

MINUTES
Combined Meeting of the Mayor and Council
Wednesday, March 10, 2021
7:00 PM

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

CALL THE MEETING TO ORDER

Mayor Marana called the meeting to order at 7:00 PM via telephone conference call.

STATEMENT

Mayor Marana 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 have 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 & MOMENT OF SILENCE

Mayor Marana and Acting Clerk Weston rose for a Salute to the Flag. Mayor Marana asked for a moment of silence to remember two people, Joyce Pizzi longtime resident and mother of Captain Rob Pizzi and William Bauer, former Councilman, former Planning Board member, and one time Mayoral candidate.

ROLL CALL

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

APPROVAL OF MINUTES

Combined Meeting of February 10, 2021

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

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

Closed Session Meeting of February 10, 2021

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

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

AWARDS & PROCLAMATIONS

APPOINTMENTS & PERSONNEL CHANGES

Approve the appointment of Michael Bayer of 631 Woodland Avenue to the Northvale Volunteer Fire Department effective immediately.

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

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

MONTHLY REPORTS

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
- Fire Department
- Fire Prevention - February
- Grantswriter - February
- Recreation Minutes
- Tax Collector

CORRESPONDENCE

1. Letter – NJ State Association of Chiefs of Police – Feb. 21, 2021
 RE: Urging Legislature to Amend Senate Bill 3454
 (See Resolution #2021-57)

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
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman Devlin
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Hogan
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Councilman Sotiropoulos

RESOLUTION #2021-53

TITLE: RESOLUTION IMPLORING THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AND CDC TO ALTER COVID-19 VACCINE DISTRIBUTION TO BETTER MEET THE NEEDS OF NORTHVALE RESIDENTS

WHEREAS, COVID-19 is a highly contagious disease that has caused significant loss in the Northvale community; and

WHEREAS, numerous effective vaccines to prevent the transmission and/or severity of disease associated with COVID-19 exist; and

WHEREAS, the Bergen County Department of Health, New Jersey Department of Health, and Centers for Disease Control and Prevention collectively serve as “gatekeepers” for distribution of COVID-19 vaccines ; and

WHEREAS, prior to February 15, 2021 local municipalities and consortiums were given allotments to vaccinate residents within their respective communities; and

WHEREAS, as of February 18, 2021 the Bergen County Department of Health has announced it will no longer allot vaccines to local municipalities or consortiums; and

WHEREAS, the Bergen County Department of Health has enacted an unrealistic and unnecessary burden on Northvale residents, expecting our community to travel in excess of 30 minutes to distribution sites in either Paramus or East Rutherford.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Northvale implores the Bergen County Department of Health, New Jersey Department of Health, and Centers for Disease Control and Prevention to acknowledge the unnecessary and inadequate burden it has enacted on Northvale residents.

BE IT FURTHER RESOLVED by the Mayor and Council that the Borough requests the gatekeepers alter their distribution program to better meet the needs of Northvale residents; and

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to Bergen County Executive James Tedesco, the Bergen County Commissioners, Governor Phil Murphy, Commissioner Judith Persichilli, State Assemblyman Gordon Johnson, State Senator Loretta Weinberg, Congressman Josh Gottheimer, Senator Corey Booker, Senator Robert Menendez.

COUNCILMAN DELISIO ABSTAINED ON RESOLUTION #2021-53

RESOLUTION #2021-54

TITLE: RESOLUTION AUTHORIZING AGREEMENT WITH MASER CONSULTING

WHEREAS, pursuant to N.J.S.A. 40A:11-11(5), the Borough has entered into a Cooperative Pricing Agreement (the “Cooperative Agreement”) with the Boroughs of Alpine, Bergenfield, Closter, Cresskill, Demarest, Dumont, Englewood Cliffs, Harrington Park, Haworth, Little Ferry, New Milford, Norwood, River Edge, Tenafly and the Boards of Education of New Milford, River Dell, River Edge, and Dumont located within the County of Bergen (hereinafter referred to as the “2021 Riverside Cooperative”); and

WHEREAS, pursuant to the terms of the Agreement the Borough of Northvale has been designated as the Lead Agency for the purchase of work, materials, and supplies for the 2021 Riverside Cooperative; and

WHEREAS, Maser Consulting Inc. (to be known as Colliers Engineering & Design, Inc. in 2021) has submitted an agreement to provide professional engineering services for the coordination of the 2021 Riverside Cooperative Paving Program; and

WHEREAS, Maser Consulting, Inc. has presented the Borough of Northvale, as the Lead Agency, an agreement for design services only (annexed hereto) in the amount of Six Thousand Dollars (\$6,000.00) to be shared equally by the participating municipalities and Boards of the 2021 Riverside Cooperative; and

WHEREAS, it is in the best interest of the Borough and the 2021 Riverside Cooperative to execute the Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Northvale hereby authorizes the payment of \$6,000.00 to Maser Consulting, Inc.(to be known as Colliers Engineering & Design, Inc. in 2021) to be shared equally by the participating municipalities and Boards of the 2021 Riverside Cooperative, for design services only as set forth on the attached agreement.

RESOLUTION #2021-55

TITLE: RESOLUTION APPOINTING CHARLES BATCH AS FIRE SUB-CODE OFFICIAL

WHEREAS, Joseph Zavardino will be retiring effective April 1, 2021; and

WHEREAS, the Borough will be in need of an UCC Fire Sub-Code Official; and

WHEREAS, Charles Batch has the requisite skills and experience to hold the position of UCC Fire Sub-Code Official; and

WHEREAS, it is in the best interest of the Borough of Northvale to appoint Charles Batch as the Fire Sub-Code Official; and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Northvale hereby appoints Charles Batch to the position of Fire Sub-Code Official at an annual salary of \$8,850 effective April 1, 2021.

