

A G E N D A

Combined Meeting of the Mayor and Council

Tuesday, November 10, 2020

7:00 PM

CONFERENCE CALL PHONE NUMBER 1-646-307-1479, GUEST PASSCODE 476570

CALL THE MEETING TO ORDER

STATEMENT

“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 Acting 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.”

ROLL CALL

Name	Present	Absent
Mayor Marana	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Argiro	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Devlin	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>

APPROVAL OF MINUTES

Combined Meeting of October 14, 2020

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Devlin
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Devlin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Closed Session Minutes of October 14, 2020

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Devlin
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Devlin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Special Meeting Minutes of October 20, 2020

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Devlin
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Devlin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Special Meeting Closed Session Minutes of October 20, 2020

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Devlin
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Devlin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPOINTMENTS & PERSONNEL CHANGES

AWARDS & PROCLAMATIONS

MONTHLY CORRESPONDENCE

The following reports are on file in the Borough Clerk’s office and can be viewed by the public between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

- Building Department - October
- Fire Department
- Fire Prevention - October
- Recreation Minutes
- Tax Collector
- Grantswriter - October

CORRESPONDENCE

1. Letter – Florio, Kenny, Raval, LLP – October 12, 2020
Re: S.C. Construction Corp/S&R Costa Realty
2. Letter – Donald M. Onorato, Attorney at Law – October 30, 2020
Re: Paris Square Homeowners Association

RESOLUTIONS-

RESOLUTION #2020-113

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Devlin
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

TITLE: APPROVE THE LOSAP QUALIFIERS FOR THE YEAR 2019 FOR THE FIRE DEPARTMENT AND AMBULANCE CORPS.

WHEREAS, the Volunteer Fire Department and Ambulance Corps have notified the Borough Clerk of the LOSAP Qualifiers for the year 2019 in writing; and

WHEREAS, the Plan Administrator/Borough Clerk is satisfied that the substantiated information has been provided;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby approve the qualifiers for LOSAP for the year 2019;

BE IT FURTHER RESOLVED that the Plan Administrator/Borough Clerk prepare the necessary paperwork and voucher in the amount of \$48,742.02.

FIRE DEPARTMENT

	NAME	AMOUNT
1.	Charles J. Amorosso	917.98
2.	Charles S. Amorosso	917.98
3.	Gregory Amorosso	917.98
4.	Jason Banzaca	31.05
5.	Ashley Bodrato	917.98
6.	Briant Bodrato	917.98
7.	Christopher Bodrato	917.98
8.	Peter Briscoe	886.93
9.	Robert Brondi	917.98
10.	Vincent Carney	917.98
11.	S. Cooke	917.98
12.	Wayne Degen	917.98
13.	Francis Devlin	917.98
14.	Brian England	917.98
15.	Frank Ferraro	917.98
16.	Dakota Firenze	917.98
17.	Scott Firenze	917.98
18.	Raymond Frosco	917.98
19.	Michael Gaggin	917.98
20.	Thomas Gannon	917.98
21.	Thomas Gaspari	917.98
22.	Edward Giannotti	917.98
23.	Edward Kammer	917.98
24.	Robert Kilpatrick	917.98
25.	Myung Kim	31.05
26.	Gerard Marsh	917.98
27.	Christopher McGuire	31.05
28.	William McGuire	917.98
29.	Devon Modery	904.49
30.	Howard Ostrow	13.49
31.	Corey Patullo	917.98
32.	Michael Pizzi	917.98
33.	Edward Rejmaniak	917.98

34.	Richard Remy	13.49
35.	C. Renner	917.98
36.	William Sillery	917.98
37.	Chris Smithson	917.98
38.	G. Smithson	917.98
39.	G. Thompson	31.05
40.	Y. Trela	13.49
41.	Anthony Ubl	917.98
42.	Edward Witkowski	917.98
43.	C. Amorosso	917.98

AMBULANCE CORPS

	NAME	AMOUNT
44.	Mary Beth Craven	917.98
45.	Abbey Fallon	917.98
46.	Theresa Frohlich	917.98
47.	Julie Haffler	917.98
48.	Zachary Hine	917.98
49.	James Ippolito	917.98
50.	Henry Kowal	917.98
51.	Thea McDaniell	917.98
52.	Samantha McKinley	917.98
53.	Kara McMorrow	917.98
54.	Kyle Rusch	917.98
55.	Peter Sotiropoulos	917.98
56.	Vincent St. Angelo	917.98
57.	Kevin Trainor Sr.	917.98
58.	Taylor Verdigi	917.98
59.	Joe Visconi	917.98
60.	John McGuire	886.93
	TOTAL	\$48,742.02

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Devlin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTIONS – Consent Agenda

“All items are considered to be non-controversial by the Council and will be approved by on motion. There may be further discussion prior to the vote upon request of a member of the public or a Council member. Any item may be removed for further discussion or for a roll call vote in which case the item will be removed and considered in its normal sequence as part of the general order of business”

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Devlin
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

RESOLUTION #2020-131

TITLE: APPROVE RAFFLE LICENSE #RL 215 FOR NORTHVALE VOLUNTEER FIRE ASSOCIATION

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

NAME: Northvale Volunteer Fire Association
ADDRESS: 204 Washington Street
LOCATION OF RAFFLE: 204 Washington Street
HOURS: 1:00 PM – 5:00 PM
DATE OF RAFFLE: March 7, 2021
ID #: 353-9-29752
RAFFLE LICENSE #: RL 215

BE IT FURTHER RESOLVED, that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

RESOLUTION #2020-132

TITLE: APPROVE RAFFLE LICENSE #RL 216 FOR KNIGHTS OF COLUMBUS, 50/50 RAFFLE

BE IT HEREBY RESOLVED, that the following license to conduct a 50/50 Raffle be issued to:

NAME: Knights of Columbus
ADDRESS: 211 Summit Street, Norwood
LOCATION OF RAFFLE: 199 Walnut Street, Northvale
HOURS: 7:00 – 11:00 PM
DATE OF RAFFLE: December 11, 2020
ID #: 355-6-42364
RAFFLE LICENSE #: RL 216

BE IT FURTHER RESOLVED, that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

RESOLUTION #2020-133

TITLE: AUTHORIZING APPROVAL OF SETTLEMENT FOR S.C. CONSTRUCTION CORP AND S&R COSTA REALTY, 227 UNION STREET, BLOCK 602 , LOT 5

WHEREAS, S.C. CONSTRUCTION CORP was the record owner of property situated at Block 602, Lot 5, with a street address of 227 Union Street located in the Borough of Northvale, New Jersey during years 2013 and 2014, and

WHEREAS, S&R COSTA REALTY, LP, a related entity, acquired the above-described property on November 25, 2014, and

WHEREAS, S.C. CONSTRUCTION CORP and S&R COSTA REALTY, LP are the Plaintiffs in legal actions against the Borough of Northvale in the Tax Court of New Jersey, specifically Docket Nos.: 001744-2013, 006105-2014, 000786-2015, 001280-2016, 004521-2017, 004726-2018, 001478-2019, 005039-2020, challenging the actions of the Borough with respect to the assessment of its property, and

WHEREAS, the parties now wish to amicably resolve the outstanding issues regarding the assessment of the property and settle the lawsuits between them pending in the Tax Court of New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Northvale, County of Bergen, State of New Jersey, that Florio Kenny Raval, L.L.P., Tax Appeal Counsel for the Borough of Northvale, is hereby authorized to execute on behalf of the Borough of Northvale, a Stipulation of Settlement resolving the Complaints filed by:

1) S.C. CONSTRUCTION CORP, for property situated at Block 602, Lot 5, 227 Union Street, Northvale, New Jersey for tax years 2013 and 2014; and

2) S&R COSTA REALTY, LP, for property situated at Block 602, Lot 5, 227 Union Street, Northvale, New Jersey for tax years 2015 through 2020; and

Block: 602

Lot: 5

Street Address: 227 Union Street

Tax Years 2013 through 2017 (Assessment Reduced)

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$445,500	N/A	\$445,500
Improvements	\$2,084,900	N/A	\$1,904,500
Total	\$2,530,400	N/A	\$2,350,000

Tax Years 2018 through 2020 (Assessment Reduced)

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$445,500	N/A	\$445,500
Improvements	\$2,084,900	N/A	\$2,004,900
Total	\$2,530,400	N/A	\$2,450,400

Interest on any refund due is waived; provided the refund is made within 60 days of the date judgment is issued by the Court.

RESOLUTION #2020-134

TITLE: AUTHORIZE THE ACTING BOROUGH CLERK TO ADVERTISE FOR RFQ'S FOR PROFESSIONALS FOR THE YEAR 2020

WHEREAS, the Borough of Northvale, a body corporate and politic and a political subdivision of the State of New Jersey, seeks qualifications and proposals from qualified professionals to provide essential services for the Borough's operations and functions pursuant to N.J.S.A. 40:14B-1 et seq.; and

WHEREAS, the Borough of Northvale seeks to employ a 'Fair and Open Process' as defined in N.J.S.A. 19:44A-20.4, 20.5 et seq. for the purpose of soliciting qualified professionals to provide services as required by the Borough for the year 2021.

NOW THEREFORE, BE IT RESOLVED this 10th day of November 2020, that the Acting Borough Clerk is hereby authorized to take, or cause to be taken, all acts necessary to publish the Legal Notice required to solicit for professional qualifications for all professional positions required by the Borough in the usual course of business pursuant to N.J.S.A. 19:44A-20.4, 20.5 et. seq in a newspaper of general circulation for the Borough of Northvale, and/or on the Borough of Northvale website, www.boroughofnorthvale.com.

RESOLUTION #2020-135

TITLE: AUTHORIZE THE ADOPTION OF COVID-19 SAFETY POLICIES

WHEREAS, in light of the dangers posed by Coronavirus disease 2019 ("COVID-19"), Governor Murphy issued Executive Order No. 103 on March 9, 2020, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, through Executive Order Nos. 119, 138, 151, 162, 171, 180, 186, and 191 (2020), issued on April 7, 2020, May 6, 2020, June 4, 2020, July 2, 2020, August 1, 2020, August 27, 2020, September 25, 2020, and October 24, 2020, respectively, Governor Murphy declared that the COVID-19 Public Health Emergency continued to exist and declared that all Executive Orders and Administrative Orders adopted in whole or in part in response to the COVID-19 Public Health Emergency remained in full force and effect; and

WHEREAS, through Executive Order 192, Governor Murphy required every business, non-profit, and governmental or educational entity (hereinafter collectively referred to as "employers" or "employer"), that requires or permits its workforce, whether in part or as a whole, to be physically present at a worksite to perform work is required to abide by certain requirements, at minimum, to protect employees, customers, and all others who come into physical contact with its operations; and

WHEREAS, in order to comply with Executive Order 192, the Borough of Northvale has created certain Employment Policies (annexed hereto) to ensure the safety and well-being of all Borough employees and to ensure compliance with Governor Murphy's Executive Orders, all New Jersey State Laws, and all Federal Laws; and

WHEREAS it is in the best interest of the Borough to adopt the annexed Employment Policies.

NOW THEREFORE BE IT RESOLVED that the Employment Policies in response to the COVID-19 pandemic are hereby adopted and shall be distributed to all Borough employees; and

BE IT FURTHER RESOLVED, that any amended policies which are created during the COVID-19 pandemic intended solely to ensure continued compliance with these adopted policies and any newly issued executive orders or newly passed State or Federal Laws are hereby adopted and shall be distributed to all Borough employees.

RESOLUTION #2020-136

TITLE: RESOLUTION AUTHORIZING TASK 1.0 AND TASK 2.0 PAYMENT FOR ANNUAL REPORT AND PERMIT UPDATES AND ORDINANCE AND OPERATIONAL UPDATES RELATIVE TO ENGINEERING AGREEMENT WITH MASER CONSULTING, P.A. FOR MUNICIPAL MS4-TIER PERMITTING

WHEREAS, by letter agreement dated October 13, 2020 Maser Consulting, P.A. presented the Borough with an Engineering Agreement for Professional Services identified as Municipal MS4-Tier A Permitting, Proposal number NVB-010P (the “Agreement”) and

WHEREAS, the Agreement provides for services to be rendered in connection with implementing new conditions of the Tier “A” Municipal Storm Sewer Systems (“MS4”) and New Jersey Pollutant Discharge Elimination System (“NJPDES”) permit; and

WHEREAS, the new Tier “A” permit was implemented on January 1, 2018 and expires on January 1, 2023; and

WHEREAS, Task 1.0 Annual Report and Permit Updates - Maser Consulting will review past operational procedures and verify documentation of completed permit responsibilities; and

WHEREAS, Task 2.0 Ordinance and Operational Updates - Maser Consulting will review the various Municipal Ordinances for consistency with the current Tier A Permit requirement as well as the SPPP and MSWMP and identify sections which require updates to the Stormwater Control Ordinances; and

WHEREAS, Task 1.0 shall be performed for a flat fee not to exceed \$7,500 and Task 2.0 shall be performed for a flat fee not to exceed \$12,500;

WHEREAS, it is in the best interest of the Borough to enter into the agreement with Maser Consulting, P.A. and to authorize the payment referenced herein for completion of Task 1.0 and Task 2.0.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Northvale, County of Bergen and State of New Jersey, that the Borough enter into the Agreement, the Mayor is authorized to execute all necessary documents effectuating same and to authorize the payment to Maser Consulting, P.A. in an amount not to exceed Twenty Thousand and 00/100ths (\$20,000.00) Dollars.

RESOLUTION #2020-137

TITLE: PAYMENT OF BILLS

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

Current Fund Appropriations (2019)	
Current Fund Appropriations (2020)	\$866,700.214
General Capital Fund	\$72,519.22
Grant Fund	\$1,230.60
Police DEA Trust	\$15,042.00
Animal Trust	\$1.20
Food Trust	
Escrow Trust	\$6,247.50
Recreation Trust	\$546.93
Summer Recreation Trust	
TOTAL	\$962,287.59

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 during the course of the year:

Payroll – Salaries & Wages	10-02-2020	\$164,000.68
Payroll – Salaries & Wages	10-16-2020	\$154,309.78
Payroll – Salaries & Wages	10-30-2020	\$147,855.32
Health Benefits	October 2020	\$49,825.72
School Taxes – Local	September 2020	\$843,293.75
School Taxes – Regional	September 2020	\$609,611.20
TOTAL		\$1,968,896.45

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that the claims totaling **\$2,931,184.04** and ratified respectively

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Devlin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCES – 2ND READING

ORDINANCE #1025-2020

AN ORDINANCE OF THE BOROUGH OF NORTHVALE AMENDING AND SUPPLEMENTING CHAPTER 200 ENTITLED “ZONING”, ARTICLE III “REGULATIONS AND RESTRICTIONS”, ARTICLE IV “MULTIPLE-FAMILY HOUSING DISTRICTS, AND ARTICLE VIII “SIGNS”, AND CHAPTER 159 “SITE PLAN REVIEW”

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Devlin
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

WHEREAS, the Borough adopted a Master Plan & Development Regulations Reexamination on March 4, 2020; and

WHEREAS, the Reexamination details a number of recommended changes to the Borough’s Zoning Ordinance; and

WHEREAS, the recommend changes include revisions to Sections 200-6, 200-9, 200-10, 200-13, 200-14, 200-16, 200-19, 200-19.1, and 200-28; and site plan submission requirements in Chapter 159; and

WHEREAS, the Borough is desirous of adopting an Ordinance intended to implement the recommended Zoning Ordinance for these particular sections.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Northvale, as follows:

Section 1. Chapter 200 of the Code of the Borough of Northvale, Article III entitled “Regulations and Restrictions”, Section 6 entitled “R 12.5 and R 7.5 Residential Zones” is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~

A. In the R 12.5 and R 7.5 Residential Zoning Districts, the following uses are hereby expressly permitted, and no building, land or premises shall be used and no building shall be erected or altered which is constructed, designed, arranged or intended to be used in whole or in part for any other use than that which is expressly set forth herein:

(2) Accessorial uses.

~~(a) Home offices and occupations.~~

(a) ~~(b)~~ Garages, maximum four vehicles of the passenger type, in accordance with Section 200-10.

(b) ~~(c)~~ Off-street parking.

(c) ~~(d)~~ Swimming pools.

(d) ~~(e)~~ Tennis courts.

(e) ~~(f)~~ Greenhouses.

(f) ~~(g)~~ Residential agriculture.

(g) ~~(h)~~ Storage sheds.

(h) ~~(i)~~ Fences or fence walls.

(i) ~~(j)~~ Signs.

(3) Conditional uses.

(a) The following conditional uses are permitted:

[2] Home occupations as an accessory use, subject to the following conditions:

[a] No person other than members of the family residing on the premises shall be engaged in such occupation, and an occupant shall have a proprietary interest in the occupation.

[b] The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and provided further that such professional service or office is located on the first floor of said dwelling and not more than 25% of the floor area of the dwelling unit, including basement, shall be used in the conduct of the home occupation.

[c] There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation other than one wall sign which may be a maximum of three-square feet.

[d] The professional service or office shall be carried on wholly within the principal building and shall not be conducted in any accessory building.

[e] There shall be no on-site sales in connection with such professional service or office.

[f] No overnight hospital facilities shall be provided for animals or

persons in connection with such professional service or office.

[g] No such professional service or office shall generate traffic in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.

[h] No equipment or process shall be used in such professional service or office which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the premises. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.

(i) A "home occupation," as defined herein, does not include a veterinarian, construction or repair contractor, a real estate or insurance agent, a carpenter, cabinetmaker or furniture repairman, an animal hospital or kennel, an auto repairman, a restaurant, tearoom, coffee shop, tavern, mortuary or beauty or barber shop.

Section 2. Chapter 200 of the Code of the Borough of Northvale, Article III entitled “Regulations and Restrictions”, Section 9 entitled “Provisions applicable to all zones” is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

B. Prohibited uses. The following uses are expressly prohibited in all zones in the Borough of Northvale:

(2) Drive-in facilities, except in the C-2 Zone where restaurants with drive-in facilities shall be permitted.

Section 3. Chapter 200 of the Code of the Borough of Northvale, Article III entitled “Regulations and Restrictions”, Section 10 entitled “General design standards”, is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

~~B. Home occupations. The following design standards apply:~~

~~(1) No person other than members of the family residing on the premises shall be engaged in such occupation, and an occupant shall have a proprietary interest in the occupation.~~

~~(2) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and provided further that such professional service or office is located on the first floor of said dwelling and not more than 25% of the floor area of the dwelling unit, including basement, shall be used in the conduct of the home occupation.~~

~~(3) There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation other than one sign which shall be erected in compliance with the relevant provisions of Article VIII, Signs, of this chapter.~~

~~(4) The professional service or office shall be carried on wholly within the principal building and shall not be conducted in any accessory building.~~

- ~~(5) There shall be no on-site sales in connection with such professional service or office.~~
- ~~(6) No overnight hospital facilities shall be provided for animals or persons in connection with such professional service or office.~~
- ~~(7) No such professional service or office shall generate traffic in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.~~
- ~~(8) No equipment or process shall be used in such professional service or office which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the premises. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.~~
- ~~(9) A "home occupation," as defined herein, does not include a veterinarian, construction or repair contractor, a real estate or insurance agent, a carpenter, cabinetmaker or furniture repairman, an animal hospital or kennel, an auto repairman, a restaurant, tearoom, coffee shop, tavern, mortuary or beauty or barber shop.~~

B. ~~C.~~ Restaurants. The following design standards shall apply:

- (1) ~~Location; f~~Frontage and depth; conflicting provisions.
 - ~~(a) Any part of the lot upon which the proposed restaurant is to be situated cannot be within a radius of 1,000 feet of the property line of another restaurant.~~
 - ~~(a)~~ (b) The minimum frontage of the lot of a restaurant shall be 200 feet, and the minimum depth shall be 200 feet.
 - ~~(b)~~ (c) This subsection shall take precedence over any conflicting provisions set forth in the Limiting Schedule which are hereby adopted and made a part of this chapter.
- (2) In order to assure compliance with the requirement that a restaurant have as its primary function the preparation and serving of food and drink on the premises and for on-site consumption, the following design standards apply~~requirements are hereby imposed:~~

~~C.~~ ~~D.~~ Shopping Centers. The following design standards shall apply:

~~D.~~ ~~E.~~ Commercial and light industrial buildings. The following design standards shall apply:

~~E.~~ ~~F.~~ Occupancy limitation in multidwelling units.

~~F.~~ Trash and recyclable containers. The following design standards shall apply:

- (1) Trash and recyclable containers shall not be visible from any public street and shall be located in the rear half of the side yard or rear yard only.
- (2) All trash and recyclable containers shall be enclosed by a solid fence or masonry on three sides and a solid, heavy-duty gate on the fourth side.

Parking lot landscaping. For every surface parking lot containing 20 or more parking spaces, the following design standards shall apply:

~~G.~~ Parking lot landscaping. For every surface parking lot containing 20 or more parking spaces, the following design standards shall apply:

- (1) For every 20 parking spaces, at least one landscape island, containing at least 162 square feet shall be provided within the parking area.
- (2) Half of the landscape islands shall contain shade trees, while the remainder shall contain shrubs.
- (3) Shade trees shall be planted with a caliper of at least three inches and shrubs shall be planted with a height of at least two feet.

Section 4. Chapter 200 of the Code of the Borough of Northvale, Article III entitled “Regulations and Restrictions”, Section 13 entitled “Off-street parking”, is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

- G. All non-residential off-street parking areas adjacent to any residential zone and used by more than three vehicles shall be screened by a six-foot-tall solid fence or a five-foot-wide landscaping buffer strip containing evergreen trees in a staggered row planted at a minimum height of six feet to screen vehicles from adjacent residential properties.~~in accordance with the requirements of this chapter.~~
- I. The Board is hereby authorized to establish the required number of parking spaces for any nonresidential use erected or to be erected pursuant to this chapter. In establishing the required number of parking spaces for any use, the Board shall use the following standards:
- (1) Retail All commercial and office uses - in any zone shall be required to provide one parking space for every 300 square feet of floor area or any part thereof.
 - (2) Restaurants – one parking space for every three seats and one space for every two employees during the maximum shift.
 - (3) Medical offices and personal service establishments – one parking space for every 200 gross square feet.
 - (4) Exercise studio – one parking space for every 120 square feet of public area for students/customers.
 - (5) Laundromats – one parking space for every 200 gross square feet.
 - (6) Dog-kennels – three parking spaces.
 - (7) All industrial uses in any zone shall be required to provide one parking space for every 600 square feet of floor area or one parking space for every employee during the maximum shift.~~or any part thereof.~~
 - (8) Places of worship in any zone shall be required to provide one parking space for every three permanent or fixed seats based on seating capacity. Places of worship with no permanent or fixed seating shall provide one parking space for every three persons based on the maximum capacity of the facility, which shall be calculated by taking the total square footage of the space and dividing it by the square footage of space allotted to each person in attendance as determined by application of the Fire Department Occupancy Load Code.

Section 5. Chapter 200 of the Code of the Borough of Northvale, Article III entitled “Regulations and Restrictions”, Section 14 entitled “Off-street loading.”, is hereby amended and supplemented by adding the following underlined text:

- A. No retail, industrial, manufacturing, warehousing, or wholesale distribution building shall be used, erected or expanded unless off-street loading space shall be provided in such amount and manner that all loading and unloading operations will be conducted entirely within the boundaries of the lot concerned, and no vehicles shall in any manner use public streets, sidewalks or rights-of-way for loading or unloading operations except for access to the lot.

Section 6. Chapter 200 of the Code of the Borough of Northvale, Article IV entitled “Multiple-Family Housing Districts”, Section 16 entitled “Affordable Housing Community Commercial District”, is hereby deleted in its entirety and replaced with “Reserved”.

Section 7. Chapter 200 of the Code of the Borough of Northvale, Article IV entitled “Multiple-Family Housing District”, Section 19 entitled “AH-2 Affordable Senior Housing District”, subsection I entitled “Affordable housing regulations” is hereby deleted in its entirety.

Section 8. Chapter 200 of the Code of the Borough of Northvale, Article IV entitled “Multiple-Family Housing District”, Section 19.1 entitled “Paris Avenue Inclusionary Overlay”, is hereby amended and supplemented by deleting text in ~~strikeout~~:

C. Permitted accessory uses.

- (5) Tenant amenities including, ~~but not limited to, recreational and fitness facilities, lobbies, leasing and management offices and mail rooms.~~

Section 9. Chapter 200 of the Code of the Borough of Northvale, Article VIII entitled “Signs”, Section 26 entitled “Definitions” shall be amended and supplemented by adding the following underlined text, deleting text in ~~strikeout~~, and inserting the terms alphabetically

FREESTANDING SIGN

A sign which is supported by poles, pylons, or other structural components so that the bottom edge of the sign face is six feet or more above grade.

GROUND SIGN

A sign in which the entire bottom is in contact with or is close to the ground and is independent of any other structure. ~~Includes any sign supported by uprights or braces placed upon the ground and not attached to any building.~~

Section 10. Chapter 200 of the Code of the Borough of Northvale, Article VIII entitled “Signs”, Section 28 entitled “Permitted Signs” shall be amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

B. Business and industrial districts.

- ~~(1) All signs as permitted in Residential A or B Districts shall be permitted, with the limitation as to size, number and type for the use permitted therein.~~

- (1) ~~(2) In addition to the foregoing, there shall be permitted for any use.~~ The following signs shall be permitted:

- (a) One gGround signs per street frontage with an overall width of not more than six feet and an overall height not exceeding ~~six~~eight feet above ground. ~~The bottom of the facing of any ground sign shall be at least three feet above the ground.~~ Ground signs may be internally illuminated.
- (b) One wWall signs per establishment per street frontage. Said sign shall be not more than two feet high nor more than 24 square feet in area. ~~Wall signs shall not project more than six inches from the façade of the building.~~

~~(3)~~—There shall be permitted no more than a total of one ground sign or a total of three signs of all types for each applicant.

~~(4)~~—No more than two wall signs advertising the name, products, and seal of an industry will be allowed, provided that they comply with the following specifications:

~~(a)~~—Signs shall be attached to the main building and are limited to one per façade.

~~(b)~~—Signs must be permanently attached to or constructed with the building and shall not extend more than six inches from the façade of the building.

(2) 5) Illumination of signs shall be in such a manner as to cause no glare or blinding light to adjacent properties or roadways.

(3) ~~(6)~~—All signs shall be set back a minimum distance of 20 feet from the edge of the right-of-way or any public road and 10 feet from any side lot line and shall not be located so as to interfere with the view of adjacent properties.

(4) ~~(7)~~ Customary warning, trespassing and posted signs shall be allowed.

C. Shopping center developments.

(1) In shopping center developments, one freestanding sign shall be permitted, advertising the name of the shopping center, as defined in this chapter, or the uses found within; provided, however, that they meet the following specifications:

(d) The freestanding sign shall be internally illuminated. ~~Floodlights shall be so located and shielded~~ as to prevent any glare or blinding effect upon any adjacent property or roadways.

Section 11. Chapter 159 of the Code of the Borough of Northvale entitled “Site Plan Review”, Section 3 entitled “Site plan approval required; application information” shall be amended and supplemented by the following underlined text:

A. In each case where an application for a zoning or building permit is made, a site plan, drawn to scale of not smaller than one inch equals 50 feet and showing the following information shall be submitted (no fewer than 10 copies) with the application.

(18) Architectural plans illustrating the existing and proposed floor plans and existing and proposed building elevations. A list of the proposed exterior materials and proposed exterior material colors.

(19) ~~(48)~~Such other information and data as may be required by the approving authority in order to determine that the details of the site plan are in accord with the standards of the zoning ordinances and other ordinances of the Borough of Northvale and, further, that the building or use will not be detrimental to the public interest.

Section 12. All other sections of this Ordinance shall remain in full force and effect.

Section 13. All Ordinances and parts of Ordinances inconsistent with the provisions hereof are hereby repealed.

Section 14. This Ordinance shall take effect immediately upon passage and publication as required by law.

OPEN MEETING TO THE PUBLIC

CLOSE MEETING TO THE PUBLIC

ROLL CALL VOTE

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Devlin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCES – 1ST READING

ORDINANCE #1026-2020

AN ORDINANCE OF THE BOROUGH OF NORTHVALE ADOPTING A NEW ZONING MAP AND REVISING THE BOROUGH CODE CHAPTER 200 ZONING TO INCORPORATE SAID ZONING MAP

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Devlin
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Shepard
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Sotiropoulos

ROLL CALL VOTE

Name	Yes	No	Absent	Abstain
Councilman Argiro	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman DeLisio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Devlin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman McGuire	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Shepard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Sotiropoulos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

OPEN TO THE PUBLIC

MAYOR AND COUNCIL REPORTS

BOROUGH ENGINEER REPORT

BOROUGH ATTORNEY REPORT

ADJOURNMENT – TIME: