

**MINUTES**  
**Combined Meeting of the Mayor and Council**  
**Wednesday, November 16, 2022**  
**7:00 PM**

**CALL THE MEETING TO ORDER**

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

**OPEN PUBLIC MEETINGS ACT NOTICE**

Mayor Marana read the Open Public Meetings Act Notice into the record as follows:

*“This is a Combined Meeting of the Mayor and Council of the Borough of Northvale. The date, time and location of this meeting have been advertised in the official Newspaper of the Borough, filed with the Municipal Clerk and posted on the bulletin board in the Municipal Building. All notice requirements of the Open Public Meetings Act for this meeting have been fulfilled. Please note the fire exits as required by law at public meetings.”*

**SALUTE TO THE FLAG & MOMENT OF SILENCE**

Mayor Marana asked everyone to stand and join him in a salute to the flag led by Gregory Asadurian. Mayor Marana asked everyone to remain standing for a moment of silence remembering all of our troops.

**ROLL CALL**

Mayor Marana	Present	Councilman Hogan	Present
Councilman Argiro	Present	Councilman McGuire	Present
Councilman DeLisio	Present	Councilwoman McMorrow	Present
Councilman Devlin	Present		

Councilman Hogan was present via conference call as he had all four of his wisdom teeth removed.

**OTHER OFFICIALS PRESENT:**

Gregory K. Asadurian – from Borough Attorney’s office  
Marie Raffay – Colliers Engineering  
Frances Weston – Municipal Clerk

Mayor Marana congratulated everyone that participated in the election and wished them all good luck in the future.

**APPOINTMENTS & PERSONNEL CHANGES**

Mayor Marana asked for a motion and second to approve the resignation of Pamela Carpanini as Senior Center Director effective November 4, 2022. Motion was made by Councilman Devlin, seconded by Councilwoman McMorrow.

**Mayor Marana asked for a Roll Call Vote of the Council:**

Councilman Argiro	Yes	Councilman Hogan	Yes
Councilman DeLisio	Yes	Councilman McGuire	Yes
Councilman Devlin	Yes	Councilwoman McMorrow	Yes

**APPROVAL OF MINUTES**

Mayor Marana asked for a motion and second to approve the minutes of the Combined Meeting of October 18, 2022 **AND** Closed Session Meeting of October 18, 2022

**Mayor Marana asked for a Roll Call Vote of the Council:**

Councilman Argiro	Yes	Councilman Hogan	Yes
Councilman DeLisio	Yes	Councilman McGuire	Yes
Councilman Devlin	Yes	Councilwoman McMorrow	Yes

## MONTHLY CORRESPONDENCE

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

Building Department  
Colliers Engineering  
Fire Prevention  
Millenium Strategies  
Recreation Minutes  
Tax Collector

## CORRESPONDENCE

1. County Executive James Tedesco Letter dated October 28, 2022  
Re: Senior Center ADA Doors Grant Award of \$66,125
2. Email from Nina Androski, dated November 4, 2022  
Re: Butterfly Garden
3. President DeVries, Bergen & Passaic Firemen's Association Letter

Mayor Marana explained the correspondence. We have been awarded a Community Development grant for ADA compliant front and side doors at the Senior Center. The grant amount is \$66,125. He received an email from a Ramsey resident who likes what we are doing with the passive rec area in Veterans Park as well as prior planting done by the Beautification Committee. He received two more voicemails from the story that was in the Record. He also received a letter from the President of the Bergen and Passaic Exempt Fireman's Association thanking us for a Certificate of Appreciation they were given at their September 9<sup>th</sup> meeting that was held at the Northvale Firehouse.

## 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"*

**Mayor Marana asked for a motion and second to approve Consent Agenda Resolutions #2022-156 through 2022-168. Motion made by Council President DeLisio, seconded by Councilwoman McMorrow.**

### RESOLUTION #2022-156

**TITLE: RESOLUTION AUTHORIZING THE MUNICIPAL CLERK TO ADVERTISE FOR REQUEST FOR QUALIFICATIONS FOR THE YEAR 2023**

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

**WHEREAS**, the Borough of Northvale seeks to employ a 'Fair and Open Process' as defined in N.J.S.A. 19:44A-20.4, 20.5 et seq. for the purpose of soliciting qualified professionals to provide services as required by the Borough for the year 2023.