RESOLUTION #2021-56

TITLE: RESOLUTION APPOINTING RICHARD HESS AS ELECTRICAL SUBCODE OFFICIAL

WHEREAS, James Hoffman retired effective February 20, 2021; and

WHEREAS, the Borough will be in need of a UCC Electrical Subcode Official; and

WHEREAS, Richard Hess has the requisite skills and experience to hold the position of Electrical Subcode Official; and

WHEREAS, it is in the best interest of the Borough of Northvale to appoint Richard Hess as the Electrical Subcode Official; and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Northvale hereby appoints Richard Hess to the position of Electrical Subcode Official at an annual salary of \$10,500/year effective February 22, 2021.

RESOLUTION #2021-57

TITLE: RESOLUTION URGING THE LEGISLATURE TO AMEND SENATE BILL 3454 (ALSO KNOWN AS ASSEMBLY BILL 5342) TO PERMIT LAW ENFORCEMENT OFFICERS TO PERFORM THEIR DUTIES WITHOUT SUBSTANTIAL RISK OF CIVIL AND CRIMINAL LIABILITY

WHEREAS, Senate Bill 3454 (also known as Assembly Bill 5342) (collectively “the Legislation”); and

WHEREAS, the Legislation prohibits law enforcement officers from engaging in certain actions when investigating an individual under the age of 21 for possession of marijuana, hashish, cannabis, or alcohol. The legislation criminalizes the conduct of officers who respond to a call for service or are investigating the underage use of marijuana, hashish, cannabis, or alcohol by:

- no longer allowing the odor, possession or consumption of marijuana, hashish, cannabis or alcohol to be used as reasonable articulable suspicion to initiate a stop of an individual under the age of 21, nor does it provide probable cause to search the person’s personal property or vehicle,
- no longer allowing for marijuana, hashish, cannabis or alcoholic beverages, observed in plain sight to constitute probable cause to initiate a search of an individual under the age of 21 or that individual’s personal property or vehicle,
- an individual under the age of 21 shall not be arrested, detained, or otherwise taken into custody except to the extent required to issue a written warning.
- Officers are further prohibited from contacting the minor’s parent or guardian to advise them of the minor’s possession or consumption of marijuana, hashish, cannabis or alcoholic beverages for the minor’s first offense.

WHEREAS, the Legislation will discourage officers from enforcing underage use and possession of marijuana, hashish, cannabis, or alcohol and will specifically expose officers to civil and criminal liability for the deprivation of civil rights, even if the officer did not act with specific intent to deprive a person of his or her civil rights; and

WHEREAS, the Governing Body believes that the Legislation will result in officers avoiding situations where criminal conduct has occurred to limit exposure to civil and criminal liability; and

WHEREAS, the Governing Body is of the opinion that the Legislation creates significant burdens on law enforcement and will obstruct police officers from performing their duties and conducting lawful investigations of individuals under the age of 21, who possess or consume any amount of marijuana, hashish, cannabis, or alcohol in any public place, including a school, criminalizing law enforcement actions; and

WHEREAS, the Legislation will severely limit the ability of law enforcement agencies to police our community effectively, increase risks to children from illicit drugs and alcohol, and fail to protect society from criminal drug activity and impaired drivers to the detriment of public safety.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council that it does hereby indicate its strenuous opposition to the Legislation and urge members of the State Senate and General Assembly to immediately enact amendatory Legislation so as to permit law enforcement personnel to perform their duties in the interest of safety and general welfare without substantial risk of civil and criminal liability.

RESOLUTION #2021-58

TITLE: RESOLUTION DETERMINING THAT THE PROPERTY IDENTIFIED AS BLOCK 1011, LOTS 5.01 AND 5.02, AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF NORTHVALE, BE DESIGNATED AS AN “AREA IN NEED OF REDEVELOPMENT” IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12 A-1 ETSEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 etseq. (the “**LRHL**”), authorizes, and provides the procedures for, municipalities to determine whether certain parcels of land located therein constitute an “area in need of redevelopment”; and

WHEREAS, on October 14, 2020, the Mayor and Council (the “**Governing Body**”) of the Borough of Northvale (the “**Borough**”) adopted Resolution 2020-129 authorizing and directing the Borough’s Combined Planning Board/Board of Adjustment to undertake and conduct a preliminary investigation to examine and determine whether Block 1011, Lots 5.01 and 5.02, encompassing approximately 30,000 square feet of land as shown on the official Tax Map of the Borough (collectively, the “**Study Area**”), qualifies and should be considered by the Municipal Council for designation as “an area in need of redevelopment” and more specifically a “Non-Condensation Redevelopment Area” as that term is defined by the LRHL; and

WHEREAS, Resolution 2020-129 also provided for the award of a contract for the providing of professional planning services to Maser Consulting for assisting the Borough’s Combined Planning Board/Board of Adjustment with the conducting of its preliminary investigation and the completion of a study to determine whether the Study Area does or does not qualify as an area in need of redevelopment under the criteria set forth in the LRHL and to submit the completed study to the Borough’s Combined Planning Board/Board of Adjustment for its consideration as authorized and directed by Resolution 2020-129; and

WHEREAS, Maser Consulting, as authorized by Resolution 2020-129, conducted its investigation and prepared a report of its investigation entitled “Non-Condensation Redevelopment Area: Determination of Need Study” dated December 16, 2020 (the “**Maser Study**”); and

