

MINUTES
Combined Meeting of the Mayor and Council
Wednesday, March 11, 2020
7:00 PM

CALL THE MEETING TO ORDER

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

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 Deputy 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 in attendance to rise and had Wayne Degen lead the Salute to the Flag. He asked all to remain standing for a moment of silent prayer for the troops abroad and here.

ROLL CALL

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

OTHER OFFICIALS IN ATTENDANCE

Also present: Ms. Deena Rosendahl, Borough Attorney, Ms. Marie Raffay, Borough Engineer, Ms. Frances Weston, Deputy Clerk

Mr. Steve Wielkotz, Borough Auditor spoke about Resolution #2020-59 and Ordinance #1018-2020. The Ordinance is a refunding bond ordinance for \$313,625 for tax appeal for Maxim. Mr. Wielkotz explained that he and the Mayor have to go to the State on April 7th. This tax appeal has been going on since 2015. The second reading of the ordinance will be at the April meeting. He is anticipating the Local Finance Board will approve to be due over a 3 year period.

APPROVAL OF MINUTES –

Combined Meeting of February 11, 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 Meeting of February 11, 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

AWARDS & PROCLAMATIONS

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 - February
- Fire Department
- Fire Prevention - February
- Grantswriter – January, February
- Municipal Court
- Police Department - February
- Recreation Minutes - January
- Tax Collector

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 #2020-52

TITLE: RESOLUTION APPOINTING REGISTRAR OF VITAL STATISTICS, ELECTION OFFICIAL AND SAFETY OFFICER

WHEREAS, on February 3, 2020 a vacancy occurred in the positions of Registrar of Vital Statistics, Election Official and Safety Officer for the Borough of Northvale; and

WHEREAS, Frances Weston having served as the Deputy Municipal Clerk for the Borough of Northvale and holding a CMR Certification has the requisite skill and knowledge to assume the duties of Registrar of Vital Statistics, Election Official and Safety Officer; and

WHEREAS, the Personnel Committee of the Borough has met and conferred and deems it is in the best interest of the Borough of Northvale to appoint Frances Weston to the position of Registrar of Vital Statistics, Election Official and Safety Officer for the Borough of Northvale.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Northvale hereby appoints Frances Weston as Registrar of Vital Statistics at an annual salary of Six Thousand (\$6,000) Dollars, Election Official at an annual salary of Five Hundred (\$500.00) Dollars and Safety Officer at an annual salary of Five Hundred (\$500.00) Dollars for the Borough of Northvale commencing on March 11, 2020.

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RESOLUTION #2020-53

TITLE: RESOLUTION APPOINTING NICOLE COWLEY PLANNING BOARD/ZONING BOARD OF ADJUSTMENT SECRETARY AND DEPUTY REGISTRAR

WHEREAS, Nicole Cowley currently holds the position of Accounting Assistant, working a four (4) day work week; and

WHEREAS, a vacancy has arisen in positions of Borough of Northvale Planning Board/Zoning Board of Adjustment Secretary and Deputy Registrar; and

WHEREAS, Nicole Cowley has the requisite skills and experience to hold the position of Planning Board/Zoning Board of Adjustment Secretary and Deputy Registrar; and

WHEREAS, it is in the best interest of the Borough of Northvale to appoint Nicole Cowley to the position of Planning Board/Zoning Board of Adjustment at an annual salary of \$4,770.00, Deputy Registrar at an annual salary of \$3,730.00; and

BE IT FURTHER RESOLVED, Nicole Cowley shall continue to serve in the position of Accounting Assistant and, together with the appointments made herein, shall work a five (5) day work week commencing on March 11, 2020.

RESOLUTION #2020-54

TITLE: APPROVE RAFFLE LICENSE #RL 212 – WOMAN’S CLUB NORWOOD/NORTHVALE – 50/50 ON PREMISE

BE IT HEREBY RESOLVED, that the following license to conduct a 50/50 On Premise Draw be issued to:

NAME:	Woman’s Club of Norwood/Northvale
ADDRESS:	195 Veterans Drive
LOCATION OF RAFFLE:	190 Paris Avenue
DATE OF RAFFLE:	May 15, 2020
I.D. #:	355-8-21812
RAFFLE LICENSE #:	RL 212

BE IT FURTHER RESOLVED, that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

RESOLUTION #2020-55

TITLE: APPROVE RAFFLE LICENSE #RL 213 – ST. ANTHONY’S CHURCH – CASINO NIGHT

BE IT HEREBY RESOLVED, that the following license to conduct a Casino Night be issued to:

NAME: St. Anthony’s Church

ADDRESS: 199 Walnut Street

LOCATION OF RAFFLE: 199 Walnut Street

DATE OF RAFFLE: April 25, 2020

I.D. #: 353-1-146

RAFFLE LICENSE #: RL 213

BE IT FURTHER RESOLVED, that said license shall be issued subject to all rules and regulations of the Legalized Games of Chance Control Commission of the State of New Jersey.

RESOLUTION #2020-56

TITLE: AUTHORIZE THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATES PURSUANT TO N.J.S.A. 54:5-52.1

WHEREAS, the Tax Collector of the Borough of Northvale has previously issued tax sale certificates to M.d. Sass Municipal Finance Partners and Crusader Servicing Corporation which certificates were dated 10/24/1994 and 11/15/2002 for Block 909 Lot 6 and bear the Certificate numbers 28 and 52;

WHEREAS, Rogan & Associates representing the owner, Daniel T. Riecken, and Dean Stamos of Ferraro & Stamos representing the buyer as the parties entitled to redeem the aforesaid tax sale certificate have indicated to the Tax Collector that these tax liens appear open of record in the County records;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that the Tax Collector be and is hereby authorized to issue appropriate duplicate tax sale certificates to the said parties entitled to redeem covering the certificates lost or listed as open of record in the County records as previously described all in accordance with the requirements of Chapter 99 of Public Laws of 1997.

BE IT FURTHER RESOLVED that a copy of this Resolution be attached to the duplicate certificates to be issued to said parties entitled to redeem and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word “Duplicate” as required by law.

RESOLUTION #2020-57

TITLE: Authorize the Chief Financial Officer to Refund Taxes Overpaid Due to State Tax Court Judgment.

BE IT RESOLVED, by the Mayor and Council of the Borough of Northvale, that the Chief Financial Officer is hereby authorized to refund the following overpayment of taxes due to State Tax Board Judgment:

Block	Lot	Name	Amount	Year
207	5	Maxim Enterprise, LLC	\$ 68,400.00	2017
		Blau & Blau	\$113,600.00	2018
		223-B Mountain Avenue	\$131,625.00	2019
		Springfield, New Jersey 07081		
		Attn: Daniel R. Kanoff		
		Property - 273 Livingston Street		

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Northvale that the Chief Financial Officer shall issue one check in the amount of **\$313,625.00 to Blau & Blau, attorney for Maxim Enterprise, LLC** and forward it to Daniel R. Kanoff at Blau & Blau.

RESOLUTION #2020-58

TITLE: Authorize the Chief Financial Officer to Refund Taxes Overpaid Due to State Tax Court Judgment.

BE IT RESOLVED, by the Mayor and Council of the Borough of Northvale, that the Chief Financial Officer is hereby authorized to refund the following overpayment of taxes due to State Tax Board Judgment:

Block	Lot	Name	Amount	Year
302	6	S & R Costa Realty, LP	\$7,382.70	2019
		Zipp & Tannenbaum, LLC		
		280 Raritan Center Parkway		
		Edison, New Jersey 08837		
		Attn: Paul Tannenbaum		
		Property – 257-259 Union Street		
1102/10		S & R Costa Realty LP	\$2,925.00	2019
		Zipp & Tannenbaum, LLC		
		280 Raritan Center Parkway		
		Edison, New Jersey 08837		
		Attn: Paul Tannenbaum		
		Property – 185 LeGrande Avenue		

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Northvale that the Chief Financial Officer shall issue one check in the amount of **\$10,307.70 to S & R Costa Realty LP** and forward it to Zipp & Tannenbaum, LLC.

RESOLUTION #2020-59

TITLE: MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51

WHEREAS, the Borough of Northvale in the County of Bergen, New Jersey (the “Borough”) desires to make application to the Local Finance Board for its approval of (i) the adoption of a refunding bond ordinance for amounts owed to others for taxes levied in the

Borough and (ii) the approval of a maturity schedule for the refunding of said taxes owed to others, all pursuant to N.J.S.A. 40A:2-51; and

WHEREAS, the Borough of Northvale believes:

- a. it is in the public interest to accomplish such purpose;
- b. said purpose is for the health, welfare, convenience or betterment of the inhabitants of the Borough;
- c. the amounts to be expended for said purpose are not unreasonable or exorbitant; and
- d. the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Northvale in the County of Bergen, New Jersey as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Chief Financial Officer, Auditor and Bond Counsel and the Clerk of the Borough, along with other representatives of the Borough, are hereby authorized to prepare such application and to represent the Borough of Northvale in matters pertaining thereto.

Section 2. The Clerk of the Borough of Northvale is hereby directed to file a copy of this Resolution and a copy of the proposed Bond Ordinance as passed upon first reading with the Local Finance Board for its consent as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute and to cause its consent to be endorsed upon the Bond Ordinance.

RESOLUTION #2020-60

TITLE: TEMPORARY EMERGENCY APPROPRIATION

WHEREAS, an emergent condition has arisen in that the Borough of Northvale is expected to enter in contracts, commitments or payments prior to the adoption of 2020 Municipal Budget and no adequate provision has been made in the 2020 Temporary Budget for the aforesaid purposes; and

WHEREAS, N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose, and

WHEREAS, the total emergency appropriation adopted by this resolution is \$313,625.00 for Judgments and Tax Appeals Refund; and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2020 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$3,267,800.00.

NOW, THEREFORE BE IT RESOLVED by the Borough of Northvale, in the County of Bergen, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$313,625.00 as follows:

Judgments Tax Appeals Refund	\$313,625.00
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2. Said emergency temporary appropriations will be funded through a refunding bond ordinance.
3. That one certified copy of this resolution be filed with the Director of Division of Local Government Services.

RESOLUTION #2020-61

TITLE: RESOLUTION APPOINTING FRANCES WESTON ACTING MUNICIPAL CLERK

WHEREAS, pursuant to N.J.S.A. 40A:9-133, the Borough of Northvale is required to employ a Registered Municipal Clerk; and

WHEREAS, on February 3, 2020 a vacancy occurred in the Office of Municipal Clerk by the departure of the Borough’s Registered Municipal Clerk; and

WHEREAS, pursuant to N.J.S.A. 40A:9-133, within 90 days of the occurrence of a vacancy in the office of municipal clerk by reason of the departure of a registered municipal clerk, the governing body may appoint a person who does not hold a registered municipal clerk certificate to serve as acting municipal clerk for a period not to exceed one year and commencing on the date of the vacancy and may with the approval of the Director of the Division of Local Government Services in the Department of Community Affairs, be reappointed as acting municipal clerk for a maximum of two subsequent one-year terms following the termination of the temporary appointment; and

WHEREAS, Frances Weston has served as the Deputy Municipal Clerk for the Borough of Northvale; and

WHEREAS, the personnel committee of the Borough has met and conferred and identified Frances Weston, who it believes possesses the experience necessary and appropriate to perform the function of the Acting Municipal Clerk in the highest professional manner; and

WHEREAS, it is in the best interests of the Borough of Northvale to appoint Frances Weston as Acting Municipal Clerk for the Borough of Northvale for a term not to exceed one (1) year.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Northvale hereby appoints Frances Weston as Acting Municipal Clerk commencing on March 11, 2020 for a term not to exceed one (1) year and at an annual salary of Fifty Six Thousand Five Hundred (\$56,500.00) Dollars.

RESOLUTION #2020-62

TITLE: TRANSFER OF APPROPRIATION RESERVES

WHEREAS, N.J.S.A. 40:4-59 permits the transfer of appropriation reserve during the first three months of succeeding year from accounts showing unexpended balances to accounts in which commitments authorized or incurred may exceed the balance available in appropriation reserve; and

NOW, THEREFORE, BE IT RESOLVED, that the following transfers are hereby authorized:

DEPARTMENT	GROUP	ACCOUNT	FROM	TO
Administration	SW	9-01-20-100-100	13,000.00	
Administration	OE	9-01-20-100-200	850.00	
Mayor and Council	SW	9-01-20-110-100		512.00
Finance	SW	9-01-20-130-100		593.00
Finance	OE	9-01-20-130-200		1,481.00
Tax Collection	SW	9-01-20-145-100		1,123.00
Tax Assessment	SW	9-01-20-150-100		292.00
Legal Services	OE	9-01-20-155-200		11,292.00
Engineering	OE	9-01-20-165-200		3,682.00
Planning Board	SW	9-01-21-180-100		82.00

Planning Board	OE	9-01-21-180-200		596.00
Construction Code	SW	9-01-22-195-100		1,377.00
Code Compliance	SW	9-01-22-196-100		262.00
Health Benefits	OE	9-01-23-220-200	6,000.00	
Police	OE	9-01-25-240-200	15,000.00	
Fire	OE	9-01-25-255-200	1,650.00	
Fire Prevention	SW	9-01-25-265-100		302.00
Prosecutor	SW	9-01-25-275-100		225.00
DPW Streets Roads	SW	9-01-26-290-100		1,112.00
Streets & Roads	OE	9-01-26-290-200	1,100.00	
Streets & Roads	OE	9-01-26-290-200		13,900.00
Recycling	SW	9-01-26-300-100		127.00
Recycling	OE	9-01-26-300-200	150.00	
Buildings & Grounds	OE	9-01-26-310-200	1,300.00	
Sewer System	OE	9-01-26-311-200		19.00
Board of Health	SW	9-01-27-330-100		328.00
Health	OE	9-01-27-330-200	100.00	
Animal Control	OE	9-01-27-340-200	100.00	
Senior Center	SW	9-01-27-360-100		1,006.00
Senior Center	OE	9-01-27-360-200		566.00
Parks & Playgrounds	OE	9-01-28-375-200	400.00	
Electricity	OE	9-01-31-430-200	588.00	
Street Lighting	OE	9-01-31-435-200	1,628.00	
Telephone	OE	9-01-31-440-200	151.00	
Natural Gasoline	OE	9-01-31-446-200		2,571.00
Gasoline Vehicle Fuel	OE	9-01-31-460-200		112.00
Water	OE	9-01-31-445-200	281.00	
Social Security	OE	9-01-36-472-200		834.00
Municipal Court	SW	9-01-43-490-100		231.00
Municipal Court	OE	9-01-43-490-200	415.00	
Public Defender	SW	9-01-43-495-100		88.00
			<u>42,713.00</u>	<u>42,713.00</u>

RESOLUTION #2020-63

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 (2019)	\$20,046.87
Current Fund Appropriations (2020)	\$648,252.69
General Capital Fund	
Grant Fund	\$350.00
Police DEA Trust	\$34,478.84
Animal Trust	\$435.60
Food Trust	\$1,275.00
Escrow Trust	\$16,047.15
Recreation Trust	\$9,975.00
Summer Recreation Trust	\$80.59
TOTAL	\$730,941.74

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

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

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

Payroll – Salaries & Wages	02-07-2020	\$149,151.47
Payroll – Salaries & Wages	02-21-2020	\$150,055.96
Payroll – Salaries & Wages	02-28-2020	\$12,836.30
Health Benefits	January 2020	\$56,839.80
School Taxes – Local	January 2020	\$828,833.92
School Taxes – Regional	January 2020	\$608,713.40
TOTAL		\$1,806,430.85

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Northvale that the claims totaling **\$2,537,372.59** and ratified respectively.

OPEN PUBLIC HEARING

Mayor Marana opened the meeting to the public for questions or comments from the public on the Consent Agenda Resolutions only at this time.

CLOSE PUBLIC HEARING

There being no questions or comments from the public, Mayor Marana closed the meeting to the public and asked for a Roll Call Vote.

ROLL CALL VOTE

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

ORDINANCES – 1st reading –

ORDINANCE #1018-2020

REFUNDING BOND ORDINANCE PROVIDING FOR THE FUNDING OF A \$313,625 EMERGENCY TEMPORARY APPROPRIATION FOR TAX APPEALS IN, BY AND FOR THE BOROUGH OF NORTHVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$350,000 OF BONDS OR NOTES TO FINANCE SUCH EMERGENCY TEMPORARY APPROPRIATION.

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

WHEREAS, the Borough Council of the Borough of Northvale, in the County of Bergen, New Jersey, pursuant to a resolution adopted on March 11, 2020 in accordance with N.J.S. 40A:4-20, made an emergency temporary appropriation in the amount of \$313,625 to pay tax refunds resulting from property tax appeals; and

WHEREAS, the Borough Council of said Borough has determined that it is in the best interest of the Borough to fund the \$313,625 emergency temporary appropriation, pursuant to the provisions of N.J.S. 40A:2-51, by the adoption of a refunding bond ordinance providing for payment thereof, including expenses, and authorizing the issuance of \$350,000 of bonds or notes of said Borough to finance the funding of said emergency temporary appropriation; **NOW, THEREFORE,**

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

Section 1. The Borough of Northvale, in the County of Bergen, New Jersey (the "Borough") is hereby authorized to fund the \$313,625 emergency temporary appropriation for tax appeals previously made pursuant to a resolution adopted by the Borough Council of the Borough on March 11, 2020.

Section 2. The Borough Council of the Borough hereby determines that the Borough is authorized by Section 51(a) of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law") to issue its refunding bonds or notes as hereinafter provided to pay or fund the \$313,625 emergency temporary appropriation set forth in Section 1 hereof.

Section 3. The sum of \$36,375 is hereby appropriated to pay the cost of the issuance of refunding bonds or notes and expenses in connection with the tax appeals, including printing, advertising, accounting and financial and legal expenses therefor permitted by Section 51(b) of the Local Bond Law.

Section 4. To finance the funding of the \$313,625 emergency temporary appropriation and the \$36,375 appropriation for costs in connection therewith (collectively, hereinafter referred to as purpose), bonds of said Borough of an aggregate principal amount not exceeding \$350,000 are hereby authorized to be issued pursuant to the Local Bond Law (the "Refunding Bonds"). The Refunding Bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. The Refunding Bonds shall be direct and general obligations of said Borough and said Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within said Borough for the payment of the principal of the Refunding Bonds and the interest thereon without limitation as to rate or amount. The full faith and credit of said Borough shall be and are hereby pledged for the punctual payment of the principal of and interest on the Refunding Bonds. Each Refunding Bond issued pursuant to this ordinance shall recite that it is issued pursuant to the Local Bond Law and shall also recite that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened and to have been performed precedent to and in the issuance of said bond exist, have happened and have been performed, and that said bond, together with all other indebtedness of said Borough, is within every debt and other limit prescribed by the Constitution or statutes of said State. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted, except that the Refunding Bonds shall mature at such time or times, not exceeding 40 years from their date, as may be approved by the Local Finance Board.

Section 5. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$350,000 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 6. 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 on 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 and the Local Finance Board. Each of said 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 and to issue 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 7. 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 \$350,000, but said \$350,000 shall be deducted from gross debt pursuant to Section 52 of the Local Bond Law, 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 8. It is hereby determined and stated that (A) a certified copy of this refunding bond ordinance as passed on first reading shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to the final adoption thereof, together with a complete statement in the form prescribed by said Director and signed by the chief financial officer of the Borough as to the outstanding tax refund amount to be financed by the issuance of the Refunding Bonds or the notes and (B) no sum need be appropriated hereby as a down payment.

Section 9. This ordinance shall take effect twenty days after the first publication thereof after final passage, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

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

ORDINANCE #1019-2020

AN ORDINANCE AMENDING AND MODIFYING SECTION CHAPTER 74, ARTICLE 1 OF THE BOROUGH CODE

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

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

Section 1. Purpose & Authority. The purpose of this ordinance is to modify and amend Chapter 74, Background Checks, Article 1, Borough Employees and Volunteers Working with Minors, pursuant to N.J.S.A. 40:48-1, and 40:49-2.

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

74-3 (C) The determination of whether the information contained in the criminal history record is sufficient to disqualify an employee or volunteer shall be made by the state police. A challenge to the accuracy of the report shall be filed with the Municipal Chief of Police, who shall coordinate the challenge with the appropriate agency.

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	=	=	=	=

HEARING OF THE PUBLIC

Bill Sillery, 324 Bradley Avenue - asked if there was any news on increase testing for the coronavirus.

Kenny Stewart, 216 Franklin Street – complimented the town and Police on always doing a good job. He had a complaint about the house on the corner of Paris Avenue/Franklin Street. He said it is a mess with garbage all over.

Andrew Durfee, 174 Walnut Street – stated that there is speeding on Walnut Street and asked if there is anything that can be done. He also suggested putting up 3 way stop signs. He also stated that the CSX work on Clinton Avenue should not be postponed.

MAYOR AND COUNCIL REPORTS

Councilman Sotiropoulos – reported on the Police arrest at Hogan Park and congratulated the Police on a job well done. He reported the DPW have been working on the baseball fields and borrowed Norwood’s thatcher for the fields. They have been doing sewer jet work. They opened Northvale Auto Parts a number of times. There was a gas leak at the Borough Hall. The DPW contacted Nick Varni who came and did the repairs. Lights were installed on the flagpoles at the Borough Hall and Hogan Park. Briant’s wife’s company is moving and had a lot of metal to get rid of. The DPW dropped off a container and disposed of the scrap metal and the Borough received several thousand dollars.

Councilman Argiro – reported that Recreation had their monthly meeting. Rich Fleury spoke on the coronavirus affecting sports. Basketball regular season is running down. Brandon did a phenomenal job. Indoor soccer playoffs are on Sunday. Opening Day is April 25th. Applebee’s fundraiser date has not been determined as yet. Dick’s in Paramus gave Recreation 20% coupons. The Library will be having an interior renovation.

Councilman McGuire – reported that the Spring Luncheon at the Senior Center will be held on April 4th. Cho Dae Golf Outing is May 11th. Town Day is September 12th. The Fire Department has started preparations for their 125th anniversary in 2021. Camp Northvale registration is April 16th. NVOT Junior Prom is March 12th and the Senior Prom is June 5th. All schools are preparing for closings due to the coronavirus.

Councilman DeLisio – reported he had a conference call with the Department of Education in reference to potential school closings. The Commissioner is willing to waive the 180 day mandate as long as there is adequate instruction for the students. Plans are being submitted to Mr. DeLisio for review. The Bergen County Technical School is closed.

Councilman Shepard – reported that Rich Scaglione and Leigh Meola are working on the butterfly garden at Veterans Park. The Fire Department has their 125th anniversary in 2021. Fire Prevention had 53 inspections.

Councilman Devlin – reported that the duct work cleaning at the Senior Center is completed. The DPW changed the dirty ceiling tiles. Senior Center’s St. Patrick’s Day Party is March 12th. Planning Board had 2 short meetings. The Board of Health meeting will be March 19th.

Mayor Marana – stated that the Master Plan Reexamination is done every 10 years. He thanked Bill Sillery and Ed Giannotti for doing the bulk of the work with Darlene Green, the Borough Planner. The Open Space Grant is due April 30th. The CSX preconstruction meeting was held on March 3rd. There will be 3 phases. Phase 1 and 2 will be the roadwork and drainage. The original estimate is to have the crossing closed for 5 days. They will start after school closes. Phase 3 will be installing the safety equipment. They will work on the weekends if necessary when the crossing is closed. Maser has developed the subdivision for the VFW building. Mayor Marana will show the Planning Board at the next meeting. Mayor Marana contacted Linda from L Ross Cleaning for a quote to deep clean the Borough Hall. The quote was \$2300. There will be a meeting on March 18th to discuss postponing the Cho Dae Golf outing. The County has shut down all County run Senior Centers. The Mayor says the borough should follow the county plan.

BOROUGH ENGINEER REPORTS

Ms. Raffay reported on the various projects Maser Consulting has been working on. Riverside Coop will go out to bid on Monday. They have been working with Millenium Strategies for grants.

BOROUGH ATTORNEY REPORTS

Ms. Rosendahl stated she had items for closed session.

HEARING OF THE PUBLIC

There were no questions or comments from the public.

CLOSED SESSION – 8:08 PM

*Action may **== not ==** be taken upon return to open session.*

RESOLUTION #2020-64

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

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

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

- 1. Matters required by law to be confidential
- 2. Matters where the release of information would impair the right to receive funds.
- 3. Matters involving individual privacy
- 4. Matters relating to collective bargaining
- 5. Matters relating to the purchase, lease or acquisition of real property or the investment of public funds.
- 6. Matters relating to public safety and property.
- 7. Matters relating to litigation, negotiations and attorney client privilege.
- 8. Matters relating to the employment relationship – Personnel
- 9. Matters relating to the potential imposition of a penalty.

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

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

RETURN TO OPEN SESSION – 8:45 PM

AJOURNMENT – 8:47 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: May 13, 2020