract for the purchase of 217 New York Avenue; and

WHEREAS, the Borough Attorney was also authorized to file an application for funding the acquisition of 217 New York Avenue through the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund, which application was filed in a timely manner; and

WHEREAS, the Seller has executed and delivered an agreement to sell 217 New York Avenue (the “Agreement”) to the Borough, a copy of which is annexed hereto as an exhibit; and

WHEREAS, the Borough’s Master Plan provides as Goal #8 and Land Use Plan Objective #4 that the Borough shall “dedicate sufficient area for the provision of open space and recreational needs”; and

WHEREAS, 217 New York Avenue is adjacent to Hogan’s Park and offers the Borough a one-time opportunity to expand Hogan’s Park, consistent with and in furtherance of the Borough’s Master Plan Goals and Land Use Plan objectives; and

WHEREAS, the Borough has received a preliminary favorable response from the Bergen County Director of Planning and Economic Development on behalf of the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund as set forth in the Director’s letter of August 15, 2007; and

WHEREAS, the opportunity to expand the Borough’s parks and recreation facilities, particularly with the potential ultimate utilization of grant money, is clearly in the best interests of the Borough, its residents, and taxpayers.

NOW, THEREFORE, BE IT RESOLVED that Mayor Hogan be and the same is authorized and directed to execute the Agreement and deliver same to the Borough Attorney for delivery to the Seller and to execute and deliver on behalf of the Borough all documents necessary to complete the closing and acquisition of 217 New York Avenue; and it is

FURTHER RESOLVED that the Borough Attorney is authorized and directed to prepare and review all documents and take all other customary and usual steps to consummate the transaction contemplated in the Agreement; and it is

FURTHER RESOLVED that the Borough Clerk is hereby directed to cause a notice of the acquisition to be published as required by law.

ON THE QUESTION: Councilman Winans stated that the Borough is going into debt to buy the house and what happens if the grant doesn’t come through? Mr. Kaufman stated that if there is no grant a decision will have to made whether to continue with the project.

ROLL CALL VOTE: Councilwoman Traub, Councilman Sillery and Councilman Marana voted yes. Councilman Winans voted no. Councilman Furletti and Councilman Sotiropoulos were absent.

   re: Salt Shed DPW

Mr. Raimondi explained and was asked if the structure could be moved if the DPW building was relocated. He stated that yes it could as it wouldn’t be a permanent
Mr. Raimondi was asked if Rockleigh would contribute to the project? He stated that he could ask. He was further asked if the DPW could perform some of the work to construct the salt shed and he stated that they could.

Motion by Councilman Sillery; seconded by Councilwoman Traub to approve Resolution #2007-123, as follows:

**INSERT RESOLUTION #2007-123**

**re:** Construction Cost Estimates

Mayor Hogan stated that this letter outlines the costs for the 2007 road resurfacing program.

Motion by Councilwoman Traub; seconded by Councilman Winans to introduce a bond ordinance for the above mentioned.

All present in favor.

**re:** Closure Plan

**MONTHLY REPORTS –**

Mayor Hogan stated that the following reports are on file in the Borough Clerk’s office and can be viewed between the hours of 9:00 and 4:00 p.m., Monday through Friday.

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

**RESOLUTIONS –**

Motion by Councilwoman Traub; seconded by Councilman Marana to approve Resolution #2007-84, as follows:

**RESOLUTION #2007-84**

Amending the 2007 Municipal Budget

WHEREAS, the local municipal budget for the year 2007 was approved on the 14th day of March, 2007; and

WHEREAS, the public hearing on said budget has been held as advertised; and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Northvale, County of Bergen, that the following amendments to the approved budget of 2007 be made:

<table>
<thead>
<tr>
<th><strong>ANTICIPATED REVENUES</strong></th>
<th><strong>FROM</strong></th>
<th><strong>TO</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Miscellaneous Revenues</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Section B: State Aid Without Offsetting Appropriations – Extraordinary Aid</td>
<td>100,000.00</td>
<td></td>
</tr>
<tr>
<td>Total Section B: State Aid Without Offsetting Appropriations</td>
<td>855,483.00</td>
<td>955,483.00</td>
</tr>
<tr>
<td>Section D: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Interlocal Municipal Service Agreements Offset with Appropriations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Borough of Rockleigh – DPW Services</td>
<td>20,000.00</td>
<td></td>
</tr>
<tr>
<td>Total Section D: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Interlocal Municipal Service Agreements Offset with Appropriations</td>
<td>312,000.00</td>
<td>332,000.00</td>
</tr>
<tr>
<td>Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services – Public and Private Revenues</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private Donations – 273 Livingston Street Associates LLC</td>
<td>9,000.00</td>
<td></td>
</tr>
<tr>
<td>Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services – Public and Private Revenues</td>
<td>53,165.00</td>
<td>62,165.00</td>
</tr>
</tbody>
</table>
Consent of Director of Local Government Services – Public and Private Revenues

Total Miscellaneous Revenues 2,219,948.00 2,348,948.00
Subtotal General Revenues (Items 1, 2, 3 and 4) 3,009,948.00 3,138,948.00
Amount to be Raised by Taxes for Support of Municipal Budget Local Tax for Municipal Purposes including Reserve for Uncollected Taxes 4,434,310.00 4,107,326.00
Total General Revenues 7,444,258.00 7,336,274.00

APPROPRIATIONS

Operations – Within “CAPS”
Municipal Land Use Law – Planner – Other Expenses 8,000.00 3,000.00
Insurance – Group Insurance Plan for Employees 420,000.00 410,000.00
Fire – Miscellaneous Other Expenses 82,000.00 75,000.00
Public Works – Road Repairs and Maintenance Salaries and Wages 550,000.00 500,000.00
Other Expenses 5,000.00 -0-
Public Works – Snow Removal
Other Expenses 5,000.00 -0-
Public Works – Public Buildings and Grounds Other Expenses 70,000.00 65,000.00
Other Expenses 10,000.00 15,000.00
Total Operations Within “CAPS” 4,764,313.00 4,692,313.00
Total Operations Including Contingent Within “CAPS” 4,767,313.00 4,695,313.00
Deferred Charges and Statutory Expenditures
Unemployment 19,000.00 -0-
Total Deferred Charges and Statutory Expenditures 244,000.00 225,000.00
Total General Appropriations Within “CAPS” 5,011,313.00 4,920,313.00

Operations – Excluded from “CAPS”
Aid to Library NJSA 40:54-35) Privately Owned 230,000.00 239,016.00
Stormwater Management – Other Expenses 30,000.00 5,000.00
Total Other Operations Excluded from “CAPS” 468,628.00 244,016.00
Interlocal Municipal Services Agreements
Borough of Rockleigh DPW - Services – Salaries and Wages 20,000.00
Total Interlocal Municipal Services Agreements 312,000.00 322,000.00
Total Operations – Excluded from “CAPS” 1,263,793.00 1,267,809.00
Capital Improvements Excluded from “CAPS”
Private Donation – Acquisition of Recreation Equipment 9,000.00
Total Capital Improvements Excluded from “CAPS” 49,000.00 49,000.00
Total General Appropriations for Municipal Purposes – Excluded from “CAPS” 2,023,107.00 2,036,123.00
Subtotal General Appropriations 7,034,420.00 6,956,436.00
Reserve for Uncollected Taxes 409,838.00 379,838.00
TOTAL GENERAL APPROPRIATIONS 7,444,258.00 7,336,274.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the 2007 local municipal budget as amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with NJSA 40:4-9 be published in the Press Journal in the issue of August 16, 2007, and that said publication contain notice of a public hearing on said amendment to be held at the Borough Hall located at 116 Paris Avenue, Northvale, New Jersey on August 21, 2007 at 8:00 PM.

ROLL CALL VOTE: Councilwoman Traub, Councilman Marana, Councilman Sillery and Councilman Winans voted yes. Councilman Furletti and Councilman Sotiropoulos were absent.

**********

Motion by Councilwoman Traub; seconded by Councilman Sillery to approve Resolution #2007-103, as follows:

RESOLUTION #2007-103
ADOPTION OF THE 2007 MUNICIPAL BUDGET
BE IT RESOLVED by the Mayor and Council of the Borough of Northvale of the County of Bergen that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) $4,197,326.00 (Item 2 below) for municipal purposes; and
(d) $ 96,393.00 (Sheet 43) Open Space Trust Fund Levy

**SUMMARY OF REVENUES**

<table>
<thead>
<tr>
<th>1. General Revenues</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Surplus Anticipated</td>
<td>490,000.00</td>
</tr>
<tr>
<td>Miscellaneous Revenues Anticipated</td>
<td>2,348,948.00</td>
</tr>
<tr>
<td>Receipts from Delinquent Taxes</td>
<td>300,000.00</td>
</tr>
<tr>
<td>2. Amount to be raised by taxation for Municipal Purposes</td>
<td>4,197,326.00</td>
</tr>
<tr>
<td>Total Amount to be Raised by Taxation for Schools in Type 1 School Districts Only</td>
<td>4,197,326.00</td>
</tr>
<tr>
<td>Total Revenues</td>
<td>7,336,274.00</td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>5. General Appropriations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Within CAPS</td>
</tr>
<tr>
<td>(a &amp; b) Operations Including Contingent</td>
</tr>
<tr>
<td>(c) Deferred Charges and Statutory Expenditures - Municipal</td>
</tr>
<tr>
<td>Excluded from CAPS</td>
</tr>
<tr>
<td>(a) Operations - Total Operations Excluded from CAPS</td>
</tr>
<tr>
<td>(c) Capital Improvements</td>
</tr>
<tr>
<td>(d) Municipal Debt Service</td>
</tr>
<tr>
<td>(e) Deferred Charges - Municipal</td>
</tr>
<tr>
<td>(m) Reserve for Uncollected Taxes</td>
</tr>
<tr>
<td>Total Appropriations</td>
</tr>
</tbody>
</table>

ON THE QUESTION: Councilman Winans asked about the Borough Attorney’s bills that haven’t been submitted so far. He asked that the Borough Attorney submit his bills in a timely fashion.

ROLL CALL VOTE: Councilwoman Traub, Councilman Sillery, Councilman Marana and Councilman Winans voted yes. Councilman Furletti and Councilman Sotiropoulos were absent.

**********

Motion by Councilman Sillery; seconded by Councilman Marana to approve Resolution #’s 2007-104 – 2007 120 on Consent Agenda, as follows:

**RESOLUTION #2007-104**

Resolution Confirming Endorsement of Community Development Projects

WHEREAS, a Bergen County Community Development grant of $77,000.00 has been proposed by the Borough of Northvale for the Operation of the McGuire Senior Center in the Borough of Northvale; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization of the governing body; and

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

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

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

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Director of the Bergen County Community Development Program to that implementation of the aforesaid project may be expedited.
RESOLUTION #2007-105

RESOLUTION AUTHORIZING CONTRACTS FOR PROFESSIONAL SERVICES

WHEREAS, pursuant to N.J.S.A. 40:55D-24, the Borough of Northvale (the “Borough”) is authorized and empowered to employ professionals and experts as it deems necessary in furtherance of its statutory responsibilities; and

WHEREAS, the Borough deems it necessary to employ the services of the following professional in order to perform certain functions and duties required by the Borough:

Real Estate Appraiser: McNerney & Associates Inc.
Robert McNerney, MAI, SRA

And;

WHEREAS, the Borough seeks to enter into a Professional Services Agreement with the Professionals for performance of the professional services set forth above.

NOW THEREFORE, BE IT RESOLVED by the Borough as follows:

1. Mayor John Hogan be and the same hereby authorized and directed to execute and deliver Professional Services Agreements with Professionals in the form annexed to this Resolution.

2. A copy of this Resolution shall be kept on file in the Office of the Borough Clerk.

RESOLUTION #2007-106

Waive Building Department Fees for the Northvale American Legion

BE IT RESOLVED, that the above mentioned fees for the boiler installation at the American Legion be waived.

RESOLUTION #2007-107

Resolution for Renewal of Membership in the Joint Insurance Fund

WHEREAS, the Borough of Northvale is a member of the Bergen County Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2007 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Borough of Northvale desires to renew said membership;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Borough of Northvale agrees to renew its membership in the Bergen County Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.

2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Bergen County Municipal Joint Insurance Fund evidencing the Municipality’s intention to renew its membership.
RESOLUTION #2007-108
Waive Building Department Fees for the Northvale Public Schools

BE IT RESOLVED, that the above mentioned fees for the installation of AC ductless split AC units at the Northvale Public Schools.