WHEREAS, the Maser Study concludes that the Study Area and the properties therein exhibit conditions which conform with various redevelopment criterion under Section 5 of the LRHL, N.J.S.A. 40A:12A-5, as more specifically set forth in the Maser Study; and

WHEREAS, a copy of a map showing the boundaries of the Study Area (the “**Study Area Map**”) and a copy of the Maser Study have each been on file in the office of the Borough Clerk, 116 Paris Avenue, Northvale, New Jersey, and each has been made available for public inspection, as legally required, with both the Study Area Map and the Maser Study being published in The Record on January 29, 2021 and February 5, 2021 as well as published on the Borough’s website at www.boroughofnorthvale.com continuously since January 5, 2021; and

WHEREAS, the Maser Study was submitted to the Borough’s Combined Planning Board/Board of Adjustment for its consideration in determining whether the Study Area should be designated as a Non-Condensation Redevelopment Area and the Borough’s Combined Planning Board/Board of Adjustment conducted its preliminary investigation of the Study Area as authorized and directed by Resolution 2020-129 to determine whether the Study Area should be designated as a Non-Condensation Redevelopment Area in accordance with the criteria and procedures set forth in N.J.S.A. 40A:12A-5 and -6, including the conducting of a duly noticed public hearing on February 17, 2021 at 7:30 P.M. (the “**Hearing**”) pursuant to N.J.S.A. 40A:12A-6, at which time the Borough’s Combined Planning Board/Board of Adjustment reviewed and considered the Maser Study and heard the testimony of Darlene A. Green, PP,

AICP of Maser Consulting who was involved in conducting the preliminary investigation of the Study Area and in authoring the Maser Study; and

WHEREAS, at that Hearing, members of the general public were given an opportunity to be heard and to address questions to the Borough’s Combined Planning Board/Board of Adjustment and to Ms. Green concerning the Maser Study and the potential designation of the Study Area as a Non-Condensation Redevelopment Area; and

WHEREAS, after completing its investigation and the Hearing on this matter, the Borough’s Combined Planning Board/Board of Adjustment, by Resolution adopted March 3, 2021, accepted the findings of the Maser Study and concluded that there was sufficient credible evidence to support findings that the Study Area satisfies the criteria set forth in Section 5 of the LRHL, particularly at N.J.S.A. 40A:12A-5(a), (d) and (h), for designating the Study Area as an “area in need of redevelopment” under the LRHL and recommending that the Governing Body designate the Study Area as a Non-Condensation Redevelopment Area pursuant to the LRHL; and

WHEREAS, the Governing Body considered the recommendation of the Borough’s Combined Planning Board/Board of Adjustment at its public meeting conducted on March 10, 2021; and

WHEREAS, at that public meeting of the Governing Body, members of the general public were given an opportunity to be heard and to address questions concerning the Maser Study and the potential designation of the Study Area as a Non-Condensation Redevelopment Area; and

WHEREAS, the Governing Body accepts the findings of the Maser Study and the recommendation of the Borough’s Combined Planning Board/Board of Adjustment to declare the Study Area as a Non-Condensation Redevelopment Area; and

WHEREAS, the Governing Body desires to designate the Study Area as a Non-Condensation Redevelopment Area.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Northvale, County of Bergen and State of New Jersey, being the governing body thereof, as follows:

Section 1. The above “WHEREAS” paragraphs are hereby incorporated herein by reference as though specifically set forth herein below.

Section 2. The Mayor and Council accept the findings of the Maser Study and the recommendation from the Borough of Northvale Combined Planning Board/Board of Adjustment and finds that Lots 5.01 and 5.02 of Block 1011 as shown on the official tax map of the Borough of Northvale satisfy the criteria for being delineated as an area in need of redevelopment as set forth in N.J.S.A. 40A:12A-5(a), (d) and (h) and shall be and hereby are deemed to be a Non-Condensation Redevelopment Area pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 etseq.

Section 3. The designation of Lots 5.01 and 5.02 of Block 1011 as a Non-Condensation Redevelopment Area shall not authorize the Borough of Northvale to exercise the power of eminent domain to acquire any property in the Study Area.

Section 4. The Borough of Northvale hereby reserves all other authority and powers granted to it under the LRHL.

Section 5. The Acting Borough Clerk of the Borough of Northvale shall forthwith transmit a copy of the within Resolution to the Commissioner of the Department of Community Affairs for review.

Section 6. Within ten (10) days of the Mayor and Council's adoption of the within Resolution, the Acting Borough Clerk of the Borough of Northvale shall serve notice of the Mayor and Council's determination and the within Resolution upon all record owners of property within the Non-Condemnation Redevelopment Area designated by this Resolution, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent and upon the Commission of the New Jersey Department of Community Affairs.

Section 7. If any part(s) of this Resolution shall be deemed invalid, such part(s) shall be severed and the validity thereof shall not affect the remaining parts of this Resolution.

Section 8. All resolutions or parts thereof inconsistent with this Resolution are hereby rescinded.

Section 9. This Resolution shall take effect at the time and in the manner provided by applicable law.

Mr. Jamie Placek from Ms. Rosendahl's office explained Resolution #2021-58 which is to accept the findings from the Planning Board and Darlene Green. He will now move forward with generating RFPs.

OPEN MEETING TO THE PUBLIC

Mayor Marana opened the meeting to the public for questions on Resolution #2021-58 ONLY.

CLOSE MEETING TO THE PUBLIC

There being no questions or comments from the public, Mayor Marana closed the meeting to the public.

RESOLUTION #2021-59

TITLE: AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND DUE TO THE OVERPAYMENT OF TAXES

BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that a warrant be drawn as indicated below in the designated amount representing a duplicate tax payment as follows:

Block/Lot	Name /Address	Date Paid	Amount
601/14	Reginald Parsells 240 Homans Avenue Closter, NJ 07624 Property – 209 Pierron Street	2/4/2021	\$1,967.39

BE IT FURTHER RESOLVED that Mr. Parsells has indicated that he would prefer to have a refund rather than a credit to the tax.

RESOLUTION #2021-60

TITLE: AUTHORIZE ONE YEAR CONTRACT FOR PROFESSIONAL SERVICES OF A REAL ESTATE CONSULTANT FOR THE YEAR 2021

WHEREAS, it is deemed necessary for the Borough of Northvale to engage the professional services of a Real Estate Consultant for the year 2021 to provide non-contractual services for the proper operation of the Borough; and

WHEREAS, funds to pay said professional persons are available by way of budget and bond ordinance to compensate said Real Estate Consultant; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 etseq.) requires that a resolution authorizing the appointment for professional services without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Northvale that the Real Estate Consultant for the year 2021 is hereby designated as Associated Appraisal Group; and

BE IT FURTHER RESOLVED, that the compensation for said position shall be commensurate with the services rendered by said Real Estate Consultant during the year 2021 and shall be provided for in the salary and other expenses ordinances of the Borough of Northvale; and

BE IT FURTHER RESOLVED, that the Mayor and Acting Borough Clerk are authorized to enter into the professional services agreement for this appointment attached as Exhibit "A".

RESOLUTION #2021-61

TITLE: RESOLUTION OF THE BOROUGH OF NORTHVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, REQUESTING AN EXTENSION TO THE CONSTRUCTION CONTRACT AWARD DEADLINE FOR – NORTHVALE F7 2019 “PARIS AVENUE STREETScape IMPROVEMENTS” PROJECT

WHEREAS, the Borough of Northvale (“the Borough”) applied for a Local Aid Grant from the New Jersey Department of Transportation (NJDOT) for Fiscal Year 2019 for a project known as “Paris Avenue Streetscape Improvements” (FY19) which limits consist of Paris Avenue from Scharer Avenue to Tappan Road and;

WHEREAS, in 2019, the Borough received a FY 2019 Municipal Aid grant award letter in the amount of \$202,000.00 for the Paris Avenue Streetscape Improvements; and,

WHEREAS, due to certain unprecedented challenges due to the advent of the Corona Virus (COVID-19) which prevents and continues to prevent the engagement of public input, the scope of construction work planned for Paris Avenue resulted in a general non-response from the public which is ongoing into the Spring of 2021, and,

WHEREAS, because of this aforementioned lack of public input, which occurred from March of 2020 and continues to occur into the Spring of 2021, the preparation of the construction documents and the bidding process has been delayed; and,

WHEREAS, due to the aforementioned and on-going lack of public input, the project cannot be awarded by the March 25, 2021 deadline, as required by the NJDOT; and,

WHEREAS, the Borough is requesting a six (6)-month time extension and anticipates awarding the construction contract for the project no later than September 25, 2021; and,

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Northvale, County of Bergen, State of New Jersey does hereby request the Commissioner of the New Jersey Department of Transportation (NJDOT) grant a time extension for the award of the construction contract from March 25, 2021 to September 25, 2021.

BE IT FURTHER RESOLVED, that upon the adoption hereof, the Borough of Northvale shall forward three (3) certified copies of this Resolution to the New Jersey State Department of Transportation Local Aid District 2.

RESOLUTION #2021-62

TITLE: RESOLUTION AUTHORIZING CONTRACT WITH VERTICAL GURU FOR DIGITAL MARKETING SERVICES

WHEREAS, the Borough of Northvale is in need of a website redevelopment, design and implementation; and

WHEREAS, the Borough has received a proposal from Vertical Guru for the design, development and implementation of an updated Borough website, including ongoing website management, hosting and security monitoring (the “Proposal”); and

WHEREAS, the Proposal includes basic creative, website design and development, mobile optimized, on-line blog and news and website management for a one-time fee of \$1,049.00 and an on-going monthly maintenance fee of \$149.00; and

WHEREAS, it is the best interest of the Borough to execute the Proposal from Vertical Guru.

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 of Northvale does hereby authorize the Mayor to execute any and all documents necessary to accept the Proposal and retain Vertical Guru for the purposes set forth in this Resolution.

RESOLUTION #2021-63

TITLE: APPROVE RAFFLE LICENSE #RL 218 FOR NORTHVALE PTO – OFF PREMISE RAFFLE

BE IT HEREBY RESOLVED, that the following license to conduct an Off Premise Raffle be issued to:

NAME: Northvale PTO
ADDRESS: 441 Tappan Road
LOCATION OF RAFFLE: 441 Tappan Road
HOURS: 3:00 PM
DATE OF RAFFLE: MAY 5, 2021
ID #: 353-5-37377
RAFFLE LICENSE #: RL 218

RESOLUTION #2021-64

TITLE: RESOLUTION AUTHORIZING SOLICITATION OF BIDS FOR RIVERSIDE COOPERATIVE

WHEREAS, N.J.S.A. 40A:11-1 et. seq. and N.J.A.C. 5:34-7 et. seq., permits the creation of a cooperative pricing system whereby two or more contracting units join together to form a joint purchasing and cooperating pricing system; and

WHEREAS, the Riverside Cooperative was duly formed and created and has designated the Borough of Northvale as the Lead Agency; and

WHEREAS, the Riverside Cooperative intends to solicit bids for the “2021 Riverside Cooperative Road Improvement Program” project; and

WHEREAS, the aggregate of said goods and services is anticipated to exceed the current bid threshold and is therefore required to be bid under a formal process pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-3 et. seq; and

WHEREAS, as the Lead Agency, the Borough of Northvale is responsible for advertising for the receipt of bids for the 2021 Riverside Cooperative Road Improvement Program.

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 of Northvale does hereby authorize advertisement for the receipt of bids for the following specification:

Bid opening date: April 7, 2021 at 11:00 a.m.
Contract Bid: Construction of Roadway Improvements

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

OPEN MEETING TO THE PUBLIC

Mayor Marana opened the meeting to the public for questions or comments on the Resolutions.

CLOSE MEETING TO THE PUBLIC

There being no questions or comments from the public, Mayor Marana closed the meeting to the public.

RESOLUTION #2021-65

TITLE: PAYMENT OF BILLS

Motion	Second	Name
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Argiro
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Councilman DeLisio
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Devlin
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Hogan
<input type="checkbox"/>	<input type="checkbox"/>	Councilman McGuire
<input type="checkbox"/>	<input checked="" type="checkbox"/>	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 (2020)	\$5,299.21
Current Fund Appropriations (2021)	\$875,425.40
General Capital Fund	
Grant Fund	\$1,050.00
Animal Trust	\$355.80
Police DEA Trust	\$5,846.92

Escrow Trust	
Recreation Trust	
Summer Recreation Trust	
TOTAL	\$887,977.33

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 purposes specified below during the course of the year:

Payroll – Salaries & Wages	02-05-2021	\$145,876.89
Payroll – Salaries & Wages	02-19-2021	\$202,337.32
Health Benefits	February 2021	\$49,829.68
School Taxes – Local	February 2021	\$843,293.75
School Taxes – Regional	February 2021	\$762,013.75
Bergen County JIF	Qtr # 2020-04 & 2021-01	\$130,481.00
Inter Borough Radio	Quarter # 2021-01	\$17,297.50
County of Bergen	Taxes Quarter # 2021-01	\$622,863.00
TOTAL		\$2,773,992.89

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that the claims totaling **\$3,661,970.22** and ratified respectively

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

ORDINANCES – 2ND READING

ORDINANCE #1032-2021

AN ORDINANCE UPDATING THE CURRENT BOROUGH STORMWATER ORDINANCE AS PER NJDEP REQUIREMENTS

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

Chapter 172, Article I – Stormwater Control Ordinance

§172-1 Scope and Purpose:

A. Policy Statement

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

B. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development,” as defined below in Section II.

C. Applicability

1. This ordinance shall be applicable to the following major developments:
 - a. Non-residential major developments; and
 - b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This ordinance shall also be applicable to all major developments undertaken by the Borough of Northvale.

D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

§172-2 Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

“CAFRA Centers, Cores or Nodes” means those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

“CAFRA Planning Map” means the map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).

“Community basin” means an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

“Compaction” means the increase in soil bulk density.

“Contributory drainage area” means the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

“Core” means a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

“County review agency” means an agency designated by the County Board of Chosen Freeholders to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency or
2. A county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

“Department” means the Department of Environmental Protection.

“Designated Center” means a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

“Design engineer” means a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq.*

In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act , N.J.S.A 4:1C-1 *et seq.*

“Disturbance” means the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

“Drainage area” means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

“Environmentally constrained area” means the following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

“Environmentally critical area” means an area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department’s Landscape Project as approved by the Department’s Endangered and Nongame Species Program.

“Empowerment Neighborhoods” means neighborhoods designated by the Urban Coordinating Council “in consultation and conjunction with” the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.

“Erosion” means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

“Green infrastructure” means a stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

“HUC 14” or “hydrologic unit code 14” means an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

“Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

“Infiltration” is the process by which water seeps into the soil from precipitation.

“Lead planning agency” means one or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

“Major development” means an individual “development,” as well as multiple developments that individually or collectively result in the disturbance of one or more acres of land since February 2, 2004. Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually result in the disturbance of one or more acres of land since February 2, 2004. Projects undertaken by any government agency that otherwise meet the definition of “major development” but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development.”

“Motor vehicle” means land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

“Motor vehicle surface” means any pervious or impervious surface that is intended to be used by “motor vehicles” and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

“Municipality” means any city, borough, town, township, or village.

“New Jersey Stormwater Best Management Practices (BMP) Manual” or “BMP Manual” means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department’s determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with §172-4(F) of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

“Node” means an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

“Nutrient” means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

“Person” means any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.

“Pollutant” means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 *et seq.*)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. “Pollutant” includes both hazardous and nonhazardous pollutants.

“Recharge” means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

“Regulated impervious surface” means any of the following, alone or in combination:

1. A net increase of impervious surface;
2. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a “new stormwater conveyance system” is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

“Regulated motor vehicle surface” means any of the following, alone or in combination:

1. The total area of motor vehicle surface that is currently receiving water;
2. A net increase in motor vehicle surface; and/or quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

“Sediment” means solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

“Site” means the lot or lots upon which a major development is to occur or has occurred.

“Soil” means all unconsolidated mineral and organic material of any origin.

“State Development and Redevelopment Plan Metropolitan Planning Area (PA1)” means an area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State’s future redevelopment and revitalization efforts.

“State Plan Policy Map” is defined as the geographic application of the State Development and Redevelopment Plan’s goals and statewide policies, and the official map of these goals and policies.

“Stormwater” means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

“Stormwater management BMP” means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

“Stormwater management measure” means any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

“Stormwater runoff” means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

“Stormwater management planning agency” means a public body authorized by legislation to prepare stormwater management plans.

“Stormwater management planning area” means the geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

“Tidal Flood Hazard Area” means a flood hazard area in which the flood elevation resulting from the two-, 10-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

“Urban Coordinating Council Empowerment Neighborhood” means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

“Urban Enterprise Zones” means a zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

“Urban Redevelopment Area” is defined as previously developed portions of areas:

1. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
2. Designated as CAFRA Centers, Cores or Nodes;
3. Designated as Urban Enterprise Zones; and
4. Designated as Urban Coordinating Council Empowerment Neighborhoods.

“Water control structure” means a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

“Waters of the State” means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

“Wetlands” or “wetland” means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

§172-3 Design and Performance Standards for Stormwater Management Measures

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
 1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
 2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable

under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

Alternative standards shall provide at least as much protection from stormwater-related loss of groundwater recharge, stormwater quantity and water quality impacts of major development projects as would be provided under the standards in N.J.A.C. 7:8-5.

§172-4 Stormwater Management Requirements for Major Development

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with §172-10.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Heloniasbullata* (swamp pink) and/or *Clemmysmuhlebergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of §172-4(P),(Q) and (R):
 - 1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 - 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 - 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of §172-4 (O), (P), (Q) and (R) may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
 - 1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
 - 2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of §172-4 (O),(P), (Q) and (R) to the maximum extent practicable;
 - 3. The applicant demonstrates that, in order to meet the requirements of §172-4 (O),(P), (Q) and (R), existing structures currently in use, such as homes and buildings, would need to be condemned; and
 - 4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under §172-4 D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of §172-4 (O),(P), (Q) and (R) that were not achievable onsite.
- E. Tables 1 through 3 below summarize the ability of stormwaterbest management practices identified and described in the New Jersey Stormwater Best Management

Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in §172-4 (O), (P), (Q) and (R). When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change

revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

https://njstormwater.org/bmp_manual2.htm.

F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

Table 1 Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Cistern	0	Yes	No	--
Dry Well ^(a)	0	No	Yes	2
Grass Swale	50 or less	No	No	2 ^(e) 1 ^(f)
Green Roof	0	Yes	No	--
Manufactured Treatment Device ^{(a) (g)}	50 or 80	No	No	Dependent upon the device
Pervious Paving System ^(a)	80	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Bioretention Basin ^(a)	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Infiltration Basin ^(a)	80	Yes	Yes	2
Small-Scale Sand Filter	80	Yes	Yes	2
Vegetative Filter Strip	60-80	No	No	--

Notes corresponding to annotations ^(a) through ^(g) are found below Table 3

Table 2 Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3)
--

Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Bioretention System	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Infiltration Basin	80	Yes	Yes	2
Sand Filter ^(b)	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond ^(d)	50-90	Yes	No	N/A

Notes corresponding to annotations ^(b) through ^(d) are found below Table 3

Table 3 BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device ^(h)	50 or 80	No	No	Dependent upon the device
Sand Filter ^(c)	80	Yes	No	1
Subsurface Gravel Wetland	90	No	No	1
Wet Pond	50-90	Yes	No	N/A

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at §172-4 O.2;
- (b) designed to infiltrate into the subsoil;
- (c) designed with underdrains;
- (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
- (e) designed with a slope of less than two percent;
- (f) designed with a slope of equal to or greater than two percent;
- (g) manufactured treatment devices that meet the definition of green infrastructure at §172-2;
- (h) manufactured treatment devices that do not meet the definition of green infrastructure at Section II.

G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability

of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with §172-6(B). Alternative stormwater management measures may be used to satisfy the requirements at §172-4(O) only if the measures meet the definition of green infrastructure at Section II. Alternative stormwater management measures that function in a similar manner to a BMP listed at §172-4 O.2 are subject to the contributory drainage area limitation specified at §172-4 O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at §172-4 O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with §172-4(D) is granted from §172-4(O).

H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high-water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.

I. Design standards for stormwater management measures are as follows:

1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high-water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of §172-8(C);
3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at §172-8; and
5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.

J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section II may be used only under the circumstances described at §172-4 O.4.

K. Any application for a new agricultural development that meets the definition of major development at §172-2 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at §172-4 (O), (P), (Q) and (R) and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.

L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at §172-4 (P), (Q) and (R) shall be met in each drainage area, unless

the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.

M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the Bergen County Clerk. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at §172-4 (O), (P), (Q) and (R) and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to §172-10 B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.

N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section IV of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the Bergen County Clerk and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

O. Green Infrastructure Standards

1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
2. To satisfy the groundwater recharge and stormwater runoff quality standards at §172-4 (P) and (Q), the design engineer shall utilize green infrastructure BMPs identified in Table 1 at §172-4(F). and/or an alternative stormwater management measure approved in accordance with §172-4(G). The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

Best Management Practice	Maximum Contributory Drainage Area
Dry Well	1 acre
Manufactured Treatment Device	2.5 acres
Pervious Pavement Systems	Area of additional inflow cannot exceed three times the area occupied by the BMP
Small-scale Bioretention Systems	2.5 acres
Small-scale Infiltration Basin	2.5 acres
Small-scale Sand Filter	2.5 acres

3. To satisfy the stormwater runoff quantity standards at §172-4(R), the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with §172-4(G).

4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with §172-4(D) is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with §172-4(G) may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at §172-4 (P), (Q) and (R).
5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at §172-4 (P), (Q) and (R), unless the project is granted a waiver from strict compliance in accordance with §172-4(D).

P. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at §172-5, either:
 - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
3. This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
 - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - ii. Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:

- i. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
 - ii. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
 4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

5. If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (A \times B) / 100,$$

Where

R= total TSS Percent Load Removal from application of both BMPs, and

A = the TSS Percent Removal Rate applicable to the first BMP

B = the TSS Percent Removal Rate applicable to the second BMP.

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in §172-4 (P), (Q) and (R).
7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
10. This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at §172-5, complete one of the following:
 - i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - iii. Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i, ii and iii above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional

flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.

3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

§172-5 Calculation of Stormwater Runoff and Groundwater Recharge:

A. Stormwater runoff shall be calculated in accordance with the following:

1. The design engineer shall calculate runoff using one of the following methods:
 - i. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf

or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or

- ii. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at:

<http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>

2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology above at §172-5 A.1.i and the Rational and Modified Rational Methods at §172-5 A.1.ii. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 - Urban Hydrology for Small Watersheds* or other methods may be employed.

5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

- B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

<https://www.nj.gov/dep/njgs/pricelst/greport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

§172-6 Sources for Technical Guidance:

- A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department’s website at:

http://www.nj.gov/dep/stormwater/bmp_manual2.htm.

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.
2. Additional maintenance guidance is available on the Department’s website at:

https://www.njstormwater.org/maintenance_guidance.htm.

- B. Submissions required for review by the Department should be mailed to:

The Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.

§172-7 Solids and Floatable Materials Control Standards:

- A. Site design features identified under §172-4(F) above, or alternative designs in accordance with §172-4(G) above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
 - ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
2. The standard in A.1. above does not apply:
- i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
 - ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
 - iii. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
 - b. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

§172-8 Safety Standards for Stormwater Management Basins:

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.
- B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in §172-8 (C.1), (C.2), and (C.3) for trash racks, overflow grates, and escape provisions at outlet structures.
- C. Requirements for Trash Racks, Overflow Grates and Escape Provisions
 - 1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the

Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:

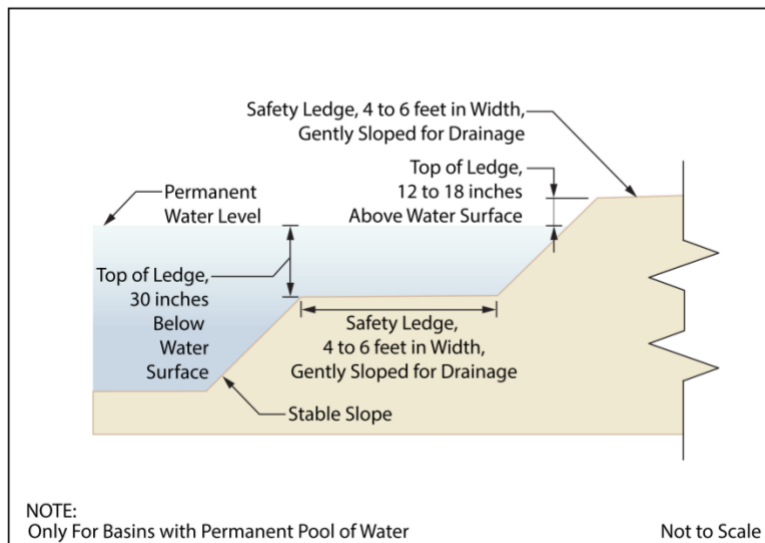
- i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
 - iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
- i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - ii. The overflow grate spacing shall be no less than two inches across the smallest dimension
 - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
3. Stormwater management BMPs shall include escape provisions as follows:
- i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to §172-8, a free-standing outlet structure may be exempted from this requirement;
 - ii. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See §172-8(E) for an illustration of safety ledges in a stormwater management BMP; and
 - iii. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard

A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



§172-9 Requirements for a Site Development Stormwater Plan:

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at §172-9(C) below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit 12 copies of the materials listed in the checklist for site development stormwater plans in accordance with §172-9(C) of this ordinance.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of §172-3 through §172-5 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section IV of this ordinance.
- ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of §172-10.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in §172-9 C.1 through §172-9 C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

§172-10 Maintenance and Repair:

A. Applicability

Projects subject to review as in §172-1 (C) of this ordinance shall comply with the requirements of §172-10 (B) and (C).

B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
5. If the party responsible for maintenance identified under §172-10 B.3 above is not a public agency, the maintenance plan and any future revisions based on §172-10 B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
7. The party responsible for maintenance identified under §172-10 B.3 above shall perform all of the following requirements:
 - i. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - ii. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and

- iii. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Section X.B.6 and B.7 above.
- 8. The requirements of §172-9 B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.

Note: It may be appropriate to delete requirements in the maintenance and repair plan that are not applicable if the ordinance requires the facility to be dedicated to the municipality. If the municipality does not want to take this responsibility, the ordinance should require the posting of a two-year maintenance guarantee in accordance with N.J.S.A. 40:55D-53. Maintenance and inspection guidance can be found on the Department's website at:

https://www.njstormwater.org/maintenance_guidance.htm.

- 9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
- C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53

§172-11 Penalties:

Any person who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this article shall be subject to the penalties set in Chapter 1, Article II of the Code of the Borough of Northvale, entitled "General Penalties," as adopted 12-14-1988 by Ordinance No. 601-88.

§172-12 Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

§172-13 Effective Date:

This article shall take effect immediately upon the approval by the county review agency, or 60 days from the receipt of the ordinance by the county review agency if the county review agency should fail to act.

This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

OPEN MEETING TO THE PUBLIC

Mayor Marana opened the meeting to the public for questions or comments on Ordinance #1032-2021 only.

CLOSE MEETING TO THE PUBLIC

There being no questions or comments from the public, Mayor Marana closed the meeting to the public.

ROLL CALL VOTE

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

OPEN MEETING TO THE PUBLIC

Lisa Carbaugh, 315 Bradley Avenue – asked since indoor restrictions were changed to 25 allowed indoor by the Governor, would the Mayor & Council consider holding in person meetings and reopening the Borough Hall. Mayor Marana answered that they would not at this time. He also stated they may switch to Zoom meetings next month.

MAYOR & COUNCIL REPORTS

Councilman Sotiropoulos – reported that at the last couple of meetings, some residents expressed concern that people were driving too fast on local side roads. To deal with this, the Police Department, to promote safety and community engagement, have done selective traffic enforcement detail. There were 123 traffic stops conducted. There were 250 COVID cases year to date. The DPW have been concentrating on snow clean up, maintenance of the plows, damaged street signs, cold patch, and moving equipment from the VFW. They have auctioned off some vehicles and received \$23,000. The Ambulance Corp is covering as many shifts as they possibly can and actively looking to recruit new members.

Councilman Devlin – reported that the Senior Center is still closed and he has had a number of inquiries as to when it will reopen. The Firehouse 125th celebration is still up in the air. The 300 club drawing is set for June 27th. A new member joined the Fire Department. The Fire Department had 34 calls through February 28th.

Councilman DeLisio – reported on the grants. There is one new grant being applied for, NJ Highway Traffic Distracted Drivers. The open space park development grant is in progress. We are still waiting to hear on the ADA compliant Borough Hall entrance and Butterfly Park at Veterans grants. He attended the Northern Valley Greenway meeting last week. They are surveying members to attend a webinar on completed projects of a similar type in New Jersey that will give some insight on how to complete the project.

Councilman Hogan – reported on the applications that came before the Planning Board at the February 17th meeting. Robert Bettega on Franklin Street attended to clarify his previous application, which was approved. There was a wonderful presentation by Darlene Green on 155 Veterans with great detail. At the March 3rd meeting Lloyd Winans came before the board in reference to a shed he had built in his backyard. There have been many hires in the Building Department. There were 15 permits issued in February, total collected \$11,273 and 41 inspections. The Board of Health will be having a meeting on March 18th at 7:30 PM which will be virtually over the phone. Insurance report - Councilman Hogan participated in the Elected Official training which will give the Borough a \$250 credit. He encouraged all the council to take the training. Mayor Marana added the Building Department fees collected through February 28th totaled \$20,402. This is outstanding considering how bad the weather has been.

Councilman Argiro – reported that the Library is still operating under the COVID hours. They have started offering programs for the children. Over 1600 items have been checked out or renewed. The books will be held 72 hours before being checked out per COVID policy. Roy Sokoloski has been guiding the Library through the grant process which they were awarded. It should go out for bid next month. There have been 15 new Library cards issued. Recreation Baseball/Softball registration is still open until March 13th. There has been a strong interest. Recreation should be able to field 2 teams per level for grades 1-6 and 1 team for grades 7th and 8th. The first game is slated for April 24th. There will be no opening day. This Friday, Saturday and Sunday Dick's in Nyack and Paramus gave a 20% off coupon for Northvale residents. He thanked Vinnie Grillo, John Briguglio, Nicole Cowley, and Jordan Flavel-Boney for arranging this.

Councilman McGuire – reported that both schools have been status quo. They are running on hybrid schedules. Budget season is underway. The high school preliminary looks like a 1.75 tax

increase but we will have to see how it will impact Northvale residents. We will find out this month about the Northvale Public Schools budget.

Mayor Marana – reported that two quotes were received for IT Support. Rich Scaglione has a few hundred plants in his greenhouse that he is growing to plant in the parks in the Spring. Kevin Trainor and Iris Fallon have been working very hard to create a 2021 summer camp program. Registration in a non-Covid year is around 220 children. They are capping this year’s registration at approximately 80 children. They have sent out a survey to the parents to assess the level of interest. The DPW seriously damaged a plow in Rockleigh during the snow storm. Wayne Degen, one of our Planning Board members, who is a welder, came on his own time and welded it back together. Thank you to Wayne. There was an article in the Record that quoted two of our Senators saying how much money each town will receive from the new stimulus package. Northvale is projected to receive \$484,000 which is significantly less than the last projection. The House passed this bill today. Now we just have to wait to see how much we are getting and what we will use the funds on.

BOROUGH ENGINEER REPORT

Ms. Raffay thanked the Council for passing the resolution extending the deadline for the DOT project. She is working on the 2021 Riverside Cooperative Paving project which will be going out for bid next week. She is also working on the Stormwater Tier A permit that is due the beginning of May. There will be a couple of proposals on next month’s meeting.

BOROUGH ATTORNEY REPORT

Ms. Rosendahl is working on an ordinance to repeal and replace article 3 regulations and restrictions in our zoning ordinance. It is the restrictions regarding manufacturing, distribution and sale of cannabis. The council previously passed this ordinance in 2019. New Jersey passed a new law permitting all forms of marijuana use, including recreational use. The new law includes a section that if a law was previously passed, that ordinance is not valid. We have 120 days from Feb 22nd to pass the new ordinance prohibiting this. If not passed within 120 days of Feb 22 the borough cannot pass this ordinance for 5 years. She is also working on an ordinance on the limit of flags flown on Borough property.

OPEN MEETING TO THE PUBLIC

Mayor Marana opened the meeting to the public for questions or comments.

CLOSE MEETING TO THE PUBLIC

There being no questions or comments, Mayor Marana closed the meeting to the public.

ADJOURNMENT – TIME: 7:40 PM

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

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

Patrick J. Marana
Mayor

ATTEST:

Frances M. Weston

Frances M. Weston
Acting Borough Clerk

Approved: April 14, 2021