

M I N U T E S
Combined Meeting of the Mayor and Council
Wednesday, July 8, 2020
7:00 PM

CONFERENCE CALL #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.

ROLL CALL

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

Other Officials present: Mr. Steve Wielkotz, Borough Auditor, Mr. Shuaib Firozvi, CFO, Ms. Deena Rosendahl, Borough Attorney, Ms. Marie Raffay, Borough Engineer, Ms. Frances Weston, Acting Borough Clerk

SUSPENSION OF REGULAR ORDER OF BUSINESS –

Mayor Marana suspended the regular order of business in order to entertain a Public Hearing on the 2020 Municipal Budget. Mayor Marana stated it was another challenging budget year. Mayor Marana explains that the budget was introduced in June.

Total debt service in this budget is up \$199,788, or 28.3%, versus 2019. We were aware this would happen when the 2019 budget was introduced. In order to get anywhere close to a 2019 budget that was balanced, the Borough went to the Bond market for permanent financing in 2019 which was a year earlier than our long term plan. That move was made to eliminate \$188,536 in 2019 principal payments on the bond anticipation notes that had been issued, for capital equipment and infrastructure projects, from 2009 through 2019. The silver lining here is that we are projecting a 2021 debt service decrease of \$370,000.

Another impact this year is that we are absorbing \$185,000 in commercial tax appeal refunds out of the 2020 operating budget.

We have attempted to be realistic regarding COVID impacts and have reduced revenues and increased costs to the best of our forecasting abilities.

Finally, we have cut various operating expense line items, a total of approximately \$100,000, to a level that we are comfortable will not result in overspending this budget and will not result in service cuts.

Mr. Steve Wielkotz, Borough Auditor, explained the issues that the Borough was facing for the 2020 budget. Since the municipal court was not opened, there was over \$57,000 reduction in revenues. Interest on investments were greatly reduced as were Building Department revenues. Appropriations are up \$244,000, debt service was mentioned by the Mayor. Mr. Wielkotz also said \$200,000 of the \$244,000 related to appropriations was not

because spending was out of control, it is a revenue issue. Nobody knows where we will end up this year, what other things will happen such as low tax collection rates. There is no help from the state. The federal government is playing games with another package which would include aid for State and Local governments. The budget has been done the best way to project revenues and expenses.

Mr. Shuaib Firozvi, CFO, agreed with what the Mayor and Mr. Wielkotz stated.

Councilman DeLisio thanked the Mayor for his hard work and acknowledged how difficult it was. He said the Mayor put a tremendous amount of work into the budget and it could have been worse.

Mayor Marana also stated that we are wondering where the state will be with municipal aid, how August tax collections will be, and we are prepared to borrow money if we have to.

**Public Hearing
2020 Municipal Budget**

RESOLUTION #2020-96

TITLE: ADOPTION OF THE 2020 MUNICIPAL BUDGET

BE IT RESOLVED, that the following statement of revenue and appropriation attached hereto constitute the adopted local budget of the Borough of Northvale, County of Bergen, New Jersey for the year 2020.

Revenue and Appropriation Summaries - Anticipated

Summary of Revenues	2020	2019
1. Surplus	223,000.00	273,000.00
2. Total Miscellaneous Revenues	1,416,205.00	1,757,168.67
3. Receipts from Delinquent Taxes	243,000.00	200,000.00
4. a) Local Tax for Municipal Purposes	7,130,399.00	6,698,913.00
b) Addition to Local District School Tax		
c) Minimum Library Tax	335,396.00	329,820.00
Total Amount to be Raised by Taxes for Municipal	7,465,795.00	7,028,733.00
Total General Revenues	9,348,000.00	9,258,901.67
Summary of Appropriations		
1. Operating Expenses: Salaries & Wages	3,262,253.00	3,199,554.00
Other Expenses	2,556,962.00	2,570,793.00
2. Deferred Charges & Other Appropriations	2,322,550.00	2,523,107.67
3. Capital Improvements	40,000.00	25,000.00
4. Debt Service	906,235.00	706,447.00
5. Reserve for Uncollected Taxes	260,000.00	234,000.00
Total General Appropriations	9,348,000.00	9,258,901.67

Open Public Hearing

Mayor Marana opened the meeting to the public for questions or comments on the 2020 Budget only.

Edward Durfee, 215 Livingston Street – asked if the shortfalls were related to COVID and what was not related to COVID. Mr. Wielkotz replied the shortfalls in revenue were reduced due to no court fees and interest on investments which were anticipated. The \$50,000 less than considered by statute and law based on 2019 realized revenue. Mr. Durfee asked if the town will borrow money to pay off existing bonds. Mr. Wielkotz said the bonds were issued last year. If the tax collection is affected for August and November, the Borough would borrow. The notes are due next year to supplement the cash flow. Mr. Wielkotz said that is the worst case scenario, hopefully tax collection will mirror what was in May. Mr. Durfee thanked all for the work put into the budget. He also asked why were you unable to maintain spending the same as

last year. Mr. Wielkotz stated healthcare is up, pensions are up, contractual obligations to employees, cost of living increases.

Mayor Marana also stated that the Borough is still on the hook to pay the school taxes in full. He explained the Borough collects taxes for two schools. He said building department revenue is a little above \$6,000 for the month of June, which is not good for this time of year.

Lisa Carbaugh, 315 Bradley Avenue – thanked everyone for their work on the budget. She asked what is the total percentage of the tax increase. Mayor Marana responded 6.2% for the municipal portion which is 25% of the tax bill. The Northvale portion of the high school will be a 0% increase. The local school has 1.8% increase. Mr. Wielkotz added the county has not adopted their budget as yet. Ms. Carbaugh said looks like an 8% increase. Mayor Marana said on an average residential home assessed at \$396,000, the increase will be \$200. Ms. Carbaugh also told the Mayor and Council that residents may not have money to pay their taxes. Mayor Marana informed everyone that the August tax bills will be estimated.

Andrew Durfee, 174 Walnut Street – asked about the appropriation increase. Mr. Wielkotz replied that you are allowed 3-1/2%. If you don't do it every year, you will lose the cap bank.

Sandy Gavriilidis, 165 Washington Street – asked if the \$200 tax increase is per month. She also asked if the Library expense could be looked at. Mayor Marana said the state tells how much the Library contribution will be each year. They run a heck of a lot of programs.

Bob Whiteman, 421 Wildwood Road – questioned the telephone line item amount. Mr. Firozvi explained it includes local phone, Borough, Police, internet, cell phone, wireless in police vehicles – anything related to communications.

Mayor Marana asked Mr. Firozvi to explain the cash flow situation. Mr. Firozvi stated that the cash flow is tight. The tax appeal was settled in June and is effective today so bond counsel will be issuing \$350,000 which will keep the town afloat until the end of July. The Regional school is paid up to date for the fiscal year. The local school June installment is due. When the August payments come in, we can pay. If the school needs payment sooner, we may have to issue tax anticipation notice.

Close Public Hearing

There being no other questions or comments, Mayor Marana closed the public hearing on the 2020 Budget to the public and asked for a roll call vote.

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	—	—	—	—

RESUME THE REGULAR ORDER OF BUSINESS

APPROVAL OF MINUTES

Combined Meeting of June 10, 2020

Motion	Second	Name
—	—	Councilman Argiro
—	—	Councilman DeLisio
—	—	Councilman Devlin

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

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

Closed Session Minutes of June 10, 2020

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

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

APPOINTMENTS & PERSONNEL CHANGES –

- Approve the hiring of Kathy Riker as Violations Clerk effective June 29, 2020

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 - June
 Fire Department
 Fire Prevention
 Municipal Court
 Recreation Minutes
 Tax Collector-Jan, Feb, March, April, May, June
 Grantswriter-June

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 #2020-97

TITLE: AUTHORIZE THE HIRING OF KATHY RIKER AS VIOLATIONS CLERK

WHEREAS, the part-time Violations Clerk position has become vacant; and

WHEREAS, the Borough has a need for a part-time Violations Clerk, working an average of nine (9) hours per week and two (2) court sessions per month; and

WHEREAS, the position of part-time Violations Clerk shall not be eligible for fringe benefits, other than paid sick leave in accordance with State Law, shall be designated as a non-exempt position, and shall be paid by way of an hourly rate of twenty-one dollars (\$21.00); and

WHEREAS, Ms. Clare Cabibbo, CMCA, the Municipal Court Administrator has interviewed a number of applicants for the position of Violations Clerk; and

WHEREAS, Ms. Cabibbo has recommended Kathy Riker to fill the Violations Clerk position effective June 29, 2020; and

WHEREAS, it is in the best interest of the Borough to hire Ms. Kathy Riker in the position of part-time Violations Clerk as set forth herein.

NOW THEREFORE BE IT RESOLVED Ms. Kathy Riker is hereby appointed as Violations Clerk effective June 29, 2020.

RESOLUTION #2020-98

**TITLE: AUTHORIZE THE CHIEF FINANCIAL OFFICER TO REFUND ZONING
PERMIT FEE – EDWARD J. BRADY – 201 LIVINGSTON STREET**

WHEREAS, the above mentioned applicant paid fees for a zoning permit for the above mentioned premises; and

WHEREAS, said applicant has withdrawn his application due to COVID-19 and is requesting a refund of the permit fees;

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is hereby authorized to refund the permit fees in the amount of \$50.00 to:

Edward J. Brady
201 Livingston Street
Northvale, New Jersey 07647

RESOLUTION #2020-99

**TITLE: AUTHORIZE MAYOR MARANA TO SIGN SNOW PLOWING
AGREEMENT WITH THE COUNTY OF BERGEN FOR 2020 - 2022 SNOW PLOWING
SEASON**

BE IT RESOLVED that Mayor Marana is hereby authorized to sign the above mentioned agreement.

MUNICIPAL PLOW **\$110.00/HOUR (ALL HOURS)**

RESOLUTION #2020-100

**TITLE: AUTHORIZE THE CHIEF FINANCIAL OFFICER TO REFUND THE
PERFORMANCE GUARANTEE FOR PSI ATLANTIC NORTHLAKE, NJ LCC –
CUBE SMART**

BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to refund the following fees:

Performance Guarantee \$61,915.70

To: PSI Atlantic Northvale NJ, LCC
530 Oak Court Drive, Suite 185
Memphis, TN 38117

RESOLUTION #2020-101

TITLE: RESOLUTION AMENDING CAPITAL BUDGET OF THE BOROUGH OF NORTHVALE FOR THE YEAR 2020

WHEREAS, the Borough of Northvale deems it necessary and desirable to provide for a capital project not previously reflected in the 2020 Capital Budget of said municipality, and

WHEREAS, N.J. A.C. 5:30-4.4B provides that the Capital Budget of a governing body shall be amended to reflect any provisions, changes or inconsistencies with said Capital Budget,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Northvale, in the County of Bergen, State of New Jersey, that the 2020 Capital Budget shall be amended to reflect the addition of Bond Ordinance 1022-2020 for Various Capital Improvements consisting of the following:

1. Road Improvement Program at Various Locations of the Borough of Northvale
2. Acquisition of communication, signal systems, radio equipment for Ambulance Corps
3. Acquisition of equipment, machinery, communication and signal systems equipment for Fire Department SUVs including emergency lighting, command cabinets, radio equipment.
4. Replacement of Boiler at Borough Hall Building
5. Installation of Walkways to the Gazebo at Hogan Park
6. Acquisition of Information Technology and Computer Equipment

BE IT FURTHER RESOLVED that this resolution, as promulgated by the Local Finance Board shall represent the amended Capital Budget of the Borough of Northvale for the year 2020.

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

OPEN MEETING TO PUBLIC

Mayor Marana opened the meeting to the public on questions on the Resolutions only.

Edward Durfee, 215 Livingston Street – questioned the refund of the performance guarantee resolution. Mayor Marana explained they put up bond for construction. They satisfied all requirements to maintain the property.

Sandy Gavriilidis, 165 Washington Street – questioned if the borough has to pay the county \$110 for snow plowing. Mayor Marana explained the county pays the borough for the DPW plowing the county roads.

RESOLUTION #2020-102

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)	\$97,343.33
General Capital Fund	
Grant Fund	\$109.90
Police DEA Trust	\$2,155.00
Animal Trust	\$1.20
Food Trust	
Escrow Trust	\$6,540.00
Recreation Trust	\$10.93
Summer Recreation Trust	\$2,450.00
TOTAL	\$108,610.36

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

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that the claims totaling **\$108,610.36** and ratified respectively

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

ORDINANCE – 1ST 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.L.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.

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 NORTHVALE, 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.

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 residential 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 ~~s~~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.

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

OPEN TO PUBLIC

Edward Durfee, 215 Livingston Street – asked if the bond ordinance is included in the upcoming budget or is it over and above. Mayor Marana said ordinances cannot be discussed at first reading, but that the principal and interest are included in the 2020 budget. Mr. Durfee asked if a modified agenda can be posted. Mayor Marana explained there were last minute items coming in. He is going to implement a cut off of on the Friday before the meeting for any items to be included on the Agenda.

Lisa Carbaugh, 315 Bradley Avenue – asked what the status of the CSX Clinton Avenue crossing is and if there was a date they committed to. Ms. Raffay explained there is an agreement still in the works. Mayor Marana said there is escrow tied up and he wants the work done before school comes back. Mayor Marana said the DOT volunteered to pick up the Borough portion of the work. Ms. Carbaugh hopes it will be done before the end of the year.

MAYOR & COUNCIL REPORTS

Councilman Sotiropoulos – reported that Northvale did not have any new COVID cases. He reported on the Police activity. New Police Officer, Edward Korn, graduated from the Police Academy on June 11th. Ambulance Dept. has a few new members. He reported on the various projects the DPW has been working on.

Councilman McGuire – reported that the Northvale Public School had a diploma distribution. They had a drive thru with the student's name called out and handed their diploma. The high school had two diploma distribution ceremonies. Both schools are working on plans to open in September. One of the Northern Valley board members had to resign due to wearing black face 12 years ago.

Councilman Argiro – reported the Library will be starting curbside pick up on June 22nd. Recreation baseball/softball reached out to parents to see if there was any interest, the results were underwhelming. There will be no baseball or softball this year. The fields are open. Adult softball league has 62 players. The playgrounds are still closed.

Councilman DeLisio – reported Northern Valley Greenway had a meeting in June. They discussed possible grants. There will be no meeting in July. Next virtual meeting is Aug. 4th.

Councilman Shepard – reported the boiler in the Borough Hall will be replaced. The Fire Department has been slow.

Councilman Devlin – reported that the Board of Health collected approximately \$31,000. Most of the Board of Health members work in hospitals. The Golden Age and Senior Center are closed. He has been questioned by some seniors in church whether the senior van will be able to take them to Shoprite. Mayor Marana informed him the van has been going once a week. He reported on the Planning Board applications.

Mayor Marana – reported the county had COVID testing on June 29th at the high school. They feel it was a tremendous success. There were 644 COVID tests and an additional 244 antibody tests. He thanked the County Executive and his staff for implementing this. Rio Vista bond status will be discussed in closed session. The estimated tax bills will be in the mail by Friday. Items for the Agenda have been coming in late and would like the councils input on setting up a cutoff for the Friday before the meeting. The council all agreed.

BOROUGH ENGINEER REPORT

Ms. Raffay reported on the various projects. Livingston Street Streetscape is completed. Riverside Coop paving precon meeting will be coming up in July. Maser has been working with Millenium on various grants.

BOROUGH ATTORNEY REPORT

Ms. Rosendahl reminded the Personnel Committee that she submitted an employee handbook a month ago for their review. She also updated policies on the operation of the Borough Hall during the pandemic. Councilman DeLisio said the committee will meet to review.

CLOSED SESSION – TIME: 8:20 PM

Action may – not – be taken upon return to open session.

RESOLUTION #2020-103

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

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.

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

RETURN TO OPEN SESSION – TIME: 8:38 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	—	—	—	—

ADJOURNMENT- TIME: 8:38 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: August 12, 2020

