**M I N U T E S**

**Combined Meeting of the Mayor and Council**

**Wednesday, November 10, 2021**

**7:00 PM**

**CALL THE MEETING TO ORDER**

Mayor Marana called the meeting to order at 7:00 PM in the Council Chambers at 116 Paris Avenue, Northvale, New Jersey 07647.

**OPEN PUBLIC MEETINGS ACT NOTICE**

Mayor Marana read the Open Public Meeting Notice 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 Newspaper 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 asked everyone to rise and join him in a Salute to the flag led by Sergeant Parsells. Mayor Marana also asked everyone to remain standing for a Moment of Silence to remember all of our deceased veterans and to also remember Mr. Kilpatrick, a long time Firemen and resident of Northvale who just passed away.

**ROLL CALL**

|  |  |  |
| --- | --- | --- |
| Name | Present | Absent |
| Mayor Marana | [x]  | [ ]  |
| Councilman Argiro | [x]  | [ ]  |
| Councilman DeLisio | [x]  | [ ]  |
| Councilman Devlin | [x]  | [ ]  |
| Councilman Hogan  | [x]  | [ ]  |
| Councilman McGuire | [x]  | [ ]  |
| Councilman Sotiropoulos | [x]  | [ ]  |

**AWARDS AND PROCLAMATIONS**

Mayor Marana presented Sergeant Parsells with a plaque thanking him for his 18 years of service. Chief Ostrow spoke about it being unfortunate that he had to retire and will be missed dearly. Sergeant Parsells thanked all of his fellow police officers who he will miss dearly. It has been a proud part of his life wearing the Northvale uniform and patch. He also thanked the Mayor and Council.

**APPROVAL OF MINUTES**

**Combined Meeting of October 20, 2021 AND**

**Closed Session Meeting of October 20, 2021**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
| [ ]  | [x]  | Councilman Argiro |
| [ ]  | [ ]  | Councilman DeLisio |
| [ ]  | [ ]  | Councilman Devlin |
| [x]  | [ ]  | Councilman Hogan |
| [ ]  | [ ]  | Councilman McGuire |
| [ ]  | [ ]  | Councilman Sotiropoulos |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman DeLisio | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Devlin | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Hogan | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman McGuire | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Sotiropoulos | [x]  | [ ]  | [ ]  | [ ]  |

**CORRESPONDENCE**

1. State of New Jersey, Dept. of Transportation – October 21, 2021

NJDOT 2022 Municipal Aid Program – Veterans Drive Roadway $216,000

**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

Colliers Engineering

Fire Department

Fire Prevention

Millenium Strategies

Recreation Minutes

Tax Collector

**RESOLUTIONS – Consent Agenda**

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

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
| [ ]  | [ ]  | Councilman Argiro |
| [ ]  | [x]  | Councilman DeLisio |
| [ ]  | [ ]  | Councilman Devlin |
| [x]  | [ ]  | Councilman Hogan |
| [ ]  | [ ]  | Councilman McGuire |
| [ ]  | [ ]  | Councilman Sotiropoulos |

 **\*\*\*\*\*\***

 **RESOLUTION #2021-178**

**TITLE: RESOLUTION AUTHORIZING THE ACTING BOROUGH CLERK TO ADVERTISE FOR REQUEST FOR QUALIFICATIONS FOR THE YEAR 2022**

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

 **WHEREAS,** the Borough of Northvale seeks to employ a ‘Fair and Open Process’ as defined in N.J.S.A. 19:44A-20.4, 20.5 et seq. for the purpose of soliciting qualified professionals to provide services as required by the Borough for the year 2022.

 **NOW THEREFORE BE IT RESOLVED** this 10th day of November 2021, that the Acting Borough Clerk is hereby authorized to take, or cause to be taken, all acts necessary to publish the Legal Notice required to solicit for professional qualifications for all professional positions required by the Borough in the usual course of business pursuant to N.J.S.A. 19:44A-20.4, 20.5 et. seq in a newspaper of general circulation for the Borough of Northvale, and/or on the Borough of Northvale website, [www.boroughofnorthvale.com](http://www.boroughofnorthvale.com).

 **\*\*\*\*\*\***

 **RESOLUTION #2021-179**

**TITLE: AUTHORIZE GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964**

**WHEREAS**, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with the Borough’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Northvale, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the Borough’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Acting Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

 \*\*\*\*\*\*

 **RESOLUTION #2021-180**

**TITLE: AUTHORIZE SUBMISSION OF AN APPLICATION FOR NORTHVALE MUNICIPAL ALLIANCE FISCAL GRANT CYCLE FOR JULY 2020 – JUNE 2025**

**WHEREAS,** the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

 **WHEREAS,** the Mayor and Council of the Borough of Northvale in the County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

**WHEREAS,** the Mayor and Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

 **WHEREAS,** the Mayor and Council have applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Bergen;

 **NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Northvale, County of Bergen and State of New Jersey hereby recognizes the following:

1. The Mayor & Council does hereby authorize submission of an application for the Northvale Municipal Alliance grant for fiscal year 2023 in the amount of:

 DEDR $3,836.33

 Cash Match $ 959.08

 In-Kind $2,877.25

 Total Grant $7,672.66

1. The Mayor & Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**\*\*\*\*\*\***

 **RESOLUTION #2021-181**

**TITLE: APPROVE 2020 AUDIT AND CORRECTIVE ACTION PLAN**

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

 **WHEREAS**, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Borough Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and

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

 **WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “General Comments & Recommendations”; and

 **WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “General Comments & Recommendations” as evidenced by the group affidavit form of the governing body; and

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

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

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

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

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

**ON THE QUESTION**:

 Councilman McGuire asked if the Council can receive an update on the items on the Corrective Action Plan.

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 **RESOLUTION #2021-182**

**TITLE: RESOLUTION AUTHORIZING MAYOR MARANA TO SIGN THE 2021-2022 INTERLOCAL AGREEMENT WITH THE BOROUGH OF ROCKLEIGH FOR SNOW PLOWING SERVICES**

**WHEREAS,** the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:5-1, et.seq. governs shared service agreements between municipalities; and

 **WHEREAS,** the Borough of Northvale desires to enter into an Agreement with the Borough of Rockleigh for the providing of sanding, salting, and snow plowing of streets located with the Borough of Rockleigh at an hourly rate of $110/hour; and

 **WHEREAS**, an Agreement has been prepared to encompass the months of November and December of 2021 and January through April, inclusive, of 2022.

 **NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Northvale that Mayor Patrick J. Marana and Acting Borough Clerk Frances Weston be and are hereby authorized to execute the aforesaid Agreement on behalf of the Borough.

 \*\*\*\*\*\*

 **RESOLUTION #2021-183**

**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**

710/4 North Bergen Title Agency, Inc 8/7/2021 $3,268.92

174 Grand Avenue, 3rd Floor

Englewood, NJ 0731

Attn: Sunny

Property – 518 White Avenue

 **BE IT FURTHER RESOLVED,** that North Bergen Title Agency has requested their payment of the 2021 3rd Quarter be refunded. Valley Bank also paid the 3rd Quarter tax for the seller (Tietjen) and North Bergen intends to refund the money to the Tietjen.

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 **RESOLUTION #2021-184**

**TITLE: AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ISSUE REFUNDS OF TAX DEDUCTIONS FOR 2020 AND 2021**

**BE IT RESOLVED,** by the Mayor and Council of the Borough of Northvale, that a warrant be drawn to the individual listed below in the amount indicated, representing refunds of tax deductions allowed for 2020 and 2021.

 Name Block/Lot Amount Deduction

Frank Cucchiara, Jr. 409/10 $ 500.00 Veteran Deduction

\*\*\*\*\*\*

 **RESOLUTION #2021-185**

**TITLE: RESOLUTION AUTHORIZING EXECUTION OF COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOROUGH OF NORTHVALE AND TEAMSTERS LOCAL 125**

 **WHEREAS**, the Collective Bargaining Agreement (“CBA”) between the Borough of Northvale (the “Borough”) and the Teamsters Local 125 (the “Teamsters”) expires on December 31, 2021; and

 **WHEREAS,** the Borough and the Teamsters have engaged in ongoing negotiations to discuss and agree upon the terms and conditions of a successor CBA; and

 **WHEREAS**, the ongoing negotiations have resulted in an agreement between the Borough and the Teamsters as to a new five (5) year contract which includes but is not limited to certain salary increases; and

 **WHEREAS,** the Borough Attorney has presented the Governing Body with a copy of the proposed Collective Bargaining Agreement between the Borough of Northvale and the Teamsters Local 125 for the time period January 1, 2022 through December 31, 2026 and recommends the Borough authorize the Mayor to execute same; and

**WHEREAS,** it is in the best interest of the Borough to authorize the Mayor to execute the new five (5) year collective bargaining agreement with the Teamsters.

**NOW THEREFORE BE IT RESOLVED**, by the Governing Body of the Borough of Northvale that the Governing Body approves of the terms and conditions of a Collective Bargaining Agreement with the Teamsters Local 125 and authorizes the Mayor to execute the Collective Bargaining Agreement.

 **\*\*\*\*\*\***

 **RESOLUTION #2021-186**

**TITLE: RESOLUTION APPOINTING STEPHEN WIERSMA AS PLUMBING/MECHANICAL SUB-CODE OFFICIAL**

 **WHEREAS**, Brian Drewes, Plumbing Inspector, resigned effective October 29, 2021; and

**WHEREAS,** Stephen Wiersma has the requisite skills and experience to hold the position of Plumbing/Mechanical Sub-Code Official; and

 **WHEREAS,** it is in the best interest of the Borough of Northvale to appoint Stephen Wiersma as the Plumbing/Mechanical Sub-Code Official.

 **NOW THEREFORE BE IT RESOLVED** that the Governing Body of the Borough of Northvale hereby appoints Stephen Wiersma to the position of Plumbing/Mechanical Sub-Code Official, 5 hours per week at an annual salary of $9,500.00 effective November 3, 2021.

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 **RESOLUTION #2021-187**

**TITLE: RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT WITH ZUCCARO INC. FOR PARIS AVENUE AND LIVINGSTON STREET STREETSCAPE PROJECT**

**WHEREAS**, Zuccaro Inc.a New Jersey corporation with offices located at 64 Commerce Street, Garfield, New Jersey has presented the Borough of Northvale with a Contract for the project identified as NJDOT FY2019 & FY2020 Paris Avenue and Livingston Street Streetscape (the “Contract”); and

**WHEREAS,** the specifications and contract documents have been prepared by and approved by the Borough Engineer, Carl O’Brien, P.E., P.P., C.M.E., C.P.W.M.; and

**WHEREAS,** the Borough Attorney has reviewed the form of Contract presented by Zuccaro Inc., and approves same; and

**WHEREAS,** it is in the best interest of the Borough to authorize the Mayor to execute the Contract on behalf of the Borough.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Northvale that the Mayor is hereby authorized to execute the Contract.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman DeLisio | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Devlin | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Hogan | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman McGuire | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Sotiropoulos | [x]  | [ ]  | [ ]  | [ ]  |

**OPEN MEETING TO THE PUBLIC**

Mayor Marana opened the meeting to the public for questions or comments on the Consent Agenda items only.

**CLOSE MEETING TO THE PUBLIC**

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

**\*\*\*\*\*\***

 **RESOLUTION #2021-188**

**TITLE: PAYMENT OF BILLS**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
| [ ]  | [ ]  | Councilman Argiro |
| [x]  | [ ]  | Councilman DeLisio |
| [ ]  | [ ]  | Councilman Devlin |
| [ ]  | [x]  | Councilman Hogan |
| [ ]  | [ ]  | Councilman McGuire |
| [ ]  | [ ]  | 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) |  |
| Current Fund Appropriations (2021) | $784,596.44 |
| General Capital Fund | $1,858.57 |
| Grant Fund |  |
| Animal Trust | $10.80 |
| Police DEA Trust | $8,810.36 |
| Escrow Trust | $8,190.00 |
| Recreation Trust | $1,160.00 |
| Summer Recreation Trust |  |
| **TOTAL** | **$804,626.17** |

**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 | 10-01-2021 | $156,459.97 |
| Payroll – Salaries & Wages | 10-15-2021 | $147,578.79 |
| Payroll – Salaries & Wages | 10-29-2021 | $150,614.04 |
| Health Benefits | October 2021 | $50,205.27 |
| Debt Service – P&I | Serial Bonds | $479,868.77 |
| School Taxes Local | October 2021 | $850,597.08 |
| School Taxes Regional | October 2021 | $580,949.20 |
| **TOTAL** |  | **$2,416,273.12** |

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Northvale that the claims totaling **$3,220,899.29** and ratified respectively.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman DeLisio | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Devlin | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Hogan | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman McGuire | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Sotiropoulos | [x]  | [ ]  | [ ]  | [ ]  |

**OPEN MEETING TO THE PUBLIC ON RESOLUTION #2021-188 ONLY**

Mayor Marana opened the meeting to the public for questions or comments on Resolution #2021-188 only.

**CLOSE MEETING TO THE PUBLIC**

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

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 **RESOLUTION #2021-189**

**TITLE: RESOLUTION AUTHORIZING THE HIRING OF ALEXANDER NAYLIS AS A DPW ROADMAN EFFECTIVE DECEMBER 1, 2021**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
| [ ]  | [x]  | Councilman Argiro |
| [x]  | [ ]  | Councilman DeLisio |
| [ ]  | [ ]  | Councilman Devlin |
| [ ]  | [ ]  | Councilman Hogan |
| [ ]  | [ ]  | Councilman McGuire |
| [ ]  | [ ]  | Councilman Sotiropoulos |

**WHEREAS,** the Borough is in need of hiring a DPW Roadman; and

 **WHEREAS,** Alexander Naylis has the requisite skills and experience to hold the position of DPW Roadman; and

 **WHEREAS,** it is in the best interest of the Borough of Northvale to hire Alexander Naylis as DPW Roadman.

 **NOW THEREFORE BE IT RESOLVED** that the Governing Body of the Borough of Northvale hereby appoint Alexander Naylis to the position of DPW Roadman at an annual salary of $47,565.83, subject to revision with the new contract effective January 1, 2022, effective December 1, 2021.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman DeLisio | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Devlin | [ ]  | [ ]  | [ ]  | [x]  |
| Councilman Hogan | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman McGuire | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Sotiropoulos | [x]  | [ ]  | [ ]  | [ ]  |

**OPEN MEETING TO THE PUBLIC ON RESOLUTION #2021-189 ONLY**

Mayor Marana opened the meeting to the public for questions or comments on Resolution #2021-189 only.

**CLOSE MEETING TO THE PUBLIC**

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

**ORDINANCES – 2ND READING**

 **ORDINANCE #1043-2021**

**ORDINANCE AMENDING AND MODIFYING CHAPTER 18, FIRE DEPARTMENT OF THE NORTHVALE BOROUGH CODE**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
| [ ]  | [ ]  | Councilman Argiro |
| [x]  | [ ]  | Councilman DeLisio |
| [ ]  | [ ]  | Councilman Devlin |
| [ ]  | [x]  | Councilman Hogan |
| [ ]  | [ ]  | Councilman McGuire |
| [ ]  | [ ]  | Councilman Sotiropoulos |

**Section 1. Purpose & Authority.** The purpose of this ordinance is to modify and amend Chapter 18 Fire Department, pursuant to N.J.S.A. 40:48-1, and 40:49-2.

 **Section 2. Amendments.** (amendments are highlighted, deletions strikethrough).

§ 18-4 Qualification of members.

[Amended 7-10-1991 by Ord. No. 628-91]

A. Class A Members (regular fire fighters). The regular or Class A members of the Fire Department shall meet the following requirements:

(1) They shall be citizens of the United States and members of the Northvale Fire Association, except for Class B members.

(2) They shall be residents of the State of New Jersey and reside in Northvale or one of the following communities: Closter, Harrington Park, Norwood, Rockleigh or Old Tappan. Membership from the five communities other than Northvale shall be limited to 10. If a current member moves to one of the other enumerated communities from Northvale, he or she shall remain an active member of the Northvale Fire Department.

[Amended 11-8-2000 by Ord. No. 759-2000]

(3) They shall not be under 18 nor over ~~40~~ 57 years of age at the time of their appointment, or as state law may require. Active firefighters who have an established line number with the New Jersey State Firemen’s Association who transfers from the another department are exempt from this age restriction.

(4) They shall be able to pass a physical examination, said exam be paid for by the Borough.

(5) They shall answer to and perform a minimum of ~~60%~~ 50% of fire calls and drills during the calendar year.

B. Class B members (daytime fire fighters). There shall be a maximum total of five Class B members of the Fire Department who shall meet, in addition to the requirements of Subsection A(1), (3), (4) and (5) above, the following:

(1) They shall be actively employed in a place of business within the Borough of Northvale during normal weekday Business hours ~~hours of 9:00 a.m. to 5:00 a.m~~. Any member who shall become employed outside of the Borough of Northvale shall no longer qualify as a Class B member.

(2) They shall have successfully completed Fire Fighter I schooling or its equivalent and be a current, active member in good standing in the town in which they reside and present their certificate for review by the Department.

(3) They shall submit to the Department written permission from their place of employment to leave work in order to fulfill their duties as a fire fighter. In conjunction with their employer's written permission, it shall be the responsibility of Class B members to attend all fire calls during ~~normal weekday~~ business hours ~~from 9:00 a.m. to 5:00 p.m~~. Required drills under Subsection A(5) shall be deemed to be during ~~daytime~~ work hours and may attend regular nighttime drills. Class B members shall be precluded from holding office within the Department of a line officer.

§ 18-5 Application for membership; appointment.

[Amended 7-10-1991 by Ord. No. 628-91]

From the effective date herein, each application for Class A and/or Class B membership shall be made in writing, using forms provided by the New Jersey State Fire Association. The applicant shall be recommended to the Mayor and Council for the Borough of Northvale by the Chief of the Department of appointment.

A. A Class A member shall be appointed as a probationary fireman for a period of one year or until satisfactory completion of training as required by state and/or federal regulation.

B. A Class B member shall be appointed as a probationary fireman for a period of six months upon satisfactory completion of training as required by state and/or federal regulation.

§ 18-8 Duties of members.

A. Attendance at fires. It shall be the duty of a member to regularly attend all fires and drills. Upon the sounding of every alarm of fire, such member shall proceed promptly to the firehouse to discharge the duties assigned to him by the Chief or his designated officers.

B. Fulfilling of duties. All members shall fulfill the duties assigned to them by the officers of the Department.

C. Excuses. An excuse from a drill and/or a Department requirement may be given by the Chief or officer acting in the place of the Chief; and said excuse, if granted, shall be recorded on the attendance sheet.

D. Uniforms and appurtenances. All uniforms and appurtenances thereon issued by the Borough of Northvale to the Fire Department members shall be maintained in good order. The uniforms shall be used solely for Fire Department activities and shall bear the insignia of Northvale Fire Department.

E. Follow all Rules and Regulations. All members shall adhere to and follow all Rules and Regulations promulgated by the New Jersey State Firemen’s Relief Association and New Jersey Exempt Firemen’s Association.

F. Life Members. After attaining twenty-five (25) years of continuous service or thirty (30) years of broken service with the Northvale Fire Department, a member shall become a Life Member and shall be exempt form any mandatory provisions of this Ordinance.

§ 18-9 Qualification and Enumeration of officers; terms.

To qualify for officer positions, line officers shall not hold any fire officers position with another department. All fire officers must be residents of Northvale. Members must have the following fire service time and must meet the State requirements and certifications for each rank. The following line of officers shall be elected for a term of one year at the annual meeting of the Fire Department to be held during the first week of December:

A. Chief: prior service as a member of the Northvale Volunteer Department of five (5) years;

B. Deputy Chief: prior service as a member of the Northvale Volunteer Department of three (3) years;

[Amended 4-9-2008 by Ord. No. 854-2008]

C. Captain: prior service as a member of the Northvale Volunteer Department of three (3) years;

D. Four Lieutenants: prior service as a member of the Northvale Volunteer Department of three (3) years.

Article II Junior Firemen's Auxiliary

[Adopted 3-13-2002 by Ord. No. 774-2002]

§ 18-20

Rules, regulations and standard operating guidelines of Junior Firemen's Auxiliary.

The following rules, regulations and standard operating guidelines of the Junior Firemen's Auxiliary are hereby adopted:

A. In accordance with N.J.S.A. 40A:14-98, no junior firemen shall be required to perform duties which would expose him to the same degree of hazard as a regular member of the Volunteer Fire Department.

B. Juniors shall not allow Fire Department activities to interfere with family, school, or school-related activities.

C. No junior shall attend a department call, or any other department-related activity during school hours.

D. Juniors must stay in school and maintain an overall C average.

E. Juniors shall not engage in any act unbecoming the uniform of the Northvale Junior program.

F. There shall be no smoking by a junior at any time.

G. Juniors must maintain a 50% average per year of training exercises, fund-raisers, and special activities; fire calls shall be considered extra credit. Members must exhibit genuine interest toward learning basic fire-fighting skills and participating in fire department activities.

H. Juniors shall not interfere with fire apparatus or fire fighters responding to or returning from a call.

I. Juniors may only respond to calls and remain at the firehouse after cleanups, drills, and special activities pursuant to the following schedule:

**Age** **School Nights ~~Weekends~~**

14 and 15 3:30 - 9:30 p.m. ~~10:00 a.m. to 11:00 p.m.~~

16 3:30 - 10:00 p.m. ~~10:00 a.m. to 12:00 p.m.~~

17 3:30 - 11:00 p.m.  ~~9:00 a.m. to 1:00 p.m.~~

~~18 and over Considered adults and able to determine their own hours~~

J. While responding to a fire call, juniors shall obey all traffic laws, obey all traffic lights, and shall not drive a personal vehicle over the posted speed limit or in a reckless or careless manner at any time.

K. Juniors' personal vehicles shall not display a blue light during a fire call response or at any time.

L. Juniors may ride on apparatus only within the following guidelines:

(1) Apparatus must not be first responder.

(2) Must be at least 16 years old.

(3) Must be seated and wear seat belts.

(4) Must be in rain/fire retardant gear.

(5) Response must be to a call in town (not mutual aid out of town).

M. Juniors shall not board apparatus unless explicitly instructed to do so by the truck officer.

N. Juniors shall not drive department apparatus at any time.

O. Juniors must remain at the vehicle by which they arrived at the fire scene until otherwise directed by a line officer or in the absence of a line officer, the truck officer or senior fire fighter in charge.

P. Juniors must obey the chief officer in charge at all fire activities. Juniors must as well adhere to all Northvale Fire Department regulations and the requirements of this article.

Q. Juniors shall be at least 18 years of age and possess a valid driver's license to direct traffic. In addition, any junior who directs traffic shall undergo a training period by the Northvale Police Department and shall be required to wear high-visibility vests.

R. Activities of juniors under 16 years of age shall be limited to:

(1) Attending meetings of the Junior Firemen's Auxiliary;

(2) Receiving instruction;

(3) Participating in training that does not involve fire, smoke, toxic or noxious gas, or hazardous materials or substance; and

(4) Observing firefighting activities while under supervision.

S. Department keys shall not be issued to juniors; juniors are not permitted in the fire station without the presence of a member of the Northvale Fire Department.

T. No member of the Junior Firemen's Auxiliary may hold either a line officer or elected administrative position.

U. No junior may perform house duty in place of a fire fighter.

V. No junior is permitted behind the bar area for any reason.

W. A junior shall be considered in good standing when all of the following requirements are satisfied:

(1) Required percentages are met.

(2) The requirements of this article and the regulations of the Northvale Fire Department are upheld satisfactorily.

(3) The Junior has completed one year of membership or completed the BCFA course entitled "Fire fighter 1" (classroom portion), when of age.

**Section 3. Repealer.** All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

 **Section 4.** **Savings and Construction.** This ordinance shall be construed consistent with the purpose stated in Section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Northvale Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Northvale Code.

 **Section 5. Codification.** This ordinance shall be codified as amendments to the chapters set forth herein.

**Section 6. Effective Date.** This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

 **OPEN MEETING TO THE PUBLIC ON ORDINANCE #1043-2021 ONLY**

Mayor Marana opened the meeting to the public for questions or comments on Ordinance #1043-2021 only.

**CLOSE MEETING TO THE PUBLIC**

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

**ROLL CALL**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman DeLisio | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Devlin | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Hogan | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman McGuire | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Sotiropoulos | [x]  | [ ]  | [ ]  | [ ]  |

 **\*\*\*\*\***

**ORDINANCE #1044-2021**

**THE NORTHVALE BOROUGH CODE IS HEREBY AMENDED TO CONTAIN A NEW CHAPTER, CHAPTER 55, TITLED “POLICE, FIRE AND EMERGENCY MEDICAL SERVICES MUTUAL AID AGREEMENTS.”**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
| [ ]  | [ ]  | Councilman Argiro |
| [ ]  | [ ]  | Councilman DeLisio |
| [ ]  | [ ]  | Councilman Devlin |
| [ ]  | [x]  | Councilman Hogan |
| [ ]  | [ ]  | Councilman McGuire |
| [x]  | [ ]  | Councilman Sotiropoulos |

Article I

Police, Fire and Emergency Medical Services

§ 55-1

Preamble.

A. N.J.S.A. 40A:14-156 et seq. authorize municipalities to enter into mutual aid and assistance agreements for police, fire, first aid or ambulance squad services in cases of emergencies;

B. N.J.S.A. 40A:14-146.14c authorizes municipalities to utilize special law enforcement officers as well as regular, full-time officers when a mutual aid agreement has been enacted in accordance with N.J.S.A. 40A:14-156.1;

C. The Borough of Northvale and surrounding municipalities regularly interact and assist each other in police, medical or fire emergencies; and

D. Each of the participating municipalities may wish to formalize and refine existing practice by entering into mutual aid agreements.

§ 55-2 Mutual aid agreements established.

Pursuant to N.J.S.A. 40A:14-26, N.J.S.A. 40A:14-156, N.J.S.A. 40A:14-156.1 et seq., and N.J.S.A. 40A:14-146.14c, there are hereby established mutual aid agreements among and between municipalities which shall become effective upon the adoption of ordinances to provide mutual aid in the police, firefighting, or emergency medical (hereinafter, "EMS") services in case of emergency. This agreement shall apply whenever this municipality may have an emergency within its boundaries requiring additional police, firefighting or EMS assistance to protect life and property, and whenever any participating municipalities may experience a similar emergency.

§ 55-3 Emergency defined; SOP.

For purposes of this article, the term "emergency" shall be broadly defined and shall include situations in which the number of available police officers, firefighters, or EMS officials in a participating municipality is insufficient to meet the public need in a particular situation. No formal declaration of emergency is required to implement the provisions of the Mutual Aid Agreement. The chiefs or heads of the participating municipalities, police departments, fire departments, and first aid or ambulance squads shall jointly prepare written standard operating procedures (hereinafter referred to as "SOP") which shall address procedures for the day-to-day implementation of mutual police, firefighting or EMS aid. A copy of the SOP, and all amendments and revisions thereto, shall be filed with each police department, fire department, and EMS organization, along with the respective clerks of each participating municipality, and with the appropriate dispatching authorities with the county.

§ 55-4 Requests for assistance.

The chief or head of the police department, fire department or EMS organization of a participating municipality, or in his or her absence, the highest ranking official in the chain of command, is hereby authorized to request assistance from the chief or other head of the police department, fire department or EMS organization of any other participating municipality to provide aid in accordance with this agreement and existing SOP.

§ 55-5 Provision of assistance.

A participating municipality shall provide police, firefighting or EMS assistance when a valid request in accordance with this agreement to supply personnel is made, to the extent possible without endangering persons or property within the confines of the providing municipality. Each providing municipality retains the right to withdraw personnel or equipment if emergent conditions so warrant. The decision of the providing municipality's Mayor, or in his or her absence, the highest ranking official in the chain of command, with respect to the extent and duration of aid to a requesting municipality which can be afforded without endangering persons or property within the providing municipality, shall be binding.

§ 55-6 Powers; rights; immunities.

The members of the providing municipality's police department, fire department or EMS organization supplying aid shall have the same powers, authority, rights and immunities as the members of the police, firefighting or EMS force of the requesting municipality when aid is being rendered therein; however, the highest ranking, full-time regular officer of the requesting municipality present at the scene shall assume command.

§ 55-7 Reimbursement.

The providing municipality shall assume the cost and expense of providing its personnel and equipment to the requesting municipality, pursuant to this agreement, if the duration of the aid is eight man-hours or less within any one-month period. If the requesting municipality receives state or federal aid by way of reimbursement, for a particular incident, it shall distribute said funds among the providing municipalities, for that incident, on a pro rata basis, depending upon the man-hours of each. The costs incurred in excess of eight man-hours, by any providing municipality, shall be submitted to and paid by the requesting municipality as reimbursement.

§ 55-8 Benefits, injury; death.

Members of the police, firefighting or EMS force of the providing municipality suffering injury, or their legal representatives, if death results while rendering assistance in the requesting municipality, shall be entitled to all such benefits they would have realized if injury or death had occurred in the performance of normal duties in their own municipality, with such benefits to be provided by the providing municipality.

§ 55-9 Liability insurance.

So long as this Mutual Aid Agreement is in full force and effect, the participating municipalities shall maintain general liability insurance in the minimum amount of $1,000,000 for personal injury and $500,000 for property damage, and liability insurance for police enforcement and firefighting activities in the minimum amount of $1,000,000, and shall annually provide each of the other participating municipalities with certificates of insurance showing said insurance is in full force and effect. Said insurance shall be applicable to damage or injury resulting from the actions or conduct of the personnel of any providing municipality as well as of the personnel of any requesting municipality.

§ 55-10 Effective date.

This article shall take effect upon final passage and publication according to law. It shall become effective with respect to this municipality's activities with another participating municipality, when such other participating municipality has adopted an ordinance reciprocal to this one, and such ordinance has become effective in that municipality.

§ 56-11 Rescission.

This article supersedes and rescinds all prior ordinances, resolutions, enactments or agreements governing mutual aid between those municipalities who have adopted ordinances reciprocal to this article.

**OPEN MEETING TO THE PUBLIC ON ORDINANCE #1044-2021 ONLY**

Mayor Marana opened the meeting to the public for questions or comments on Ordinance #1044-2021 only.

**CLOSE MEETING TO THE PUBLIC**

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

**ROLL CALL**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman DeLisio | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Devlin | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Hogan | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman McGuire | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Sotiropoulos | [x]  | [ ]  | [ ]  | [ ]  |

**ORDINANCES – 1ST READING**

 **\*\*\*\*\*\***

**ORDINANCE #1045-2021 – PULLED – TO BE DISCUSSED IN CLOSED SESSION**

**AN ORDINANCE AMENDING AND MODIFYING CHAPTER 37 OFFICERS AND EMPLOYEES OF THE NORTHVALE BOROUGH CODE**

**HEARING OF THE PUBLIC**

 **Mike Lauto, 172 Livingston Street –** had photos of his driveway pavers that need to be repaired. After the streetscape was done in 2019, Zuccaro had ripped up his sidewalk and there was a pitch in the driveway. They tried to repair the pavers three times. He would like his driveway repaired.

**MAYOR & COUNCIL REPORTS**

**Council President Sotiropoulos** – asked Chief Ostrow to give an update on the homicide which is the first in Northvale in 46 years. There were 499 Police calls in the month of October. The Council discussed traffic enforcement. Chief Ostrow explained that no speed bumps can be put on a thoroughfare that runs from one town to another. The Chief said the solar panel speed signs are very helpful. They are moved throughout the town every two weeks. Council President Sotiropoulos reported on the various activities the DPW have been working on. The second rig of the Ambulance Corps is getting old. They are trying to keep it running. He spoke about setting up a meeting with the Bergen County Technical School along with Lou and Ed. They would like to get EMS and Fire Dept. curriculum at the high school. Congratulations to Joe and Kara.

**Councilman Devlin** – reported that the Senior Center is now open 5 days a week. He met with the grantswriter to discuss grants for the center. There were 21 new members that joined in the month of October. The Golden Age Club’s Christmas party is December 15th. He has been working on the flooding issues. The Fire Department had a trunk or treat on October 31st with a big turnout. The fire truck will be going to the Preschool on November 16th. The Fire Department had 13 emergency calls and13 non emergency calls for a total of 26. Sunday, December 5th is the kickoff for the 300 club. Fire Prevention had 24 inspections for the month of October.

**Councilman Hogan** – congratulated Joe and Kara and is looking forward to working with both of them. The Building Department issued 35 permits and collected $30,342 for the month of October. The year to date is $275,316. Planning Board had a meeting on November 3rd which the Mayor and he did not attend. It was a Board of Adjustment application that was withdrawn. The Mayor and Councilman Hogan are not members of the Board of Adjustment so can neither hear nor vote on such an application. The next Planning Board meeting is December 1st. The Board of Health meeting scheduled for October 21st was cancelled due to lack of a quorum. The next meeting is the reorganization meeting in January 2022.

**Councilman DeLisio** – congratulated Joe and Kara. Northern Valley Greenway had a meeting on November 4th where they showed a video on funding and planning. A new application for CDBG grant is due December 20th.  We are waiting on a decision for a grant submitted for Veterans Park improvements. The amount requested was $45,300.

**Councilman Argiro** – reported that the Library has a new Children’s Director, Marian Brennan. They are still looking for a Director. Michele and May have been filling in and have been doing a nice job. The ADA compliant renovations at the Library will be starting soon. Soccer playoffs begin this weekend. Indoor soccer and basketball start in January. Congratulations to the school soccer team for their championship win. Thank you to the DPW for maintaining the parks. Congratulations to Joe and Kara.

**Councilman McGuire** – thanked everyone for their congratulations. Kara was unable to attend the meeting. The Preschool is at capacity with no COVID cases. Thank you to Ed for arranging the fire truck to go to the Preschool. There was a 3 way race for the board seats at Northvale School and Nicole Cowley and Michele Marinuzzi both won. Soccer team defeated Old Tappan for the championship. The next Board of Education meeting is November 23rd. At the high school, there were 2 new board members elected to the Old Tappan spots. The board member for the Norwood seat was reelected. The High School started a career and technical education 3 year program with 160 students enrolled. The Valley program in Norwood is looking for teacher aides.

**Mayor Marana** – the Senior Center meeting with Marie Raffay was great. We most likely identified three years worth of CDBG grant applications. Congratulations to Joe and will congratulate Kara in person. The Tree Lighting is December 3rd at 6:30 PM with a rain date of December 6th. Refreshments will be served in front of the Library. Santa and Olaf will be in the Senior Center for photos. Veterans Day ceremony is tomorrow at 11:00 am. Coffee and donuts will be served in the Senior Center. Met with Carl and Craig on November 8th to plan 2022 engineering projects. This was another very productive engineering meeting. Veterans Drive repaving will be a 2 phase project. Colliers will have a Phase 1 design quote for the December meeting. We will bond for $230,000 plus an additional 20% for soft costs as Phase 1 in early 2022. We will start from Paris Avenue and see how far south the money takes us. More details will follow. A Phase 2 grant application will be made to the NJDOT later in 2022. The Mayor sent Colliers a list of potential 2022 Riverside COOP roads. If you take Clinton Avenue out of the equation, we are not in bad shape with repaving. We are targeting a $300,000 to $350,000 Riverside COOP program, but let’s see how the estimates come in. Streetscape will start on March 15 and be completed by May 15, 2022, weather permitting. Legrand Avenue might be a candidate for a future grant application for repaving. The 2022 Bond Ordinance is pretty big, approximately $1.1M which excludes the grants that we will be appropriating. That $1.1M includes $625K for roads. Throw in the $545,000 in grant funds being used and we are talking about an almost $1.2M roads program. The other big items are a new International truck at $234K and the SCBA systems for the Fire Department at $244K. A 2022 bond ordnance is close to being launched. We thought this could be done at the Reorg meeting, but it cannot because the Annual Debt Statement has to be filed first.

**BOROUGH ENGINEER REPORT**

**Ms. Raffay -**the Borough was awarded$216,00 for the 2022 DOT Veterans Drive grant. We had a precon meeting on October 22nd for Paris/Livingston Street Streetscape for 2019/2020 DOT. The plans for Clinton Avenue milling and repaving 2021 DOT project are complete and being reviewed by the DOT. We anticipate going out to bid in February. The colors are being selected for the Senior Center outdoor pavilion. The site work will be done first and the hardware is expected to be available approximately in mid-January, 2022. The 2022 Bergen County CDBG grant is due December 20th. Met with the Mayor, grantswriter and representatives from the Senior Center. We spoke about fixing the doors and having them hands free and also a door going out to the pavilion. Will have quotes for Hogan Park improvements at the December meeting for approval. Veterans Park survey- we can put markers on the west side. We had a preliminary capital budget meeting to plan on what to do for next year.

**BOROUGH ATTORNEY REPORT**

**Ms. Rosendahl –** congratulations to Joe and looking forward to meeting Kara. She is putting together mandatory anti-harassment training. She will have to schedule all Borough employees including the Police. Would like to start in person training in early December. Training will last about 1-1/2 hours to 2.

**CLOSED SESSION – 8:03 PM**

***Action may*** [x]  ***not*** [ ]  ***be taken upon return to open session.***

**RESOLUTION #2021-190**

**TITLE: TO PROVIDE FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT N.J.S.A 10:4-12**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
| [ ]  | [ ]  | Councilman Argiro |
| [ ]  | [x]  | Councilman DeLisio |
| [ ]  | [ ]  | Councilman Devlin |
| [x]  | [ ]  | Councilman Hogan |
| [ ]  | [ ]  | Councilman McGuire |
| [ ]  | [ ]  | Councilman Sotiropoulos |

**WHEREAS**, the Council of the Borough of Northvale is subject to certain requirements of the Open Public Meetings Act, NJSA 10:4-6, et seq; and

 **WHEREAS**, the Open Public Meetings Act, NJSA 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by resolution; and

 **WHEREAS,** it is necessary for the Council of the Borough of Northvale to discuss in session not open to the public certain matter relating to an item or items authorized by NJSA 10:4-12b, as listed below:

[ ]  1. Matters required by law to be confidential

[ ]  2. Matters where the release of information would impair the right to receive funds.

[ ]  3. Matters involving individual privacy

[ ]  4. Matters relating to collective bargaining

[ ]  5. Matters relating to the purchase, lease or acquisition of real property or the investment of public funds.

[ ]  6. Matters relating to public safety and property.

[ ]  7. Matters relating to litigation, negotiations and attorney client privilege.

[ ]  8. Matters relating to the employment relationship – Personnel

[ ]  9. Matters relating to the potential imposition of a penalty.

 **NOW THEREFORE BE IT RESOLVED**, by the Council of the Borough of Northvale that immediately after the adoption of this resolution the Council shall enter into closed session.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Yes | No | Absent | Abstain |
| Councilman Argiro | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman DeLisio | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Devlin | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Hogan | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman McGuire | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Sotiropoulos | [x]  | [ ]  | [ ]  | [ ]  |

**RETURN TO OPEN SESSION: 8:40 PM**

 **ORDINANCE #1045-2021**

**AN ORDINANCE AMENDING AND MODIFYING CHAPTER 37 OFFICERS AND EMPLOYEES OF THE NORTHVALE BOROUGH CODE**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
| [x]  | [ ]  | Councilman Argiro |
| [ ]  | [ ]  | Councilman DeLisio |
| [ ]  | [ ]  | Councilman Devlin |
| [ ]  | [x]  | Councilman Hogan |
| [ ]  | [ ]  | Councilman McGuire |
| [ ]  | [ ]  | Councilman Sotiropoulos |

**Section 1. Purpose & Authority.** The purpose of this ordinance is to modify and amend Chapter 37, Officers and Employees pursuant to N.J.S.A. 40:48-1, and 40:49-2.

 **Section 2. Amendments.** (amendments are highlighted, deletions strikethrough).

 **ARTICLE VI. RECREATION DIRECTOR**

**§37-21 Establishment of Position**. The Mayor and Council of the Borough of Northvale do hereby establish the position of Recreation Director which shall be classified as either a full-time or part-time position as determined by the Mayor and Council.

**§37-22 Compensation.** Compensation for such official shall be established by the Mayor and Council in accordance with law at such time as this position shall be filled and the appropriate salary ordinance is adopted.

**§37-23 Powers and Duties**. The Recreation Director shall be responsible for:

A. the supervision and administration of recreation and park activities and facilities. The Director shall collaborate with the Recreation Committee.

B. Prepare and submit annual department budget, subject to the approval of the Mayor and Council;

C. Prepare an annual Recreation Department calendar of events and deadlines;

D. Operate and promote the Borough's recreational and park programs;

E. Promote a safe environment for recreation and park programs and facilities;

F. Manage and inspect all recreational facilities, equipment and services;

G. Recommend and screen all potential department staff members and coaches for approval by the Recreation Committee, to ensure the promotion of fair, safe and unbiased playing and coaching environment;

H. Liaise with coaches and other volunteers;

I. With the advice of the Recreation Committee, establish rules and regulations applicable in programming and use of parks and recreational facilities, provided that such rules and regulations are subject to the approval of the Mayor and Council;

J. Ensure all programs and volunteers to be in compliance with background checks or credential programs, as may be in effect by Borough ordinance from time to time;

K. Such other duties and responsibilities necessary to implement and run all recreation programs.

**§37-24 Appointment**

The Recreation Director shall be appointed through nomination of the Mayor with confirmation by a majority of the members of the Council. The Borough retains the right to suspend, demote, reassign, discharge or take any other disciplinary action in accordance with local, state and federal law.

**Section 3. Repealer.** All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

 **Section 4.** **Savings and Construction.** This ordinance shall be construed consistent with the purpose stated in Section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Northvale Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Northvale Code.

 **Section 5. Codification.** This ordinance shall be codified as amendments to the chapters set forth herein.

**Section 6. Effective Date.** This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman DeLisio | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Devlin | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Hogan | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman McGuire | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Sotiropoulos | [x]  | [ ]  | [ ]  | [ ]  |

**ADJOURNMENT – 8:49 PM**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
| [ ]  | [x]  | Councilman Argiro |
| [ ]  | [ ]  | Councilman DeLisio |
| [ ]  | [ ]  | Councilman Devlin |
| [x]  | [ ]  | Councilman Hogan |
| [ ]  | [ ]  | Councilman McGuire |
| [ ]  | [ ]  | Councilman Sotiropoulos |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman DeLisio | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Devlin | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Hogan | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman McGuire | [x]  | [ ]  | [ ]  | [ ]  |
| Councilman Sotiropoulos | [x]  | [ ]  | [ ]  | [ ]  |

Patrick J. Marana

 Mayor

**ATTEST:**

Frances M. Weston

Frances M. Weston

Acting Borough Clerk

Approved: December 8, 2021