A G E N D A Combined Meeting of the Mayor and Council Wednesday, December 9, 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."

SALUTE TO THE FLAG & SILENT PRAYER

ROLL CALL

Name	Present	Absent
Mayor Marana		
Councilman Argiro		
Councilman DeLisio		
Councilman Devlin		
Councilman McGuire		
Councilman Shepard		
Councilman Sotiropoulos		

APPROVAL OF MINUTES

Combined Meeting of November 10, 2020

Motion	Second	Name
		Councilman Argiro
		Councilman DeLisio
		Councilman Devlin
		Councilman McGuire
		Councilman Shepard
		Councilman Sotiropoulos

Name	Yes	No	Absent	Abstain
Councilman Argiro				
Councilman DeLisio				
Councilman Devlin				
Councilman McGuire				
Councilman Shepard				
Councilman Sotiropoulos				

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

CORRESPONDENCE

- Letter from Al Frangione dated November 15, 2020
 Re: Commending Police Officer Charles Albanese
- Letter from State of New Jersey, Department of Transportation, November 16, 2020
 Re: Clinton Ave. Roadway Project Municipal Aid Program

RESOLUTIONS – Consent Agenda

"All items are considered to be non-controversial by the Council and will be approved by one 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
		Councilman Argiro
		Councilman DeLisio
		Councilman Devlin
		Councilman McGuire
		Councilman Shepard
		Councilman Sotiropoulos

RESOLUTION #2020-138

TITLE: AUTHORIZE MAYOR TO SIGN SHARED SERVICE AGREEMENT WITH THE BOROUGH OF PARAMUS FOR GRASS/BRUSH AND VEGETATIVE WASTE PICK UP FOR 2021

WHEREAS, the Uniformed Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., allows any municipality or county to enter into a contract with any other municipality or county for the joint provision of any services within their joint jurisdiction; and

WHEREAS, the Borough of Northvale and the Borough of Paramus seek to enter into a (Interlocal) Shared Services Agreement wherein the Borough of Paramus will provide the pickup of grass, brush and vegetative waste from April 8, 2021 and terminating October 14, 2021; and

WHEREAS, the Chief Financial Officer has certified that funds will be available through the department of public works current budget #'s under the heading of recycling collection and disposal; and

WHEREAS, the Mayor and Council of the Borough of Northvale hereby agree to the terms of the contract and the expenditure of funds pursuant to the terms hereof;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council authorize Mayor Patrick J. Marana to execute said agreement (attached hereto) between the Borough of Northvale and the Borough of Paramus for the pickup of grass, brush and vegetative waste by the Borough of Paramus.

RESOLUTION #2020-139

TITLE: AUTHORIZE MAYOR TO SIGN SHARED SERVICE AGREEMENT WITH THE BOROUGH OF PARAMUS FOR VEHICLE REPAIR/MAINTENANCE

WHEREAS, the Uniformed Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., allows any municipality or county to enter into a contract with any other municipality or county for the joint provision of any services within their joint jurisdiction; and

WHEREAS, the Borough of Northvale and the Borough of Paramus seek to enter into a Shared Services Agreement wherein the Borough of Paramus will provide maintenance and repair to Borough of Northvale vehicles which are directed to the Borough of Paramus by the Borough of Northvale effective January 1, 2021 and terminating December 31, 2021; and

WHEREAS, the Chief Financial Officer has certified that funds will be available through the various departments current budget numbers under the heading of Vehicle Maintenance and Repair; and

WHEREAS, the Mayor and Council of the Borough of Northvale hereby agree to the terms of the contract and the expenditure of funds pursuant to the terms hereof;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council authorize Mayor Patrick J. Marana to execute said agreement (attached hereto) between the Borough of Northvale and the Borough of Paramus for the Vehicle Maintenance and Repair by the Borough of Paramus.

RESOLUTION #2020-140

TITLE: AUTHORIZE CHIEF FINANCIAL OFFICER TO REFUND ESCROW TO FELIX COLLADO, 402 ARGENTI PLACE

WHEREAS, the above mentioned applicant submitted a variance application on September 28, 2020 and paid \$1,000 for escrow; and

WHEREAS, said applicant withdrew his variance application on September 17, 2020;

NOW, THEREFORE BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to refund the escrow amount paid of \$1,000 to:

Felix Collado 402 Argenti Place Northvale, New Jersey 07647

RESOLUTION #2020-141

TITLE: RESOLUTION TO APPROVE THE REDEMPTION OF TAX SALE CERTIFICATES #170 FOR BLOCK 909, LOT 6

BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that the Tax Collector shall conduct the Redemption of Tax Sale Certificate #170 by Ferraro and Stamos for the benefit of 192 Livingston LLC, the property owner, from John Finan, the lienholder according to N.J.S.A. 54:5-54. The breakdown is as follows:

Block 909 Lot 6 – 192 Livingston LLC – 192 Livingston Street

Tax Sale Certificate #170	\$ 7,251.45
4% Redemption Penalty	\$ 290.06
18% Interest on Certificate	\$ 1,265.38
Recording Fee	\$ 43.00

Search Fee	\$	12.00
Other Fees	\$	2.00
Subsequent Tax 2013 – 2018	\$ 22	2,164.27
Interest on Subsequent Taxes	\$ 3	3,060.63
Total Due to Lienholder	\$ 34	4 <u>,088.79</u>

The Chief Financial Officer shall issue a check in the amount of \$34,088.79 to:

John Finan 55 MacArthur Avenue Closter, NJ 07624

RESOLUTION #2020-142

TITLE: AUTHORIZE CFO TO REFUND TAX DEDUCTIONS FOR 2012 FOR GRACE PENNINO

BE IT RESOLVED, by the Mayor and Council of the Borough of Northvale, that warrants be drawn to the individuals listed below in the amounts indicated, representing refunds of tax deductions allowed for 2012:

Name	Block/Lot	<u>Amount</u>	Deduction
Grace Pennino	603/6/CT503	237.23	Veteran Deduction

RESOLUTION #2020-143

TITLE: RESOLUTION AUTHORIZING THE APPLICATION TO THE DIVISION OF LOCAL GOVERNMENT SERVICES FOR A COVID-19 SPECIAL EMERGENCY

WHEREAS, the Borough of Northvale has experienced COVID-19 related revenue loss and extraordinary expenditures during the budget year 2020; and

WHEREAS, P.L. 2020, c.74 provides for the funding of these revenue losses and extraordinary expenditures through a COVID-19 Special Emergency; and

WHEREAS, in order to qualify for a special emergency under the provisions of N.J.S.A. 40A:4-53, as amended by P.L. 2020, c.74, the Borough must, prior to December 1st, or requesting an extension of time, which was done, make application to the Director of the Division of Local Government Services to obtain an approval of the certification of the special emergency and the resulting deferred charge in advance of the close of budget year 2020; and

WHEREAS, the Chief Financial Officer has determined that there is an operational gap attributable to COVID-19 affected revenue loss and/or additional expenditures needs to be addressed prior to year-end;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Northvale (by not less than a majority vote of the full governing body members affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-53, as amended by P.L. 2020, c.74, as follows:

1. The Chief Financial Officer is directed to submit an application to the Division Director on the prescribed form and shall certify that the deficits in revenue and additional expenditures are directly attributable to COVID-19.

- 2. The Chief Financial Officer has submitted said certification to the governing body for approval (attached to this resolution).
- 3. The Borough Council by approval of this resolution approves the certification made by the Chief Financial Officer related to COVID-19 Special Emergencies.
- 4. The Borough Council directs the Chief Financial Officer, the Auditor, and Bond Counsel to prepare the Ordinance and Resolution for Special Emergency COVID-19 related revenue deficit and/or additional expenses pursuant to statute and regulations resulting from P.L. 2020, c.74.
- 5. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services.

RESOLUTION #2020-144

TITLE: SPECIAL EMERGENCY RESOLUTION FOR COVID-19

WHEREAS, it has been found necessary to adopt a Special Emergency Appropriation to meet certain Extraordinary COVID-19 affected revenue losses and/or additional expenditures incurred, or to be incurred, related to the COVID pandemic; and

WHEREAS, N.J.S.A. 40A:4-53 allows a municipality to authorize special emergency appropriations for COVID-19 related revenue loss and/or additional expeditures incurred during the COVID-19 related public health emergency, and provides that it shall be lawful to adopt such special emergency, which appropriation and/or the "special emergency notes" issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation as prescribed by the act and in compliance with the Division of Local Government Services regulations set forth as part of the COVID-19 Operating Deficits and Extraordinary Expenditures: Implementation of P.L. 2020, c.74.

