

M I N U T E S
Combined Meeting of the Mayor and Council
Wednesday, August 12, 2020
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 has been advertised in the official Newspapers of the Borough, filed with the Acting Borough Clerk and posted on the bulletin board in the Municipal Building. All notice requirements of the Open Public Meetings Act for this meeting have been fulfilled. Please note the fire exits as required by law at public meetings.”

SALUTE TO THE FLAG & SILENT PRAYER

Mayor Marana asked all to join in a Salute to the Flag and moment of Silent Prayer remembering all the people worldwide that passed away due to COVID-19.

ROLL CALL

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

OTHER OFFICIALS present: Mr. Justin Santagata representing Ms. Deena Rosendahl, Borough Attorney, Ms. Marie Raffay, Borough Engineer, Ms. Frances Weston, Acting Borough Clerk

APPROVAL OF MINUTES

Combined Meeting of July 8, 2020

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

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

Closed Session Minutes of July 8, 2020

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

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

Councilman DeLisio joined the conference call at 7:05 PM.

MONTHLY CORRESPONDENCE

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

Building Department - July

Fire Department

Fire Prevention- July

Recreation Minutes

Tax Collector

Grantswriter - July

CORRESPONDENCE

RESOLUTIONS – Consent Agenda

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

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

RESOLUTION #2020-104

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
815/8	Manubhai Vekaria 175 Glanz Avenue Northvale, New Jersey 07647 Property – 175 Glanz Avenue	12/16/2019	\$1,000.00

BE IT FURTHER RESOLVED that Mr. Vekaria has requested that the overpayment be refunded to him since the \$1,000.00 he paid was not deducted from the 1st, 2nd or 3rd Quarter taxes.

RESOLUTION #2020-105

TITLE: AUTHORIZING EXECUTION OF SHARED SERVICES AGREEMENT BY AND BETWEEN BOROUGH OF NORTHALE AND BOROUGH OF NORWOOD

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

WHEREAS, the need exists in the Borough of Northvale to enter into a Shared Services Agreement with the Borough of Norwood outlining each parties respective responsibilities regarding the shared use of a street sweeper; and

WHEREAS, the governing body of the Borough of Northvale has reviewed the Shared Services Agreement with Norwood, attached as Exhibit “A” hereto, and authorized this Shared Services Agreement to be entered into; and

WHEREAS, the Borough of Northvale and Borough of Norwood desire to enter into the Shared Services Agreement, annexed hereto; and

WHEREAS, it is in the best interests of the Borough of Northvale to enter into the Shared Services Agreement with the Borough of Norwood as described above.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Northvale hereby authorizes the Mayor and Acting Borough Clerk to execute and deliver the Shared Services Agreement set forth in this resolution.

RESOLUTION #2020-106

TITLE: AUTHORIZE SUBMISSION OF AN APPLICATION FOR NORTHALE MUNICIPAL ALLIANCE FISCAL GRANT CYCLE FOR OCTOBER 1, 2020 – JUNE 30, 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 has 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 2021 in the amount of:

DEDR	\$3,126.15
Cash Match	\$ 781.54
In-Kind	\$2,344.61
Total Grant	\$6,252.30

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

RESOLUTION #2020-107

**TITLE: APPROVE LIQUOR LICENSES FOR THE TERM OF JULY 1, 2020
THROUGH JUNE 30, 2021**

WHEREAS, the following liquor license holders have paid the required fee to the Borough of Northvale for renewal of their licenses for the July 1, 2020 through June 30, 2021 term, which was extended to September 30, 2020;

NOW, THEREFORE, BE IT RESOLVED that the Acting Borough Clerk be and is hereby authorized to issue liquor licenses as follows:

CLUB LICENSES

LIC #/NAME	ADDRESS	FEES	TAX CC	PAID
0240-31-012-001 Joseph A. Silva Post #366 American Legion	190 Paris Avenue	\$150.00	Yes	Yes
0240-31-013-001 Northvale Fire Association	204 Washington Street	\$150.00	Yes	Yes

PLENARY RETAIL DISTRIBUTION LICENSE

NAME	ADDRESS	FEES	TAX CC	PAID
0240-44-006-006 Shop Rite Liquors of Hillsdale t/a Shop Rite Liquors of	254F Livingston Street	\$938.75	Yes	Yes

Northvale 0240-44-008-008 Northvale Liquors	224 Livingston Street	\$938.75	Yes	Yes
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PLENARY RETAIL CONSUMPTION LICENSE

NAME	ADDRESS	Fee	TAX CC	PAID
0240-33-005-004 Cavan Cork Ltd. t/a Brady's Fox Hunt Inn	201 Livingston Street	\$2,000.00	Yes	Yes
0240-33-010-006 Northvale Diner, Inc.	247 Livingston Street	\$2,000.00	Yes	Yes
0240-33-009-003 Apple Service of Northvale LLC t/a Applebee's	273 Livingston Street	\$2,000.00	Yes	Yes
0240-33-011-007 Noleen, LLC-Biddy O'Malleys	191 Paris Avenue	\$2,000.00	Yes	Yes

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

OPEN MEETING TO THE PUBLIC

Mayor Marana opened the meeting to the public for questions or comments on Resolutions 2020-104 through 2020-107.

CLOSE MEETING TO THE PUBLIC

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

RESOLUTION #2020-108

TITLE: PAYMENT OF BILLS

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

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

Current Fund Appropriations (2019)	
Current Fund Appropriations (2020)	\$1,067,164.09
General Capital Fund	\$103,595.44
Grant Fund	
Police DEA Trust	\$4,992.82

Animal Trust		\$6.60
Food Trust		
Escrow Trust		\$9,002.70
Recreation Trust		\$2,185.31
Summer Recreation Trust		\$868.73
TOTAL		\$1,187,815.69

WHEREAS, above claims have been listed and summarized in the attached Bills List Report, and the corresponding vouchers have been reviewed and approved by the department head, council liaison, finance committee, and the chief financial officer; and

WHEREAS, the Chief Financial Officer has determined that the funds have been properly appropriated for such purposes and are available in the Borough of Northvale, and that the claims specified on the schedule attached hereto, following examination and approval by the finance committee, be paid and checks issued accordingly; and

WHEREAS, claims have already been paid in the following amounts for the purpose specified below during the course of the year:

Payroll – Salaries & Wages	03-06-2020	\$156,527.64
Payroll – Salaries & Wages	03-20-2020	\$155,940.36
Payroll – Salaries & Wages	04-03-2020	\$135,912.30
Payroll – Salaries & Wages	04-17-2020	\$150,178.01
Payroll – Salaries & Wages	05-01-2020	\$159,031.48
Payroll – Salaries & Wages	05-15-2020	\$153,819.99
Payroll – Salaries & Wages	05-29-2020	\$147,590.92
Payroll – Salaries & Wages	06-12-2020	\$165,633.09
Payroll – Salaries & Wages	06-26-2020	\$140,273.22
Health Benefits	March – June 2020	\$186,214.42
Annual Pension – PERS & PFRS	April 2020	\$707,459.02
School Taxes – Local	March - June 2020	\$3,315,335.68
School Taxes – Regional	March - June 2020	\$1,826,140.20
TOTAL		\$7,400,056.33

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that the claims totaling **\$8,587,872.02** and ratified respectively

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

ORDINANCES – 2nd READING

ORDINANCE #1021-2020

AN ORDINANCE AMENDING AND MODIFYING SECTION CHAPTER 174, ARTICLE 19 OF THE BOROUGH CODE

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

Section 1. Purpose & Authority. The purpose of this ordinance is to modify and amend Chapter 174, Streets and Sidewalks, Article 19 Lowering Curb or Changing grade; fee pursuant to N.J.S.A. 40:48-1, and 40:49-2.

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

174-19

Curb/Sidewalk Maintenance, Lowering curb or changing grade; fee.

It shall be the duty of any owner and occupant of lands within the Borough to maintain and repair any sidewalk and curbing abutting such lands. No person shall lower the curb or change the grade of the sidewalk for the purpose of providing a carriageway or driveway across such sidewalk without a permit therefor from the Borough Clerk. The fee for such a permit shall be \$25.00.

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

Mayor Marana opened the meeting to the public for questions or comments on Ordinance #1021-2020 only at this time.

CLOSE MEETING TO THE PUBLIC

There being no questions or comments from the public, Mayor Marana closed the meeting to the public on Ordinance #1021-2020 and asked for a roll call vote.

ROLL CALL VOTE

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

ORDINANCE #1022-2020

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF NORTHLAKE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$600,000 TO PAY THE COST THEREOF, TO APPROPRIATE A COUNTY GRANT, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

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

BE IT ORDAINED, by the Borough Council of the Borough of Northvale, in the County of Bergen, State of New Jersey, as follows:

Section 1. The Borough of Northvale, in the County of Bergen, State of New Jersey (the “Borough”) is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery, new information technology equipment and new communication and signal systems equipment in, by and for said Borough, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as “purposes”), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the County grant and the down payment appropriated, by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following “Schedule of Improvements, Purposes and Amounts” which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the County grant hereinafter appropriated, and (3) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (4) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (5) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking of the 2020 Road Improvement Program at various locations, as set forth on a list prepared by the Borough Engineer and placed or to be placed on file with the Borough Clerk. Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of “Class B” or equivalent

construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the “Local Bond Law”).

Appropriation and Estimated Cost	\$425,000
Down Payment Appropriated	\$ 20,250
Bonds and Notes Authorized	\$404,750
Period of Usefulness	10 years

B. Acquisition of new communication and signal systems equipment consisting of radio equipment for the use of the Volunteer Ambulance Corps.

Appropriation and Estimated Cost	\$ 41,000
Down Payment Appropriated	\$ 2,000
Bonds and Notes Authorized	\$ 39,000
Period of Usefulness	10 years

C. Acquisition of new additional or replacement equipment and machinery and new communication and signal systems equipment for use on Fire Department SUVs consisting of (i) emergency lighting, (ii) command cabinets and (iii) radio equipment.

Appropriation and Estimated Cost	\$ 19,000
Down Payment Appropriated	\$ 1,000
Bonds and Notes Authorized	\$ 18,000
Period of Usefulness	5 years

D. Replacement of a boiler at Borough Hall. It is hereby determined and stated that said public building being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$ 40,000
Down Payment Appropriated	\$ 2,000
Bonds and Notes Authorized	\$ 38,000
Period of Usefulness	15 years

E. Installation of walkways to the Gazebo at Hogan Park, including lighting and landscaping improvements.

Appropriation and Estimated Cost	\$ 40,000
County Grant Appropriated	\$ 20,000
Down Payment Appropriated	\$ 1,000
Bonds and Notes Authorized	\$ 19,000
Period of Usefulness	10 years

F. Acquisition of new information technology equipment consisting of computer equipment for the use of various Borough departments, offices and agencies.

Appropriation and Estimated Cost	\$ 35,000
Down Payment Appropriated	\$ 2,750
Bonds and Notes Authorized	\$ 32,250
Period of Usefulness	5 years

Aggregate Appropriation and Estimated Cost \$600,000

County Grant Appropriated	\$ 20,000
Aggregate Down Payment Appropriated	\$ 29,000
Aggregate Amount of Bonds and Notes	
Authorized	\$551,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$40,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. The sum of \$20,000 received or to be received as a grant from the County of Bergen Open Space, Recreation, Floodplain Protection, Farmland and Historic Preservation Trust Fund is hereby appropriated to the payment of the cost of the improvement of Hogan Park authorized in Section 4.E hereof.

Section 7. It is hereby determined and stated that moneys exceeding \$29,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$29,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 8. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$551,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 9. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$551,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 10. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 11. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 9.88 years computed from the date of said bonds.

Section 12. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$551,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 13. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United State of America or any of its agencies in aid of such purposes (other than the County grant hereinbefore appropriated which shall be applied to the cost of such purposes, but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 14. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 17. This ordinance shall take effect twenty days after the first publication thereof after final passage.

ON THE QUESTION

Councilman McGuire asked if the Ambulance Corps will be authorized tonight for the funding. Mayor Marana had informed Kevin and CJ to do their purchase orders tomorrow.

OPEN MEETING TO THE PUBLIC

Mayor Marana opened the meeting to the public for questions or comments on Ordinance #1022-2020 only at this time.

CLOSE MEETING TO THE PUBLIC

There being no questions or comments from the public, Mayor Marana closed the meeting to the public on Ordinance #1022-2020 and asked for a roll call vote.

ROLL CALL VOTE

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

ORDINANCE #1023-2020

AN ORDINANCE OF THE BOROUGH OF NORTHVALE AMENDING AND SUPPLEMENTING CHAPTER 200 ENTITLED “ZONING”, ARTICLE I “GENERAL PROVISIONS”, SECTION 4 “WORD USAGE AND DEFINITIONS, ARTICLE II “DISTRICTS”, SECTION 5 “ENUMERATION OF DISTRICTS; BOUNDARIES; MAP”, AND ARTICLE III “REGULATIONS AND RESTRICTIONS”, SECTION 6 “R 12.5 AND R 7.5 RESIDENTIAL ZONES”, SECTION 7 “C, C-1 AND C-2 COMMERCIAL ZONES”, SECTION 7.1 “C-3 COMMERCIAL/LIGHT INDUSTRIAL ZONE”, SECTION 7.2 “PROFESSIONAL OFFICE ZONE”, AND SECTION 8 “LI AND LI-1 LIGHT INDUSTRIAL ZONES”

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

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

WHEREAS, the Reexamination makes several recommendations to update and enhance the definitions, amend the list of zoning districts within the Borough, expand the list of permitted uses in the R 7.25 and R 12.5 Districts, clarify the list of permitted uses in the C, C-1, C-2, C-3, PO, LI, and LI-1 Districts; and

WHEREAS, the Mayor and Council have reviewed the Reexamination and agree Chapter 200 should be amended to update and expand the definitions and expand and clarify the list of permitted uses in the various zoning districts.

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

SECTION 1. Chapter 200 of the Code of the Borough of Northvale, Article I entitled “General Provisions”, Section 4 entitled “Word usage and definitions” is hereby amended and supplemented by adding the following underlined definitions alphabetically and deleting text in strikeout:

CHILD-CARE CENTER

Any facility which is maintained for the care, development, or supervision of six or more children under six years of age who attend for less than 24 hours per day and which is licensed by the New Jersey Department of Human Services.

DOG KENNELS

An establishment in which five or more dogs are housed, boarded, or sold, all for a fee or compensation.

EXERCISE STUDIO

A facility that provides physical fitness programs and activities, including fitness classes and programs such as Pilates, yoga, kickboxing, CrossFit, etc.

FAMILY DAYCARE

The private residence of a family day care provider, which is registered as a family day care home pursuant to the Family Day Care Provider Registration Act.

PERSONAL SERVICE

An establishment primarily engaged in providing services involving the care of a person or his or her personal goods or apparel. Personal service establishments shall include, but are not limited to, salons, barbershops, nail salons, clothing and shoe cleaning and repair, tailors, and the like.

RETAIL

An establishment engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

RETAIL GAS STATION

Any building, land area, or other premises, or portion thereof, used for the retail dispensing or sale of vehicular fuels. Retail gas stations customarily include a convenience store providing retail sales of food items and other goods to customers.

SELF-STORAGE FACILITY

A building containing separate, individual, and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time.

SERVICE REPAIR FACILITY

Any building, land area, or other premises used for servicing motor vehicles, which may include routine maintenance, vehicle parts, major repair services, body repair, and painting. The sale and installation of lubricants, tires, batteries, and similar vehicle accessories may also be conducted.

SERVICE STATION

Any building, place or location designed to supply motor vehicles with gasoline and fuel for propulsion, oils, greases and automobile sundries or for the inspection, testing, examination and cleaning of motor vehicles or for the repair or replacement of parts, and shall include fuel pumps and fuel storage tanks. "Service stations," for the purpose of this chapter, are what may be commonly referred to as "filling, gas or gasoline stations."

Section 2. Chapter 200 of the Code of the Borough of Northvale, Article II entitled "Districts", Section 5 entitled "Enumeration of districts; boundaries, map", subsection A.(1) is hereby amended and supplemented by adding the following underlined text alphabetically:

R 7.5 Overlay **Residential Single-Family Overlay**
WSRPZ **Walnut Street Redevelopment Plan Zone**

Section 3. Chapter 200 of the Code of the Borough of Northvale, Article III entitled "Regulations and Restrictions", Section 6 entitled "R 12.5 and R 7.5 Residential Zones." Is hereby amended and supplemented by adding the following underlined text:

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

- (1) Principal uses.
 - (c) Family daycare.
 - (d) Community residence for persons with developmental disabilities.

Section 4. Chapter 200 of the Code of the Borough of Northvale, Article III entitled "Regulations and Restrictions", Section 7 entitled "C, C-1, and C-2 Commercial Zones." is hereby amended and supplemented by adding the following underlined text and deleting text in strikeout:

A. The following uses are expressly permitted in the C, C-1 and C-2 Commercial Zones in the Borough of Northvale, and no building, land or premises shall be used and no building shall be erected or altered which is constructed, designed, arranged or intended to be used in whole or in part for any other use than that which is expressly set forth herein, provided further that all commercial uses located within the C-1 Zoning District shall have frontage on either Paris Avenue or Livingston Street:

(1) Principal uses.

- (f) Restaurants. Restaurants with drive-through facilities are permitted in the C-2 Zone only.
- (g) Single-family rResidential uses in the C-1 Zoning District, provided that said residential use is not in any way combined with a commercial use. Multiple-family dwellings shall be prohibited in all zones unless specifically allowed. Two-family dwellings shall be prohibited in all zones within the Borough.
- (h) Service repair facilities only in the C-2 Commercial Zone.

(3) Conditional uses.

- (b) Retail gas stations Service stations in the C-1 and C-2 Commercial Zones.

B. The following uses are expressly permitted in the C-1 and C-2 Commercial Zones:

(1) Principal uses.

- (a) Child-care centers.
- (b) Cleaners.
- (c) Exercise studios.
- (d) Laundromats.
- (e) Medical uses.
- (f) Personal services.

F. Retail gas stations. Service stations.

(1) In addition to the requirements set forth in the Limiting Schedules and elsewhere in this chapter for any particular conditional use, the following requirements shall apply to a retail gas station service station establishment which is herein permitted by conditional use:

- (a) No part of a lot upon which a service station is located may be situated within a radius of 1,5000 feet of the property line of:
 - [1] A public school or any organized school other than a public school conducted for children.
 - [2] Any place of public assemblage with a seating capacity of 100 persons or more.
 - [3] A public library.
 - [4] Any public playground or athletic field.
 - [5] Another service station.

- (b) The minimum frontage requirements for a retail gas station service station shall be 200 feet, and the minimum depth of any lot upon which a retail gas station service station is located shall be 200 feet.
- (c) The area for use by motor vehicles, except access drives thereto, as well as any structures contained on the property, shall not encroach on any required yard area.
- (d) No fuel pump shall be located within 20 feet from any side lot line nor within 35 feet of any front lot line.
- (e) All repair work, servicing and the like shall be performed within a fully enclosed building.
- (f) All automobile parts, scrap material and similar articles shall be stored within a fully enclosed building. No dismantled or wrecked vehicles shall be stored outside a fully enclosed building for a period in excess of 10 days.
- (g) The area of all driveways and all areas over which motor vehicles will drive or be parked shall be paved with a bituminous or concrete surface.
- (h) All lights used to illuminate the retail gas station service station shall be arranged so as to reflect down and so as to cause the minimum amount of glare to the surrounding properties.
- (i) No product displays, parked vehicles or other obstructions shall be allowed that may adversely affect visibility at intersections or station driveways.
- (j) Automobile repair work shall be permitted, provided that such automobile repair work shall not include spray paint operations or body or fender repair.
- (k) All ingresses and egresses as well as dropped curbing shall comply with the standards and requirements as set forth by the New Jersey Department of Transportation.

Section 5. Chapter 200 of the Code of the Borough of Northvale, Article III entitled “Regulations and Restrictions”, Section 7.1 entitled “C-3 Commercial/Light Industrial Zone.” is hereby amended and supplemented by adding the following underlined text and deleting text in strikeout:

B. The following uses are expressly permitted in the C-3 Commercial Zone.

- (1) Principal uses. All LI Light Industrial Zone permitted principal uses.
 - (a) All LI Light Industrial Zone permitted principal uses.
 - (b) Restaurants.
 - (c) Self-storage facilities.
- (2) Assessorial uses. All LI Light Industrial Zone permitted accessorial uses except open storage of motor vehicles.
- (3) Conditional uses. All C-2 Commercial Zone permitted principal uses in accordance with the requirements of this section.

Section 6. Chapter 200 of the Code of the Borough of Northvale, Article III entitled “Regulations and Restrictions”, Section 7.2 entitled “Professional Office Zone.” is hereby amended and supplemented by adding the following underlined text and deleting text in strikeout:

A. The following uses are expressly permitted in the PO Professional Office Zone in the

Borough of Northvale; and no building, land or premises shall be used and no building shall be erected or altered which is constructed, designed, arranged or intended to be used in whole or in part for any other use than that which is expressly set forth herein; provided, further, that all professional office uses located within the PO Zoning District, when able to, shall have frontage on either Paris Avenue or Livingston Street.

(1) Principal uses:

- (c) ~~Detached~~ Single-family residential uses in the PO Zoning District, provided that said residential use is not in any way combined with an office use.
- (d) Exercise studios.
- (e) Personal service establishments.

B. Buffer. The following buffer requirements shall apply to any ~~non-residential~~ office use in the Borough of Northvale that adjoins or is adjacent to a residential use:

(1) The building shall be screened along those portions of the property that are adjacent to or that adjoin a residential use by a buffer strip of not less than five feet in width and by a fence or fence wall not less than ~~six~~ five feet in height or with a four-foot planting strip consisting of shrubs or trees which are at least ~~six~~ four feet high at the time of planting.

Section 7. Chapter 200 of the Code of the Borough of Northvale, Article III entitled “Regulations and Restrictions”, Section 8 entitled “LI and LI-1 Light Industrial Zones.” is hereby amended and supplemented by adding the following underlined text and deleting text in strikeout:

A. The following uses are expressly permitted in the Light Industrial Zones in the Borough of Northvale, and no building, land or premises shall be used and no building shall be erected or altered which is constructed, designed, arranged or intended to be used in whole or in part for any other use than that which is expressly set forth herein:

(1) Principal uses.

- (d) ~~Commercial kitchens and food/beverage production, provided that odors are not discernable at or beyond the property line of the commercial kitchen and food/beverage production use.~~
- (e) ~~Dog kennels, provided that the kennel is not located within 125 feet of a residential property line, measured from the property line of the parcel on which the dog kennel is located.~~

SECTION 8. All other sections of this Ordinance shall remain in full force and effect.

SECTION 9. All Ordinances and parts of Ordinances inconsistent with the provisions hereof are hereby repealed.

SECTION 10. This Ordinance shall take effect immediately upon passage and publication as required by law.

OPEN MEETING TO THE PUBLIC

Mayor Marana opened the meeting to the public for questions or comments on Ordinance #1023-2020 only at this time.

CLOSE MEETING TO THE PUBLIC

There being no questions or comments from the public, Mayor Marana closed the meeting to the public on Ordinance #1023-2020 and asked for a roll call vote.

ROLL CALL VOTE

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

ORDINANCES – 1st READING

ORDINANCE #1024-2020

ORDINANCE AMENDING AND MODIFYING SECTION CHAPTER 200, ARTICLE 15 OF THE BOROUGH CODE

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

Section 1. Purpose & Authority. The purpose of this ordinance is to modify and amend Chapter 200-15, Fences and Walls, fee pursuant to N.L.S.A. 40:48-1, and 40:49-2.

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

200-15 Fences and fence walls.

A. Residential zones.

(1) No fence or fence wall in a required yard shall exceed six feet in height, measured from the highest point of ground at its base, except where required by this chapter to screen parking areas. No fence or fence wall in any required front yard shall exceed three feet in height.

(2) No fence, shrubs or other obstruction to visibility, exclusive of trim trees or existing buildings, shall be built, planted or maintained upon a corner lot within 25 feet of any street intersection. Any existing obstruction of this character which within the foregoing limits curtails the view of drivers of vehicles approaching the intersection shall be removed by and at the expense of the owner of such corner lots within six months of the date of the passage of this chapter.

(3) No fence or fence wall (except a retaining wall) over six feet in height shall hereafter be erected within 10 feet of a property line. Any fence or fence wall erected pursuant to this chapter in a residential zone shall be placed such that its good side faces outwards from the property on which it is so erected

(4) No fence wall and/or retaining wall shall be constructed within five feet of any fence.

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	—	—	—	—
Councilman DeLisio	—	—	—	—
Councilman Devlin	—	—	—	—
Councilman McGuire	—	—	—	—
Councilman Shepard	—	—	—	—
Councilman Sotiropoulos	—	—	—	—

OPEN TO THE PUBLIC

Andrew Durfee, 174 Walnut Street – stated that none of the ordinances were posted anywhere so he was unable to review in case he had questions. Mayor Marana advised him to contact Ms. Weston and she can email the ordinances to him. He also commended the Police, Fire, and DPW for their work during the storm. He mentioned that he did not receive his estimated tax bill. He called and it was emailed to him but he received a security warning. Mayor Marana asked if Mr. Durfee could get a hard copy of the security warning to Borough Hall. Mayor Marana also advised that the bond ordinance includes \$35,000 for IT.

Billy Guyt, 195 High Street – wanted to extend a pat on the back to the DPW. The DPW works above and beyond. He appreciates the residents hanging tight.

MAYOR & COUNCIL REPORTS

Councilman Devlin – reported that the Senior Center and Golden Age are closed. He also stated that he is working with the resident at 203 Washington Avenue about a fence issue. The Planning Board approved subdividing the VFW property into 2 lots. Since Councilman Shepard was absent, Councilman Devlin reported that the Fire Department had 90 calls to date. The Fire Association President and Vice President would like to meet with the Mayor to discuss combining Town Day and the 125th Anniversary of the Fire Association celebration next year.

Councilman DeLisio – reported there was a Northern Valley Greenway meeting last week. They are having difficulty negotiating with CSX for property for their project. They will still be having monthly meetings.

Councilman Sotiropoulos – reported on the Police Activity for the month of July. There were 6 arrests and the Police had 30 calls during the storm. Congratulations to Mia Lopez who did a Girl Scout Silver Award project. The project is crosswalk flags which will not be put out until the pandemic is over. The DPW has been out chipping and have been doing a great job. They also installed sanitation stations at both parks. The Ambulance Corps had 3 new members.

Mayor Marana also said the DPW has been working until 6:00 PM and may also work on Saturday.

Councilman Argiro – reported that the Library is continuing the curbside service and are also open to a maximum of 6 patrons at a time. The Recreation departments only activity is Adult Softball. They had strong registration. Soccer will be holding registrations.

Councilman McGuire – reported that both schools introduced a mixture of in person and online learning for the new school year. Surveys were sent out to the parents. Governor Murphy announced schools can be open to all online schooling. He also commended the DPW, Fire Department, Ambulance, and Police on a great job during the hurricane.

Mayor Marana – reported on the storm. He had conference calls every day with Orange & Rockland through Sunday. As of Sunday, 10:00 PM, O&R restored power to all of Northvale residents except one. The one resident had to bring in an electrician to reattach a wire from the street to the meter. Borough Hall lost power and internet service for two days. The August 1st tax collections were off as expected. The year end uncollected taxes were \$252,000. The uncollected taxes after the first two quarters were \$525,000. The uncollected taxes after the first three quarters are \$818,000. Delinquent notices will be mailed out. Steve Wielkotz and the Mayor are doing an analysis, possibly advancing the tax sale from December to October. Suzanne has to advertise for 30 days. We are working towards reopening Borough Hall to the public. Additional signage will be put up, sanitizing dispensers are outside every department window, and spacing visuals will be placed on the floors. Chief Ostrow will have significant input. We have also been working towards officially reopening the playgrounds at Hogan and Veterans Parks. Foot activated sanitizing stations have been installed. The playground equipment will be sanitized daily. The swing set will remain off limits because of the constant hand contact with the chains. There is also a downed tree on one of the playgrounds at Veterans Park. Building Department fees collected for July were \$10,099. Year to date is \$75,933. The former VFW property was approved for subdivision by the Planning Board. The new map will be sent to the Bergen County Planning Board and then the County Clerk's office. Loren Court, East Avenue, and Sleigh Hill Road have been repaved and they all look good.

BOROUGH ENGINEER REPORT

Marie Raffay – reported that CSX is preparing an agreement. DOT agreed to do the pedestrian improvements on behalf of the town. She is coordinating the Livingston Street final grant closeout. Riverside Coop paving started. Three roads have been paved. They are holding off on Union/Industrial until the full repair work has settled.

BOROUGH ATTORNEY REPORT

Justin Santagata – did not have much to report. The agreement was sent for Northvale Shopping Center. They are still waiting for comments from the Personnel Committee on the employee handbook.

ADJOURNMENT – TIME: 8:05 PM

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

Name	Yes	No	Absent	Abstain
Councilman Argiro	—	—	—	—
Councilman DeLisio	—	—	—	—

Councilman Devlin	—	—	—	—
Councilman McGuire	—	—	—	—
Councilman Shepard	—	—	—	—
Councilman Sotiropoulos	—	—	—	—

Patrick J. Marana

Mayor

ATTEST:

Frances M. Weston

Frances M. Weston
Acting Borough Clerk

Approved: September 11, 2020