RESOLUTION #2007-109
Authorize the Borough Engineer to Prepare a Lot Line Base Map with Flood Plain Overlay

BE IT RESOLVED that the Borough Engineer is hereby authorized to prepare the above mentioned map pursuant to the request of the Building Inspector and Mr. Raimondi’s letter dated August 16, 2007.

RESOLUTION #2007-110
Endorsement of Community Development Grant Application for Back-up Emergency Generator

WHEREAS, the Borough of Northvale wishes to file a FY2008 Bergen County Community Development Grant not to exceed $100,000, which will be used to purchase and install a new back-up emergency electrical generator for Borough Hall and the James F. McGuire Senior Citizen Center, which is used as the Borough of Northvale Emergency Operations Center, as required by the Borough of Northvale Office of Emergency Management Plan (OEMP); and

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

WHEREAS, the Mayor and Council of the Borough of Northvale endorse and support this application because it is in the best interests of the people of the Borough of Northvale; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF NORTHVALE THAT:

1. The Mayor and Council of the Borough of Northvale hereby endorse and authorize the filing of a Bergen County Community Development Block grant application to purchase and install a new back-up emergency electrical generator for Borough Hall and the James F. McGuire Senior Citizen Center, which is used as the Borough of Northvale Emergency Operations Center, as required by the Borough of Northvale Office of Emergency Management Plan (OEMP).

2. Upon receipt of the Grant Agreement from Bergen County Community Development, the signature of the Mayor and/or any other municipal official, or their successors in said titles, which is required on the agreement and any other documents necessary in connection therewith, is hereby approved.
A copy of this resolution shall be sent to the Director of Bergen County Community Development so that implementation of the emergency back-up generator project may be expedited.

***********

RESOLUTION #2007-111

Endorsement of Community Development Grant Application for ADA Compliant Bathroom at the American Legion

WHEREAS, a Bergen County Community Development Grant not to exceed $50,000 has been proposed by the Northvale Post of the American Legion located at 190 Paris Avenue in the Borough of Northvale to construct an ADA compliant bathroom; and

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

WHEREAS, the Mayor and Council of the Borough of Northvale endorse and support this application because it is in the best interests of the people of the Borough of Northvale; and

WHEREAS, this resolution of support and endorsement does not obligate the financial resources of the Borough of Northvale and is solely intended to expedite expenditures of the aforesaid Community Development funds by the Northvale Post of the American Legion.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF NORTHVALE THAT:

3. The Mayor and Council of the Borough of Northvale hereby endorse and support the proposed ADA compliant bathroom renovation project for the Northvale Post of the American Legion.

4. A copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development so that implementation of the aforesaid project may be expedited.

***********

RESOLUTION #2007-112

Resolution Accepting A Grant From The Hazardous Discharge Site Remediation Fund

WHEREAS, the Borough of Northvale has applied for and has been awarded a grant in the amount of $337,180.53 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the Department of Environmental Protection, and the New Jersey Economic Development Authority for the Environmental Investigation of the Deluxe Drycleaner Site, Block 1003, Lot 12 and

WHEREAS, the Borough of Northvale has previously engaged Remington & Vernick Engineers as their environmental engineers; and

WHEREAS, by virtue of the grant, funds are available for the work intended;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Northvale that the above-referenced grant is hereby accepted and the Mayor and other Borough officials are hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Borough of Northvale.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

BE IT FURTHER RESOLVED that Remington & Vernick Engineers be and the same are hereby authorized and directed to undertake the environmental assessment of the above-referenced property in an amount not to exceed the amount of the grant received by the Borough.

***********
RESOLUTION #2007-113

Appointment of Municipal Alliance Members 2007

BE IT RESOLVED, that the following are hereby approved as the Municipal Alliance Members for the year 2007:

Councilwoman Traub – Chair
Dorothy Magnotta – Secretary
Nancy Sytsma
Michelle Santa Cruz
Sylvan Hershey
Patty Scaglione
William Essmann
David Magnotta
Jean Griffin
Johanna Bargeson
Fran Brogan
Maggie O’Sullivan
Lisa Walker
Debbie Pirros
Debbie Thompson
Kathy Brunet

**********

RESOLUTION #2007-114

Resolution Confirming Endorsement of Community Development Projects

WHEREAS, a Bergen County Community Development grant of $77,000.00 has been proposed by the Borough of Northvale for the Operation of the McGuire Senior Center in the Borough of Northvale; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization of the governing body; and

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

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

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

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

**********

RESOLUTION #200-115

INSERT RESOLUTION

**********

RESOLUTION #2007-116

Resolution Accepting Amended Letter of Credit of CVFF Development Corporation
WHEREAS, on January 6, 2005, the Borough of Northvale and CVFF Development Corp. (the “Developer”) entered into a Developer’s Agreement in connection with the Development of 472 Tappan Road, also known as Block 209, Lots 3, 7, 8, 24 and 25 (the “Property”) on the current tax map of the Borough of Northvale; and

WHEREAS, pursuant to Paragraph “11” of the Developer’s Agreement, the Developer was required to obtain a Performance Guarantee in the amount of $326,532.00 in accordance with the Borough Engineer’s estimate dated July 13, 2004, which is Exhibit “B” to the developer’s agreement; and

WHEREAS, as a result of the Developer completing a significant portion of the construction, the Borough Engineer certified that a new letter of credit be posted in the amount of $100,000.00, representing an estimate of the amount of work remaining to be completed by the Developer, in accordance with the Borough Engineer’s certification dated July 18, 2007; and

WHEREAS, on September 4, 2007, an amended letter of credit #1022 was issued by Ponce DeLeon Federal Bank in the amount of $100,000.00 to the Developer, thereby replacing the original letter of credit; and

WHEREAS, the Borough of Northvale desires to accept the amended letter of credit;

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Northvale that the amended letter of credit in the amount of $100,000.00 is hereby accepted and is replacing the original letter of credit in the amount of $326,532.00.

***********

RESOLUTION #2007-117

RESOLUTION AUTHORIZING EXECUTION AND DELIVERY OF DEVELOPER’S AGREEMENT IN CONNECTION WITH 150-170 LUDLOW AVENUE

WHEREAS, the Planning Board of the Borough of Northvale previously granted Site Plan Approval to RAB Electric Manufacturing, Inc. in connection with the development of 150-170 Ludlow Avenue, Block 1102, Lots 2, 3 and 4 on the Tax Map of the Borough of Northvale, (the “Property”), as memorialized in the Resolution dated August 2, 2006; and

WHEREAS, RAB Lighting, Inc. (the “Developer”) is the assignee of the approvals granted to RAB Electric, Inc., and is obligated to enter into a developer’s agreement with the Borough of Northvale with respect to the development of the Property; and

WHEREAS, Developer has executed and delivered to the Borough the Developer’s Agreement annexed hereto as an exhibit (the “Developer’s Agreement”); and

WHEREAS, pursuant to Paragraph “10” of the Developer’s Agreement, the Developer is required to obtain a Performance Guarantee in the amount of Two Hundred Thousand ($200,000.00) Dollars, in light of the estimated improvement costs as set forth on the Borough Engineer’s estimate dated July 25, 2007, which is attached as Exhibit “B” to the Developer’s Agreement, of which the amount of Twenty Thousand ($20,000.00) Dollars shall be in the form of a cash deposit or certified check and the amount of One Hundred and Eighty Thousand ($180,000.00) Dollars shall be in the form of a performance guarantee with a surety or other guarantee, as approved by the Borough Attorney, pursuant to N.J.S.A. 40:55D-53; and

WHEREAS, pursuant to Paragraph “11” of the Developer’s Agreement, upon the execution and delivery of the Developer’s Agreement, the Developer is required to submit to the Borough escrow deposits in the amounts of Ten Thousand ($10,000.00) Dollars for engineering services and Three Thousand, Five Hundred ($3,500.00) Dollars for legal services, which amounts are to provide sufficient funds to cover reasonable engineering and legal costs incurred by the Borough on behalf of the Developer in connection with preparing, reviewing and implementing the Developer’s Agreement; and

WHEREAS, Developer has delivered to the Borough the required performance guarantees and escrow; and
WHEREAS, it is in the best interests of the Borough to enter into the Developer’s Agreement.

NOW THEREFORE, BE IT RESOLVED that the Mayor is hereby authorized to execute and deliver the Developer’s Agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED that a true copy of the Developer’s Agreement be provided to the Construction Code Official and Borough Engineer.

***********

RESOLUTION #2007-118

Petition the Director of the Division of Local Government Services to Insert and Item of Revenue – Chapter 159 – Bergen County 200 Club (Police)

Whereas, NJS 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 2007 in the sum of $4,000.00, which is now available from Bergen County 200 Club Grant (Police) in the amount of $4,000.00.

BE IT FURTHER RESOLVED, that the like sum of $4,000.00 is hereby appropriated under the caption Bergen County 200 Club Grant (Police); and

BE IT FURTHER RESOLVED that the above is the result of funds from Bergen County 200 Club Grant (Police) in the amount of $4000.00.

***********

RESOLUTION #2007-119

Authorize Mayor Hogan to Sign an Interlocal Agreement with Hillsdale for the Disposing of Leaves at Northvale Compost Facility

WHEREAS, the Borough of Hillsdale requires a properly authorized site to deposit leaves and related debris to be accumulated during the Fall of 2007; and

WHEREAS, the Borough of Northvale has a compost facility with space available and has had an Interlocal agreement with the Borough of Hillsdale for the deposit of said materials at its compost facility in the past years; and

WHEREAS, the Borough of Hillsdale agrees to pay the Borough of Northvale $6.00 per cubic yard;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Northvale hereby agree to enter into an Interlocal Agreement with the Borough of Hillsdale and that the Mayor and Clerk are hereby authorized to sign said Interlocal Agreement.

***********

RESOLUTION #2007-120

Payment of Bills
WHEREAS, vouchers for the payment of goods and services rendered to
the Borough of Northvale have been received; and

WHEREAS, each bill has been checked by the receiving department,
approved by the Chief Financial Officer, the Council Department Liaison and the Finance
Committee:

NOW, THEREFORE, BE IT RESOLVED that bills as listed now be
confirmed for payment from the appropriate funds as follows:

<table>
<thead>
<tr>
<th>Current Fund Appropriations (2007)</th>
<th>$ 224,805.59</th>
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<tr>
<td>Current Fund Appropriations (2006)</td>
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<td>$ 40.80</td>
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<tr>
<td>Food Trust Fund</td>
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BE IT FURTHER RESOLVED, that the Borough Clerk is hereby
instructed to incorporate the attached bill list into the minutes of the meeting of the
governing body along with a copy of this resolution.

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<tr>
<th>DATE</th>
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<th>DESCRIPTION</th>
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**TOTAL BILL LIST**

1,174,192.85

******

ROLL CALL VOTE: Councilman Sillery, Councilman Marana, Councilwoman Traub and Councilman Winans voted yes. Councilman Furlletti and Councilman Sotiropoulos were absent.

ORDINANCES – 1st reading –

Mayor Hogan asked that the salary ordinance be held to the next council meeting.

ORDINANCE #846-2007 – AN ORDINANCE TO FIX THE SALARIES, WAGES AND COMPENSATION OF CERTAIN EMPLOYEES OF THE BOROUGH OF NORTHVALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY

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Motion by Councilwoman Traub; seconded by Councilman Marana to Introduce Ordinance #847-2007, as follows:  

16
Borough of Northvale  
County of Bergen  
State of New Jersey  

Ordinance #847-2007

BOND ORDINANCE PROVIDING FOR THE PAYMENT OF THE PURCHASE PRICE OF REAL PROPERTY WITHIN THE BOROUGH OF NORTHVALE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY; APPROPRIATING $375,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $356,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Borough of Northvale, in the County of Bergen, State of New Jersey (the “Borough”). For said improvement or purpose stated in Section 3, there is hereby appropriated the sum of $375,000, said sum being inclusive of a down payment in the amount of $18,750 now available for said improvement or purpose required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the “Local Bond Law”) and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said $375,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of $356,250 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding $356,250 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 purpose for the financing of which said bonds or notes are to be issued is the payment of the purchase price of Block 602, Lot 4, commonly known as 217 New York Avenue on the official tax map of the Borough, including appraisals, surveys, engineering work, permits, bid documents and all work, materials and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is $356,250.

(c) The estimated cost of said improvement or purpose is $375,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Bergen make a contribution or grant in aid to the Borough for the improvement and purpose authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Bergen. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Bergen shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. The Borough anticipates receiving a $350,000 grant pursuant to the Bergen County Open Space Grant Program.
SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date or as otherwise authorized by the Local Bond Law. 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 the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with 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 purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon 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 bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

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

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which 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 benefited thereby.

(b) The average period of usefulness of said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and 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 or notes provided for in this bond ordinance by $356,250 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding $30,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvement or purpose hereinbefore described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes 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 bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the
bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same “Controlled Group” as the Borough, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Borough’s official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under section 148 of the Internal Revenue Code of 1986, as amended (the “Code”). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will not be used directly or indirectly (i) to “refund” an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d), (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds “replacement proceeds”, within the meaning of Treasury Regulation Section 1.148-1 of the bonds, or any other bond issue, or (iii) to reimburse the Borough for any expenditure or payment that was originally paid with the proceeds of any obligation of the Borough (other than borrowing by the Borough from one of its own funds or the funds of a member of the same “Controlled Group” within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will be issued in an amount not to exceed $356,250. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be “capital expenditures” in accordance with the meaning of section 150 of the Code and Treasury Regulation Section 1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ROLL CALL VOTE: Councilwoman Traub, Councilman Marana and Councilman Sillery voted yes. Councilman Winans voted no. Councilman Furletti and Councilman Sotiropoulos were absent.

ORDINANCES – 2nd reading –

There were no Ordinances for second reading this evening.

HEARING OF THE PUBLIC –

John Rooney – 411 West Avenue – Expressed his concern over having Ken’s Tree Care working at the compost facility. Mayor Hogan stated that there is a contract and that this is a new agreement with rules that the firm will have to adhere to.

Mr. Rooney further asked if there was a commission on the house the Borough is looking at buying at 217 New York Avenue. Mr. Kaufman stated that the commission is to be paid for by the seller.

Liz & Barry Hirschberg – 403 ½ Argenti Place – Stated that they request taking the through sheet off the map.

MAYOR & COUNCIL REPORTS –

Mayor Hogan reported that the Fireman’s Parade will be held on October 14 and will be hosted by the Borough of Alpine. He further reported that he will be attending the
Northern Valley Mayor’s meeting on September 27th and that the DARE Golf Outing will be held on October 1.

Councilman Marana reported that Dave Donnarumma has resigned his position in the Fire Prevention Bureau effective December 31. He stated that Mr. Donnarumma has received a promotion in his fire department, therefore, he cannot continue in the part time position. Councilman Marana gave the Fire Prevention report for the past month. He further reported that the Cultural Arts Committee is collecting items for an E-Bay auction as a fund raiser. He stated that the Senior Center will be accepting items on October 6th for this auction.

Councilman Winans reported that with the closing of Pascack Valley Hospital there will be a problem with the food program at the Senior Center. Councilwoman Traub asked if the 2nd bidder should be contacted.

Councilman Sillery reported on the activities of the Department of Public Works in Northvale and in Rockleigh. He reported that the Roller Hockey Rink at Veterans’ Park is going to be dismantled as it is no longer used. He further reported that leaf season will begin on October 14th and will continue weather permitting until December. He reported on the Planning Board activities for the last month.

Councilwoman Traub stated that school is open and she reported on the bomb threat and the school closing. She stated that the school met with the police department and a plan was put in place. She further reported that the Senior Center held a Pasta Bowl that raised $1,200 for the new Senior Van. She felt it was a great success. She reported on the Intergenerational Camp and the Golden Age Club meeting. Lastly, she felt that the Ice Cream truck that canvasses the town should have a background check like the coaches. She asked the Borough Clerk to discuss this with the Police Department as this was also discussed at the last Board of Health meeting.

BOROUGH ENGINEER REPORTS –

Mr. Raimondi reported on the Stream Cleaning project and that he is still waiting for permission for various property owners in Rockleigh and Northvale to enter their properties in order to clean the Sparkill Brook.

BOROUGH ATTORNEY REPORTS –

Mr. Kaufman had no report this evening.

CLOSED – JT PM

ADJOURNMENT –

There being no further business before the Council this evening; Motion to adjourn at 10:28 PM.

JOHN S. HOGAN  
Mayor

ATTEST:

Wanda A. Worner  
Borough Clerk

Approved: December 12, 2007