NOW, THEREFORE BE IT RESOLVED, (by not less 2/3 vote of the full governing body members affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-55:

- 1. The Chief Financial Officer has been directed by a resolution adopted on December 9, 2020 to make a written application and certify to the Division Director, on the prescribed form, that the deficits in revenue and additional expenditures are directly attributable to COVID-19, and said certification was approved by the governing body and submitted to the Director of the Division of Local Government Services.
- 2. A Special Emergency Deferred Charge is hereby established for COVID-19 affective revenue losses in the total amount of \$88,000.
- 3. A Special Emergency Appropriation is hereby made for COVID-19 expenditures in the total amount of \$-0.
- 4. That the total emergency appropriation shall be provided for in the budgets of succeeding years beginning in 2022 by the inclusion of not less that \$17,600 (must be at least one fifth of the total amount).
- 5. That all "special emergency notes", not in excess of the amount authorized pursuant to law, may be provided.
- 6. That such notes when issued shall be executed by the Borough of Northvale's Chief Financial Officer, Mayor, and Borough Clerk. The Chief Financial Officer is hereby authorized to sell said notes and any renewals thereof from time to time.

- 7. That said special emergency notes may be issued to address the cash flow and appropriation needs related to the deferred charge in compliance with the provisions of P.L. 2020, c 74.
- 8. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services.

RESOLUTION #2020-145

TITLE: AUTHORIZE MAYOR TO SIGN DEVELOPERS AGREEMENT FOR NORTHVALE GREENS, LLC, 145 RIO VISTA LANE, BLOCK 603, LOT 6 AND BLOCK 908, LOT 1

BE IT RESOLVED, that Mayor Marana is hereby authorized to sign the above mentioned Developers Agreement prepared by the Planning/Zoning Attorney and Resolution #20-18 which was approved at the Planning/Zoning Board meeting on December 3, 2020.

RESOLUTION #2020-146

TITLE: PETITION THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO INSERT AN ITEM OF REVENUE AND APPROPRIATION – CHAPTER 159 – CLEAN COMMUNITIES GRANT - \$9,434.99

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Northvale in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2020** in the sum of **\$9,434.99**, which is now available from **Clean Communities Grant**.

BE IT FURTHER RESOLVED, that the like sum of **\$9,434.99** is hereby appropriated under the caption **Clean Communities Grant**; and

BE IT FURTHER RESOLVED that the above is the result of funds from **Clean Communities Grant** in the amount of **\$9,434.99**.

RESOLUTION #2020-147

TITLE:PETITION THE DIRECTOR OF THE DIVISION OF LOCALGOVERNMENT SERVICES TO INSERT AN ITEM OF REVENUE ANDAPPROPRIATION – CHAPTER 159 – BODY ARMOR GRANT - \$1,675.08

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Northvale in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$1,675.08, which is now available from Body Armor Grant.

BE IT FURTHER RESOLVED, that the like sum of **\$1,675.08** is hereby appropriated under the caption **Body Armor Grant**; and

BE IT FURTHER RESOLVED that the above is the result of funds from **Body Armor Grant** in the amount of **\$1,675.08**.

RESOLUTION #2020-148

TITLE: PETITION THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO INSERT AN ITEM OF REVENUE AND APPROPRIATION – CHAPTER 159 – MUNICIPAL ALLIANCE GRANT FY2021 -\$6,252.30

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Northvale in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2020** in the sum of **\$6,252.30**, which is now available from **Municipal Alliance Grant FY2021**.

BE IT FURTHER RESOLVED, that the like sum of **\$6,252.30** is hereby appropriated under the caption **Municipal Alliance Grant FY2021**; and

BE IT FURTHER RESOLVED that the above is the result of funds from **Municipal Alliance Grant FY2021** in the amount of **\$6,252.30**.

RESOLUTION #2020-149

TITLE: PETITION THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO INSERT AN ITEM OF REVENUE AND APPROPRIATION – CHAPTER 159 – NORTHVALE JUNIOR POLICE GRANT -\$3,725.00

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Northvale in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **2020** in the sum of **\$3,725.00**, which is now available from **Northvale Junior Police Grant**.

BE IT FURTHER RESOLVED, that the like sum of **\$3,725.00** is hereby appropriated under the caption **Northvale Junior Police Grant**; and

BE IT FURTHER RESOLVED that the above is the result of funds from **Northvale Junior Police Grant** in the amount of **\$3,725.00**.

RESOLUTION #2020-150

TITLE: PETITION THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO INSERT AN ITEM OF REVENUE AND APPROPRIATION – CHAPTER 159 – BERGEN COUNTY CARES GRANT -\$110,057.12

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Northvale in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$110,057.12, which is now available from Bergen County CARES Grant.

BE IT FURTHER RESOLVED, that the like sum of **\$110,057.12** is hereby appropriated under the caption **Bergen County CARES Grant**; and

BE IT FURTHER RESOLVED that the above is the result of funds from **Bergen County CARES Grant** in the amount of **\$110,057.12**.

