

MINUTES
Special Meeting of the Mayor and Council
Monday, September 21, 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 Special Meeting of the Mayor and Council of the Borough of Northvale. The date, time and location of this meeting has been advertised in the official Newspapers of the Borough, filed with the Acting Borough Clerk and posted on the bulletin board in the Municipal Building. All notice requirements of the Open Public Meetings Act for this meeting have been fulfilled. Please note the fire exits as required by law at public meetings.”

ROLL CALL

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

Other Officials present: Ms. Deena Rosendahl, Borough Attorney, Ms. Marie Raffay, Borough Engineer, Ms. Frances Weston, Acting Borough Clerk

RESOLUTIONS – Consent Agenda

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

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

RESOLUTION #2020-119

TITLE: RESOLUTION AUTHORIZING EXECUTION OF GRADE CROSSING MAINTENANCE AGREEMENT BY AND BETWEEN BOROUGH OF NORTHVALE AND CSX TRANSPORTATION, INC.

WHEREAS, CSX Transportation, Inc., (“CSXT”) is a Virginia corporation with its principal place of business in Jacksonville, Florida providing rail-based transportation services across the United States; and

WHEREAS, the Borough of Northvale is desirous of facilitating the development of proposed improvements to warning devices, circuitry and roadway approaches at the Clinton Avenue at-grade crossing with CSXT (the “Project”); and

WHEREAS, CSXT and the Borough have previously entered into a Preliminary Engineering Agreement which covers the work to be performed by CSXT; and

WHEREAS, by that certain Change Order to the Federal Master Agreement entered into between the New Jersey Department of Transportation (“NJDOT”) and CSXT, the Revised Change Order 2 No.: R2P71, dated August 14, 2020, hereinafter referred to as the “Change Order”, the Borough will construct or cause to be constructed the Project (as defined in the New Jersey Department of Transportation Order, dated January 30, 2020), which includes an at-grade public road crossing across and over the tracks, right-of-way and property of CSXT, warning devices, including the fixed signs, flashing lights, bells and gates and concrete curb, asphalt sidewalk, and reinforced concrete pipe and flared end sections at the crossing; and

WHEREAS, upon completion of the Project, the Borough will use, maintain, repair, renew, and ultimately remove the crossing, warning devices and related improvements under the terms and conditions of a maintenance agreement between CSXT and the Borough; and

WHEREAS, CSXT has presented the Borough a Grade Crossing Maintenance Agreement (the “Agreement”) which provides for the payment of an annual license fee in the sum of \$3,960.00, an annual cost of maintenance of the warning devices and annual maintenance fee upon the terms and conditions set forth in the Agreement which is annexed hereto; and

WHEREAS, it is in the best interest of the Borough to enter into the Agreement.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Northvale, County of Bergen and State of New Jersey, that the Mayor is authorized to execute the Agreement subject to the Borough’s Chief Financial Officer’s certification of available funds.

RESOLUTION #2020-120

TITLE: RESOLUTION AUTHORIZING EXECUTION OF BERGEN COUNTY CARES ACT MUNICIPALITY REIMBURSEMENT AGREEMENT

WHEREAS,

on March 27, 2020 the Coronavirus Aid Relief and

Economic Security Act (the "CARES Act") was enacted, among other purposes, to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency and to combat the economic damage caused to states, counties and municipalities because of COVID-19; and

WHEREAS, Bergen County (the “County”) has received CARES Act funds from the United States Treasury (the "Stimulus Funds") to be used to reimburse specific COVID-19 related expenditures within the County due to economic damage and hardship caused by COVID-19; and

WHEREAS, the County, as the recipient of the Stimulus Funds, has the responsibility to disburse the Stimulus Funds to eligible recipients in accordance with the terms and provisions of the CARES Act and any guidelines or regulations issued by United States government or any of its agencies and/or departments; and

WHEREAS, the County seeks to provide Municipalities (the "Municipalities") within the County access to Stimulus Funds for COVID-19 related expenditures on a reimbursement basis in order to alleviate a degree of the economic damage and hardship caused by COVID-19; and

WHEREAS, the Borough of Northvale has made significant financial expenditures related to COVID-19 and the Borough's response to the pandemic which may qualify as being eligible for reimbursement from the Stimulus Funds received by the County; and

WHEREAS, in order to apply to the County for reimbursement, the Borough has been presented with a reimbursement agreement setting out the terms and conditions of the application process and any reimbursement to which the Borough of Northvale may qualify; and

WHEREAS, it is in the best interest of the Borough to execute the Reimbursement Agreement.

NOW THEREFORE, be it resolved by the Mayor and Council of the Borough of Northvale, County of Bergen and State of New Jersey, that the Mayor is authorized to execute the Agreement.

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

OPEN MEETING TO THE PUBLIC

Mayor Marana opened the meeting to the public for questions on the resolutions only.

Edward Durfee, 215 Livingston Street—said the resolution for the maintenance was not on the Agenda. The maintenance Resolution is on the Agenda and the number is 2020-119. Mayor Marana explained that the Cares Act Resolution was just added today. Mr. Durfee asked if we had to pay maintenance in the past. Mayor Marana said this is standard now. CSX wants a toll for anything crossing their right of way. Mayor Marana also said that this agreement has to be sent to Bergman in order for the work to begin.

CLOSE MEETING TO THE PUBLIC

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

Mayor Marana stated that the Union Avenue culvert waterway was repaired last week with new piping and catch basins. Industrial Parkway/Union Avenue milling and paving will be done by Wednesday. We should have the draft ordinance for the sale of the VFW by the end of this week. There may be a special meeting to introduce the ordinance. Councilman Shepard asked what the price is for the VFW property. Mayor Marana stated there is an appraisal. He said an RFP will be done and we will evaluate what the floor price will be in closed session.

OPEN MEETING TO THE PUBLIC

Mayor Marana opened the meeting to the public.

CLOSE MEETING TO THE PUBLIC

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

ADJOURNMENT TIME:7:12 PM

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

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

Patrick J. Marana
Mayor

ATTEST:

Frances M. Weston

Frances M. Weston
Acting Borough Clerk

Approved: October 14, 2020