**NOW THEREFORE BE IT RESOLVED**, this 16th day of November 2022, that the Municipal Clerk is hereby authorized to take, or cause to be taken, all acts necessary to publish the Legal Notice required to solicit for professional qualifications for all professional positions required by the Borough in the usual course of business pursuant to N.J.S.A. 19:44A-20.4, 20.5 et. seq. in a newspaper of general circulation for the Borough of Northvale, and/or on the Borough of Northvale website, [www.northvalenj.org](http://www.northvalenj.org).

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**RESOLUTION #2022-157**

**TITLE: RESOLUTION AUTHORIZING MAYOR MARANA TO SIGN THE 2022/2023 INTERLOCAL AGREEMENT WITH THE BOROUGH OF ROCKLEIGH FOR SNOW PLOWING SERVICES**

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

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

**WHEREAS**, an Agreement has been prepared to encompass the months of November and December of 2022 and January through April, inclusive, of 2023.

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

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**RESOLUTION #2022-158**

**TITLE: RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR NORTHVALE MUNICIPAL ALLIANCE FISCAL GRANT CYCLE JULY 2020-JUNE 2025**

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

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

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

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

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

1. The Mayor & Council does hereby authorize submission of an application for the Northvale Municipal Alliance grant for fiscal year 2024 in the amount of:

DEDR	\$3,836.33
Cash Match	\$ 959.08
In-Kind	\$2,877.25

Total Grant \$7,672.66

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

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**RESOLUTION #2022-159**

**TITLE: RESOLUTION FOR BERGEN COUNTY MUNICIPALITIES TO ENDORSE PROJECT APPLICATIONS SUBMITTED TO THE BERGEN COUNTY DIVISION OF COMMUNITY DEVELOPMENT**

**WHEREAS**, a Bergen County Community Development Block Grant of \$100,0000 has been proposed by **National Institute for People with Disabilities of New Jersey (NIPD/NJ)** for **bathrooms/kitchen renovation project in the supportive residence at 418 Briarwood Lane, Northvale, NJ 07647** in the municipality of **Northvale**; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body,

And

**WHEREAS**, the aforesaid project is in the best interest of the people of **Northvale**

And

**WHEREAS**, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite the expenditure of the aforesaid Community Development funds.

**NOW, THEREFORE BE IT RESOLVED**, that the Governing Body of **Northvale** hereby confirms endorsement of the aforesaid project, and

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be sent expeditiously to the Director of the Bergen County Division of Community Development (Robert G. Esposito; One Bergen County Plaza, 4<sup>th</sup> Floor; Hackensack, New Jersey 07601; [resposito@co.bergen.nj.us](mailto:resposito@co.bergen.nj.us)) so that implementation of the aforesaid project may be expedited.

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**RESOLUTION #2022-160**

**TITLE: RESOLUTION APPROVING BOROUGH OF HILLSDALE TO JOIN THE RIVERSIDE COOPERATIVE**

**WHEREAS**, the Borough of Northvale is the Lead Agency for the Riverside Cooperative; and

**WHEREAS**, the Borough of Hillsdale would like to join the Riverside Cooperative; and

**WHEREAS**, the Borough of Northvale as Lead Agency agree to allow the Borough of Hillsdale to join the Riverside Cooperative.

**NOW, THEREFORE BE IT RESOLVED**, that the Borough of Hillsdale may join the Riverside Cooperative effective immediately.

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**RESOLUTION #2022-161**

**TITLE: RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO RETURN ESCROW FOR NMCG CONSTRUCTION, LLC FOR 225A AND 225B LIVINGSTON STREET**

**WHEREAS**, NMCG Construction, LLC is the owner of 225A and 225B Livingston Street, Block 510 Lots 6.01 and 6.02 in the Borough of Northvale; and

**WHEREAS**, NMCG Construction, LLC has posted escrow for the above two block and lots and the projects are deemed complete; and

**WHEREAS**, there are no objections of the return of escrow from the Borough Engineer and Building Department and there are no outstanding bills.

**NOW, THEREFORE BE IT RESOLVED**, that the Chief Financial Officer is hereby authorized to return the remainder of escrow fees to NMCG Construction, LLC in the amount of \$3,686.50.

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**RESOLUTION #2022-162**

**TITLE: RESOLUTION TO ENTER INTO A GRANT AGREEMENT WITH THE COUNTY OF BERGEN FOR THE JAMES F. MCGUIRE SENIOR CENTER ADA DOORS**

**BE IT RESOLVED**, that the Mayor & Council of the Borough of Northvale wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$66,125 in FY2022 Community Development Block Grant funds for the installation of ADA hands free doors for the entry way and side door access to the James F. McGuire Senior Center located at 116 Paris Avenue, Northvale, New Jersey 07647;

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby authorizes Patrick J. Marana to be a signatory for the aforesaid grant agreement; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby authorizes Joseph Luppino to sign all County vouchers submitted in connection with the aforesaid project; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council recognizes that the Borough of Northvale is liable for any funds not spent in accordance with HUD requirements.

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**RESOLUTION #2022-163**

**TITLE: RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT WITH NORTHVALE FIRE ASSOCIATION**

**WHEREAS**, the Northvale Fire Association is the owner of real property located at 204 Washington Street, Northvale, New Jersey (the "Property"); and

**WHEREAS**, the Borough and the Northvale Fire Association previously entered into a ten (10) year Lease Agreement whereby the Borough as tenant rented the Property for use as a Firehouse for the benefit of the Borough; and

**WHEREAS**, the prior lease agreement expires on December 31, 2022 and as such the parties have negotiated a new lease agreement; and

**WHEREAS**, the lease agreement provides for a ten (10) year term of lease with the initial year of rent for \$29,500.00 and increasing each year thereafter in accordance with the Bureau of Labor Statistics CPI Inflation Calculator as well as other provisions as set forth in the attached lease agreement; and

**WHEREAS**, the Borough Attorney has reviewed the terms of the lease agreement and recommends the Borough enter into the lease agreement.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough of Northvale that the Mayor is hereby authorized to execute the lease agreement annexed hereto.

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#### **RESOLUTION #2022-164**

**TITLE: RESOLUTION TO APPROVE SUBMISSION OF THE BEST PRACTICES CHECKLIST INVENTORY TO THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES ON BEHALF OF THE BOROUGH OF NORTHVALE**

**WHEREAS**, Local Finance Notice 2022-17 mandates that the municipality shall submit by November 10, 2022 to the Director of the Division of Local Government Services a report describing the municipality's compliance with the "Best Practices Inventory"; and

**WHEREAS**, the Department of Community Affairs established the Best Practices Inventory on August 27, 2012; and

**WHEREAS**, the report is required to be signed by the Chief Financial Officer and the Municipal Clerk; and

**WHEREAS**, the members of the governing body have reviewed the Best Practices Inventory questions and answers being submitted;

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Northvale that the Local Government Best Practices Checklist, as completed by the Chief Financial Officer is hereby approved for submission to the Director of Local Government Services.

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#### **RESOLUTION #2022-165**

**TITLE: RESOLUTION TO APPROVE THE CORRECTIVE ACTION PLAN FOR THE 2021 AUDIT**

**WHEREAS**, the 2021 Annual Audit of the Borough of Northvale conducted by Ferraioli, Wielkocz, Cerullo & Cova PA, contained certain recommendations requiring action; and

**WHEREAS**, these recommendations have been reviewed by the Chief Financial Officer; and

**WHEREAS**, the Chief Financial Officer in accordance with the requirements promulgated by the New Jersey Division of Local Government Services, has developed a plan to address the recommendations listed by the auditor.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Northvale that the Corrective Action Plan for 2022 for the 2021 Annual Audit, hereto attached, is hereby approved and accepted; and

**BE IT FURTHER RESOLVED**, that the Municipal Clerk is hereby directed to transmit a certified copy of this resolution and its attachments to the Division of Local Government Services.

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**RESOLUTION #2022-166**

**TITLE: RESOLUTION TO ENDORSE COMMUNITY DEVELOPMENT PROJECT FOR UPGRADES TO WOMEN’S RESTROOM IN MCGUIRE SENIOR CENTER**

**WHEREAS**, a Bergen County Community Development grant of \$72,800.00 has been proposed by the Borough of Northvale for upgrades to the women’s restroom in the Senior Center; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development (CD) funds may not be spent in a municipality without authorization by the governing Body; and

**WHEREAS**, the aforesaid project is in the best interest of the residents of the Borough of Northvale; and

**WHEREAS**, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

**NOW, THEREFORE BE IT RESOLVED**, that the Governing Body of the Borough of Northvale hereby confirms endorsement of the aforesaid project, and

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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**RESOLUTION #2022-167**

**TITLE: RESOLUTION APPROVING RAFFLE LICENSE #RL234-AMERICAN LEGION #153 ON PREMISE RAFFLE -DECEMBER 2, 2022**

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

NAME:	American Legion 153
ADDRESS:	118 Ridge Avenue, Park Ridge, NJ
LOCATION OF RAFFLE:	266 Union Street, Northvale, NJ
HOURS:	5:30-9:00 PM
DATE OF RAFFLE:	December 2, 2022
ID #:	374-7-29811
RAFFLE LICENSE #:	RL 234

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**RESOLUTION #2022-168**

**TITLE: PAYMENT OF BILLS**

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

Current Fund Appropriations (2021)	
Current Fund Appropriations (2022)	\$153,773.02
General Capital Fund	\$19,152.72
Grant Fund	
Animal Trust	
Police DEA Trust	\$4,945.27
Escrow Trust	\$14,795.00
Affordable Housing Trust	
Recreation Trust	\$10,200.00
Summer Recreation Trust	
<b>TOTAL</b>	<b>\$202,886.01</b>

**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/or the chief financial officer; and

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

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

Payroll – Salaries & Wages		
Payroll – Salaries & Wages	10-28-2022	\$147,030.98
Payroll- Salaries & Wages	10-14-2022	\$160,000.00
Health Benefits	July 2022	\$42,342.54
County Taxes		0
County Open Space Tax		
Northvale Board OF Education		\$839,838.17
Northern Valley Regional High School District		\$583,641.80
Payoff of Bond Principal & Interest		\$500,619.00
<b>TOTAL</b>		<b>\$2,476,358.50</b>

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Northvale that the claims totaling **\$2,476,358.50** and ratified respectively.

**OPEN MEETING TO THE PUBLIC**

Mayor Marana opened the meeting to the public for questions or comments on Consent Agenda Resolutions #2022-156 through #2022-168 only.



**Joseph Saunier, 205 Washington Street** – lives across from the Firehouse. There has been an ongoing problem with the outdoor light that is shining on his house. Mayor Marana interjected that he does not appreciate receiving an ultimatum from a text message. He followed up with O & R, who informed him that the light is not a Borough light. The Borough cannot request the light to be redirected. The light has been rearranged a few times. The request has to be made by the Fire Association. Mr. Saunier says that nuisance lighting can be litigated. He can hire a lawyer and go to court. His house is lit up inside and outside and when he steps outside, he feels like he is stepping onto a stage. He says the light is not aimed at the firehouse. He invites Mayor Marana to come into his backyard to see how lit up it is. Mayor Marana asks for permission to walk onto his property which he is granted. Councilman Devlin explains that the light has been moved four times for Dirk and Dirk is very happy. He asks Mr. Saunier how many times has the light been shot out by you with a gun. Mr. Saunier answers that he climbed up a ladder with a gun that doesn't fire until you press against something. The light is not a flag light. The light is not even being pointed at the firehouse. This has been intruding on his way of life. Mr. Saunier further tells the Council that on September 9<sup>th</sup> there was a meeting at the firehouse. The rescue truck was not 10' from a resident's house and was left idling. He proceeded to go to the firehouse and ask why the truck was left idling so long since it can only idle for only 3 minutes. The President of the Fire Association started screaming at him and said says who. Mayor Marana will attend the next Fire Association meeting and request that they contact O & R and preferably come out at night.

**Dirk Snowden, 202 Washington Street** – states that the light had been moved twice. Carl Braun had worked with him and Tom Gannon who worked for O & R moved the light six months after he moved in. Mayor Marana states that federal law dictates that an American flag can be flown at night but has to be illuminated. Mr. Snowden also spoke about the sirens and idling diesel engines. He understands the fire doors have to be illuminated. Mr. Snowden also said the sirens do not need to be blown at 2:00 am when no one is on the street. He also mentioned that over the summer there was no mention on borough facebook page as to what was going on with the CSX property along the tracks with concrete being dumped in the creek. Mayor Marana answered that the Borough Engineer is involved as it is a Borough easement, not an official stream.

**Briant Bodrato, 160 Walnut Street** - explained the siren is blown at the intersections of Washington/Paris, Livingston/Paris and Tappan/Paris. They do not blow the siren at 2:00 am. The siren button is on the floor and could be hit by a fireman as he is getting ready. For a working fire, the siren is not blown between 3:00 and midnight.

**Gerhardt Rexroth, 514 White Ave.** – Hurricane IDA was over a year and half ago and 3 times the water has come up to the shed. He is paying taxes on land he doesn't own. He has an orange fence around the property. Mayor Marana will see what can be done between now and the end of the year. He had been there with Craig Zimmerman who advised what had to be done.

**Mayor Marana asked for a Roll Call Vote of the Council:**

Councilman Argiro	Yes	Councilman Hogan	Yes
Councilman DeLisio	Yes	Councilman McGuire	Yes
Councilman Devlin	Yes	Councilwoman McMorro	Yes

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**ORDINANCES – 1<sup>ST</sup> Reading**

**Mayor Marana states we have a first reading of a running bamboo control ordinance. It has been reviewed by the Zoning Official, Richie Scaglione, and Brian Connelly from Cleatus Farms. Brian has dealt with a lot of these ordinances in various towns in New Jersey and New York. Everyone thinks that we should have this ordinance on the books. In a nutshell, new bamboo can be planted in pots. No new bamboo can be planted in the ground even with protective barriers around the bamboo. The protective barriers fail too frequently. Existing bamboo is grandfathered in but must be 10 feet away from property**

lines or any public or private street. The enforcement will be in response to complaints. The Property Maintenance Official cannot see into everybody's backyards. Mayor Marana asked for a motion and second to approve first reading of Ordinance #1059-2022. Motion made by Council President DeLisio, seconded by Councilman McGuire.

## ORDINANCE #1059-2022

### AN ORDINANCE GOVERNING THE PLANTING AND GROWING OF BAMBOO

**SECTION 1.** The Code of the Borough of Northvale be and is hereby amended and supplemented to add a new Chapter 201 Planting and Growing of Bamboo as follows:

#### **Chapter 201 Planting and Growing of Bamboo**

##### **§200-1 Purpose and Intent**

The purpose and intent of this Ordinance is to preserve and protect private and public property from the damaging spread of running bamboo grasses and to protect indigenous plants and the wildlife they support from the invasive spread of bamboo from any neighboring property line.

##### **§200-2 Definitions**

- A. Running Bamboo – any monopodial (running) woody grass from the genera of bamboos including but not limited to Bambusa Phyllostachys and Pseudosasa as well as common bamboo, golden bamboo and arrow bamboo.
- B. Running Bamboo Property Owner(s) – Any property owner(s) or tenant(s) who has Running Bamboo on their property, even if the Bamboo has spread onto their property from an adjoining property.
- C. Buffer Zone – A distance of at least 10 feet from any lane, street or road, whether public or private, or from any neighboring property.
- D. Borough – the Borough of Northvale, Bergen County, New Jersey
- E. Notice – Any written notice by, from or on behalf of the Borough of Northvale (i) notifying the Running Bamboo Property Owner(s) that they are in violation of this Ordinance and (ii) directing them to cure or fix the violation within sixty (60) days. Such Notice shall be sent by certified mail, return receipt requested and regular mail, addressed to the owner(s) listed on the current tax address on file with the Borough or personally served on the property owner or tenant. A copy of the Notice may also be posted on the property in question.
- F. Receipt of Notice – Receipt of Notice shall be the date of mailing the Notice, or if applicable, the date of personally serving or posting the Notice on the property in question, whichever is earlier.

##### **§200-3 NO PLANTING OF RUNNING OF BAMBOO**

- A. The planting of Running Bamboo is prohibited. The only exception shall be the planting of bamboo in individual contained planting pots shall be permitted.
- B. Any pre-existing Running Bamboo shall be permitted to remain subject to the provisions of this Ordinance but shall not be relocated, replanted, or replaced after having died or been removed.
- C. Any person or entity who plants or replants (or who allows for the planting or replanting) of Running Bamboo within the Borough of Northvale after the effective date of this Ordinance shall be in violation of this Ordinance.

##### **§200-4 REGULATING PRE-EXISTING RUNNING BAMBOO**

- A. Any pre-existing Running Bamboo already in existence prior to the effective date of this Ordinance may remain, provided however that the Running Bamboo shall not be permitted to exist within any Buffer Zone.
- B. Running Bamboo property owners shall take all necessary measures, including but not limited to cutting, trimming and removal, to ensure Running Bamboo does not exist within any Buffer Zone.
- C. The cutting, trimming, removal, and costs associated therewith of removing any Running Bamboo that invades an adjacent property shall be the responsibility of the property owner whose bamboo has crossed property lines. If the property owner refuses to remove any Running Bamboo that invades an adjacent property shall remain liable for the costs incurred associated with removal.
- D. This Ordinance shall not be deemed to alter any rights at common law or otherwise that any property owner may have to recover the cost of removal of Running Bamboo on their own property from another property owner from whose property the Running Bamboo has spread.

**§200-5 ENFORCEMENT**

This Chapter shall be enforceable by the Code Enforcement Official for the Borough of Northvale and shall be applied to all properties and premises located within the Borough.

**§200-6 VIOLATIONS AND PENALTIES**

- A. Whenever Running Bamboo is found planted in violation of this Ordinance, a Notice shall be provided to the Running Bamboo Property Owner to abate the violation within sixty (60) days.
- B. The cost of abatement shall be borne by the Running Bamboo Property Owner.
- C. If the Running Bamboo Property Owner fails to comply with the Notice within the sixty-day period, the Code Enforcement Official may remove or otherwise control the invasive plant species at the Property Owner’s expense. The Borough may thereafter recover all costs of removal from the Running Bamboo Property Owner as well as place a lien on the property for recovery of the cost of removal.
- D. Any person in violation of this Ordinance who fails to abate the violation after Notice shall be subject to the following penalties:
  - (i) A fine of not less than \$25 per day nor more than \$100 per day, for each day the violation exists after the sixty day abatement period expires.
  - (ii) Each day on which the violation continues shall constitute a separate offense under this Ordinance.
  - (iii) Fines are in addition to any costs incurred by the Borough.

**SECTION 2. 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 3. Savings and Construction.** This ordinance shall be construed consistent with the purpose stated 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 is amendatory and supplementary to existing provision of the Northvale Code.

**SECTION 4. Codification.** This ordinance shall be codified to the chapters set forth herein.

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

**Mayor Marana asked for a Roll Call Vote of the Council:**

Councilman Argiro	Yes	Councilman Hogan	Yes
Councilman DeLisio	Yes	Councilman McGuire	Yes
Councilman Devlin	Yes	Councilwoman McMorrow	Yes

**OPEN MEETING TO THE PUBLIC**

**Andrew Durfee, 174 Walnut Street** – presented a petition from neighbors on Walnut Street asking for the speeding issue on Walnut Street to be addressed. They would also like the installation of speed humps to be considered. He is not looking for speed humps but for some attention. He was out on Halloween with his family and some other families and a speeding car almost hit them. Mr. Durfee rarely sees anyone patrolling.

**MAYOR AND COUNCIL REPORTS**

**Council President DeLisio** – reported there are a number of grants in progress. Bergen County Community Development block grant is in progress, was noticed in September and we are working on that now with the grantswriter. NJDOT noticed in August, grantswriter is working on this one now. Several pending grant requests – American Rescue Plan firefighter requested \$51,152, will be noticed in fall. DOT Municipal Aid Veterans Drive Phase II, requested \$551,737, notice will be in the fall. Open Space Grant Dog Park at Veterans Park requested \$22,597, notice will be in fall of 2022. Northern Valley Greenway met on November 10<sup>th</sup> to review projects around the state which have been approved. Hudson County project approved by some of the people we are working with to help get this funded. General feeling is we are getting closer to where we want to be in getting approval. The cost of maintenance was discussed. Police – There were 531 total events for the month of October, 48 medical assists, 91 traffic stops, and 24 burglar alarms. Police conducted a Halloween Safety campaign providing Northvale Preschool and Northvale elementary school students with Halloween safety bags, coloring books, and glow in the dark safety bracelets. The Police had several arrests in October. Detective Charles Albanese assisted the Bergen County Prosecutors’ office in traveling to Portland, Oregon. They were investigating a sexual assault case that occurred in Northvale in 2018. An arrest was made and the defendant was extradited by the US Marshals to New Jersey.

**Councilman Hogan** – had his wisdom teeth removed and is under the weather but called in. He reported that the Building Department issued 15 permits for the month of October, collected \$26,323 and the year to date is \$208,178. We budgeted for \$200,000 so we are already above where we should be. The October 19<sup>th</sup> and November 2<sup>nd</sup> Planning Board/Zoning Board meetings were cancelled due to lack of applications ready to be heard. The next meeting is December 7<sup>th</sup> at 7:30 PM.

**Councilman McGuire** – reported that the Preschool would like to thank the Fire Department for visiting the children last month. Also thank you to the Northvale/Norwood Women’s Club for donating school supplies. The children made an American Flag with handprints for Veteran’s Day which was on display at the Senior Center. They will be participating and singing at the Tree Lighting on December 2<sup>nd</sup>. The Northvale School had Mr. O’Reilly’s choral students perform for Veterans Day. The winter concert is December 13<sup>th</sup> at 7:00 PM. The school appreciated the Halloween bags and bracelets from the Police Department. Congratulations to the school volleyball team making it to the finals. Unfortunately, they did not win. Board of Education meeting is tomorrow night at 6:30 PM. The Northern Valley School District had 2 elections, Haworth and Northvale. Congratulations to Joe Saunier who won the Northvale seat and will take office in January. NVOT Marching band won 1<sup>st</sup> ever US bands group 2A national championship. This is a huge accomplishment. Football Team won Group 3 Northone championship beating Hillside. They play this Sunday in the group 3 semifinals. Girls soccer won Group 11 northone state sectional championship. L Their first win ever.

**Councilman Argiro** – reported that Rec soccer playoffs start this weekend. All levels are alive. Basketball registration closed last Sunday. The Library is undergoing a big renovation project but hit a hiccup when asbestos was discovered. Remediation of this asbestos started earlier this week. The project is on hold for a little bit and hopefully the remediation will go smoothly. Programs are being held in the Senior Center due to the construction. Mary Grace Zaccaria gave her notice due to personal reasons, so we are in search of a Library Director. Michelle

Albanese and Mae Kwon will be the interim directors once again. Congratulations to Joe, Marty and Dom. Joe is a really good man will do a good job as well as Marty and Dom.

**Councilman Devlin** – reported that the Senior Center Halloween party was a success. They are having their monthly breakfast on November 17<sup>th</sup>. On December 12<sup>th</sup> the Bergen County Clerk’s satellite office will be coming. As everyone knows, Pam Capanini has retired. She did an excellent job and will be hard to replace. The DPW leaf season is underway. They are preparing the trucks for snow season. On December 17<sup>th</sup> Santa will be coming around on the Fire Truck handing out candy canes. The Fire Department Christmas party is December 19<sup>th</sup>. The 300 club party is December 4<sup>th</sup>. The Fire Department had 16 emergency calls for the month of October. Fire Prevention did 31 inspections and 12 reinspections for the month of October.

**Councilwoman McMorrow** – reported that the Board of Health had a meeting on November 3<sup>rd</sup>. The total revenue collected to date was \$30,000 which includes marriage licenses, death certificates, food licenses, and pet licenses. The reorganization meeting will be held in January. Chamber of Commerce had a successful Chilling in Chile event at Stokes Farm. They have a few new members. Thanks to Ken for organizing the event. The Ambulance Corps. had 20 calls in the month of October. Congratulations to Kevin Trainor for being named Paramedic of the Year. The Ambulance Corps. is facing a possible shut down in the near future if they do not get more members. NVAC is a 100% complete free service to members of the town. After 61 years of service, we are trying to keep the doors open. They have about 7 or 8 qualified EMTs. If anyone can give any commitment at all, speak with Kevin Trainor, Abby Fallon, Kara, come to the building, email, phone, facebook.

**Mayor Marana** – reported that Veterans Drive Phase I repaving is done except for the paperwork. Clinton Avenue is underway and scheduled to be completed tomorrow. Work on the passive recreation area at Veterans Park started on November 8<sup>th</sup>. That project is drawing some buzz across the County. Some people think it is going to be the best butterfly garden in Bergen County. We have executed the Paris Square homeowners claim for municipal services reimbursement. They will receive a check for \$22,818 after the December meeting where we will vote on an emergency to fund it. Regarding the two International trucks purchased for the DPW, the truck ordered in July 2021 should be delivered in March 2023. Then it has to go to Cliffside Body for modifications for 60 days. The other truck that was ordered in 2022 should be delivered in May and will also require a 60 day stay at Cliffside Body. Leaf season is moving along. DPW was authorized overtime on Friday and Saturday. We were fighting rain. As of last Thursday, all three leaf units were down. DPW was using the top loader to put leaves into dump trucks and bringing them to the compost site. As of Monday, two of the trucks are back on the road. The Hogan snack bar is back to normal. Hot dogs can be boiled. Dennis Marshall was able to get the situation resolved. There had been a new, overzealous Board of Health inspector. Her boss got her straightened out.

#### **BOROUGH ENGINEER REPORT**

**Ms. Raffay** – reported on the upcoming projects. We are anticipating a response for the 2023 NJDOT for Veterans Drive Phase II soon. Veterans Drive Phase I project has been completed minus the striping. Paris/Livingston Streetscape – the light posts have been installed. We are trying to have the electrician there to have them ready for the tree lighting. Clinton Avenue paving is done except for the striping and punch list items. Work has begun at 411 Clinton/Frances Lane. The plans have finally been approved for 3 out of the 4. They will be going before the Planning Board for approval. Riverside Coop paving has been completed. We are starting to work on roads for next years list. Riverside Coop will meet in January. We had a precon meeting for the emergency sewer and water main contract yesterday with the Police, Clerks, Mayors and DPW. Veterans Park Butterfly Garden and Playground work has begun. The Borough will be applying for the 2023 Local Transportation Project Fund to finish the streetscape on Livingston from Norwood border to Eidner Way.

#### **BOROUGH ATTORNEY REPORT**

**Mr. Asadurian** – had nothing to report at this time.

Mayor Marana told the Council that the Library Board is asking if the Borough can pay for the \$4,825 asbestos assessment and testing bill. The Library has \$254,000 in their capital fund. The project cost is \$183,000. The asbestos remediation is quoted at \$21,562. Their current fund has \$80,000. Councilman McGuire asked if an option was to leave the asbestos. Councilman Argiro answered that is not an option. Council President DeLisio commented that the capital reserve is for this purpose. Councilman Argiro suggested this be discussed at a closed session.

**ADJOURNMENT**

Motion was made by Council President DeLisio, seconded by Councilman Devlin to adjourn the meeting at 8:02 PM. All were in favor to adjourn.

*Patrick J. Marana*

Mayor

**ATTEST:**

*Frances M. Weston*

Frances M. Weston  
Municipal Clerk

Approved: December 14, 2022