Name	Yes	No	Absent	Abstain
Councilman Argiro				
Councilman DeLisio				
Councilman Devlin				
Councilman McGuire				
Councilman Shepard				
Councilman Sotiropoulos				

RESOLUTION #2020-151

TITLE: PAYMENT OF BILLS

Motion	Second	Name
		Councilman Argiro
		Councilman DeLisio
		Councilman Devlin
		Councilman McGuire
		Councilman Shepard
		Councilman Sotiropoulos

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)	\$139,480.96
General Capital Fund	\$18,639.29
Grant Fund	\$2,840.00
Police DEA Trust	\$41,703.40
Animal Trust	
Food Trust	
Escrow Trust	\$5,240.00
Recreation Trust	\$6,622.44
Summer Recreation Trust	
TOTAL	\$214,526.09

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	11-13-2020	\$151,175.35
Payroll – Salaries & Wages	11-27-2020	\$247,752.66
Health Benefits	November 2020	\$49,825.72
School Taxes – Local	October 2020	\$843,293.75
School Taxes – Local	November 2020	\$843,293.75
School Taxes – Regional	October 2020	\$609,611.20
School Taxes – Regional	November 2020	\$609,611.20
TOTAL		\$3,354,563.63

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that the claims totaling **\$3,569,089.72** and ratified respectively

Name	Yes	No	Absent	Abstain
Councilman Argiro				
Councilman DeLisio				
Councilman Devlin				
Councilman McGuire				
Councilman Shepard				
Councilman Sotiropoulos				

ORDINANCES – 2ND 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
		Councilman Argiro

	Councilman DeLisio
	Councilman Devlin
	Councilman McGuire
	Councilman Shepard
	Councilman Sotiropoulos

WHEREAS, the Borough adopted a 2020 Land Use Plan Element Amendment on July 15, 2020; and

WHEREAS, the 2020 Land Use Plan Element Amendment makes several recommendations including zoning changes to parcels along Chestnut Street, Walnut Street, and Veterans Drive; and

WHEREAS, the Mayor and Council have reviewed the 2020 Land Use Plan Element Amendment and its recommendations for zoning changes and agree with the recommended zoning modifications.

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 II entitled "Districts" is hereby amended and supplemented by adding the following <u>underlined</u> text and by removing text in strikeout:

C. Zoning Map. The zoning districts as set forth in this chapter are bounded and defined as shown on the map entitled the "Borough of Northvale Zoning Map 11/11/09," <u>dated October 2020</u>, which map, with all explanatory matter thereon, and properly certified by the Borough Clerk of the Borough of Northvale, is hereby made a part of this chapter.

SECTION 2. The Township Code, Chapter 95 Land Use and Zoning, Attachment 2 shall be deleted in its entirety and replaced with the attached Zoning Map, entitled "Zoning Map, Borough of Northvale, Bergen County, New Jersey," dated July 2020.

SECTION 3. All other sections of this Ordinance shall remain in full force and effect.

SECTION 4. All Ordinances and parts of Ordinances inconsistent with the provisions hereof are hereby repealed.

SECTION 5. 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				
Councilman DeLisio				
Councilman Devlin				
Councilman McGuire				
Councilman Shepard				
Councilman Sotiropoulos				

$\label{eq:ordinances} ORDINANCES - 1^{ST} READING$

ORDINANCE #1027-2020

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

Motion	Second	Name
		Councilman Argiro
		Councilman DeLisio
		Councilman Devlin
		Councilman McGuire
		Councilman Shepard
		Councilman Sotiropoulos

ROLL CALL VOTE

Name	Yes	No	Absent	Abstain
Councilman Argiro				
Councilman DeLisio				
Councilman Devlin				
Councilman McGuire				
Councilman Shepard				
Councilman Sotiropoulos				

ORDINANCE #1028-2020

AN ORDINANCE OF THE BOROUGH OF NORTHVAL AMMENDING AND SUPPLEMENTING CHAPTER 200 ENTITLED "ZONING", ARTICLE III "REGULATIONS AND RESTRICTIONS", ARTICLE IV ENTITLED "MULTIPLE FAMILY HOUSING DISTRICTS", AND ARTICLE VIII "SIGNS

Motion	Second	Name
		Councilman Argiro
		Councilman DeLisio
		Councilman Devlin
		Councilman McGuire
		Councilman Shepard
		Councilman Sotiropoulos

ROLL CALL VOTE

Name	Yes	No	Absent	Abstain
Councilman Argiro				
Councilman DeLisio				
Councilman Devlin				
Councilman McGuire				
Councilman Shepard				
Councilman Sotiropoulos				

OPEN TO THE PUBLIC

MAYOR AND COUNCIL REPORTS

BOROUGH ENGINEER REPORT

BOROUGH ATTORNEY REPORT

CLOSED SESSION

ADJOURNMENT – TIME: