

MINUTES
Special Meeting of the Mayor and Council
Wednesday, January 15, 2020
7:00 PM

CALL THE MEETING TO ORDER

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

STATEMENT

Mayor Marana read the “Sunshine Statement” into the record as follows:

“This is a Special Meeting of the Mayor and Council of the Borough of Northvale. The date, time and location of this meeting has been advertised in the official Newspaper of the Borough, filed with the 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 join him in a Salute to the Flag and then called a moment of Silent Prayer in memory of long time Northvale resident, Ron Magnani who passed away recently.

ROLL CALL

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

Also attending: Michael Wilkos, Florio, Kenny, Ravel
 Darren Raymond, Associated Appraisal Group

CLOSED SESSION

Action will == will not == be taken upon return to open session.

RESOLUTION #2020-30

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 – TIME: 7:38 PM

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

RESOLUTION #2020-31

WHEREAS, MAXIM ENTERPRISE LLC, is the record owner of property situated at Block 207, Lots 3 & 5, with a street address of 273 Livingston Street located in the Borough of Northvale, New Jersey, and

WHEREAS, MAXIM ENTERPRISE LLC, is the Plaintiff in legal actions against the Borough of Northvale in the Tax Court of New Jersey, specifically Docket Nos.: 004842-2015, 002027-2016, 000468-2017, 000539-2018, and 000966-2019, challenging the actions of the Borough and the Bergen County Board of Taxation with respect to the assessment of its property, and

WHEREAS, the parties now wish to amicably resolve the outstanding issues regarding the assessment of the property and settle the lawsuits between them pending in the Tax Court of New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Northvale, County of Bergen, State of New Jersey, that Florio Kenny Raval, L.L.P., Tax Appeal Counsel for the Borough of Northvale, is hereby authorized to execute on behalf of the Borough of Northvale, a Stipulation of Settlement resolving the Complaints filed by:

- 1) MAXIM ENTERPRISE LLC, for property situated at Block 207, Lots 3 & 5; 273 Livingston Street, Northvale, New Jersey 07647;
- 2) For tax years 2015, 2016, 2017, 2018, and 2019.

Block: 207

Lot: 5
Street Address: 273 Livingston Street

Years: 2015 and 2016 (Assessment Affirmed)

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$1,101,600	N/A	\$1,101,600
Impvts	<u>\$25,628,000</u>	N/A	<u>\$25,628,000</u>
Total	\$26,729,600	N/A	\$26,729,600

Years: 2017 (Assessment Reduced)

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$1,101,600	N/A	\$1,101,600
Impvts	<u>\$25,628,000</u>	N/A	<u>\$23,128,000</u>
Total	\$26,729,600	N/A	\$24,229,600

Years: 2018 (Assessment Reduced)

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$1,101,600	N/A	\$1,101,600
Impvts	<u>\$25,628,000</u>	N/A	<u>\$21,628,000</u>
Total	\$26,729,600	N/A	\$22,729,600

Years: 2019 (Assessment Reduced)

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$1,101,600	N/A	\$1,101,600
Impvts	<u>\$25,628,000</u>	N/A	<u>\$21,128,000</u>
Total	\$26,729,600	N/A	\$22,229,600

Block: 207
Lot: 3
Street Address: 273B Livingston Street

Years: 2015 through 2019 (Assessment Affirmed)

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
Land	\$770,400	N/A	\$770,400
Impvts	<u>—\$0</u>	N/A	<u>—\$0</u>
Total	\$770,400	N/A	\$770,400

Interest on any refund due is waived; provided the refund is made within 60 days

of the date judgment is issued by the Court.

All in accordance with the discussions held at a certain meeting of the Borough Council on January 15, 2020.

ROLL CALL VOTE –

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

Northern Valley Greenway Presentation

Rich Fleury, 204 Frankfort Avenue, who is a representative of Northern Valley Greenway gave a presentation to the Mayor & Council.

HEARING OF THE PUBLIC

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

ADJOURNMENT – TIME – 8:10 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
Deputy Borough Clerk

Approved: February 11, 2020