



**A G E N D A**  
**Combined Meeting of the Mayor and Council**  
**Wednesday, March 13, 2024**  
**7:00 PM**

To view the Mayor & Council meeting via livestream, please access the YouTube link which is posted on the Northvale website, [www.northvalenj.org](http://www.northvalenj.org). Go to government tab, then to meeting livestreams.

**CALL THE MEETING TO ORDER**

**OPEN PUBLIC MEETINGS ACT NOTICE**

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 AND MOMENT OF SILENCE**

**ROLL CALL**

**RESOLUTION #2024-54**

**TITLE: RESOLUTION AUTHORIZING THE HIRING OF THREE NEW POLICE OFFICERS**

**WHEREAS**, the Borough of Northvale believes it is in the best interest of the Borough to hire three (3) new specific police officers; and

**WHEREAS**, the Borough’s Police Chief has recommended this hiring as being in the best interest of the Borough of Northvale Police Department; and

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Borough of Northvale that the Governing Body hereby authorizes the hiring of the following three (3) new police officers: John Carroll, Nicholas Criscuolo, and Kyle Sullivan.

**ROLL CALL**

**SWEARING IN OF NEW POLICE OFFICERS and NORTHVALE’S BIRTHDAY CELEBRATION**

**APPROVAL OF MINUTES**  
**Combined Meeting of February 14, 2024**

**CORRESPONDENCE**

1. Neglia Group, letter dated February 26, 2024  
RE: Wildwood Rd. West and Scharer Ave. Improvements  
(Resolution #2024-58)

**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”.*



**RESOLUTION #2024-55**

**TITLE: RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL PART OF 2022 TAXES CHARGED TO A TOTALLY DISABLED VETERAN**

**WHEREAS**, Block 908 Lot 1 Qual Code C3203, 3203 Rio Vista Lane was sold to Walter Enright, a Totally Disabled Veteran on November 10, 2022, who has been granted Tax Exempt Status according to New Jersey Statute 54:4-3.30et seq.; and

**WHEREAS**, Mr. Enright was required to pay property taxes at the closing and he paid the 2022 4<sup>th</sup> quarter; and

**WHEREAS**, the portion of the 2022 Tax that was paid at closing was to be canceled and refunded because of Mr. Enright’s status as a Totally Disabled Veteran.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Northvale, that the Tax Collector is hereby authorized to cancel the amount of \$332.40 from the 2022 4<sup>th</sup> Quarter and the Chief Financial Officer shall issue a refund to Mr. Enright for \$332.40 on Block 908 Lot 1 Qual Code C3203.

Walter Enright                      2022 4<sup>th</sup> Quarter - \$332.40  
3203 Rio Vista Lane  
Northvale, NJ 07647

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**RESOLUTION #2024-56**

**TITLE: RESOLUTION AUTHORIZING THE CFO TO ISSUE REFUNDS FOR 2023 3<sup>RD</sup> AND 4<sup>TH</sup> QUARTERS AND 2024 1<sup>ST</sup> QUARTER TAXES DUE TO TOTALLY DISABLED VETERAN STATUS**

**WHEREAS**, Block 410 Lot 26, 418 Crest Drive was purchased by Giuseppe Conigliaro, a Totally Disabled Veteran on July 7, 2023, who has been granted Tax Exempt Status according to New Jersey statute 54:4-3.30 et seq.; and

**WHEREAS**, Mr. Conigliaro was required to pay property taxes at the closing, and he paid the 2023 3<sup>rd</sup> quarter; and

**WHEREAS**, the 2023 4<sup>th</sup> quarter and 2024 Preliminary taxes are to be canceled because of Mr. Conigliaro’s status as a Totally Disabled Veteran; and

**WHEREAS**, Freedom Mortgage, the mortgage holder for Mr. Conigliaro paid the taxes for 2023 4<sup>th</sup> quarter and 2024 1<sup>st</sup> quarter.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Northvale, that the CFO shall issue refunds to Mr. Conigliaro and Freedom Mortgage for taxes paid on a Tax-Exempt property as listed below.

Giuseppe Conigliaro                      2023 3<sup>rd</sup> Quarter - \$2,789.55  
418 Crest Drive  
Northvale, NJ 07647

CoreLogic Tax Service                      2023 4<sup>th</sup> Quarter - \$2,810.44  
Refunds Department                      2024 1<sup>st</sup> Quarter - \$2,846.34  
P.O. Box 9202                                  Total                                  - \$5,656.78  
Coppell, Texas 75019  
Attention: Freedom Mortgage

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## RESOLUTION #2024-57

**TITLE: RESOLUTION OF THE BOROUGH OF NORTHVALE, COUNTY OF BERGEN, OPPOSING ASSEMBLY BILL NO. 4/SENATE BILL NO 50, WHICH PROPOSES TO OVERHAUL THE FAIR HOUSING ACT (“FHA”) IN A WAY THAT IMPOSES UNREALISTIC OBLIGATIONS WITH UNREALISTIC DEADLINES BASED UPON ONEROUS STANDARDS**

### **Mount Laurel II**

**WHEREAS**, in 1983, the Supreme Court decided a landmark case, commonly referred to as Mount Laurel II; and

**WHEREAS**, Mount Laurel II and its progeny generated substantial litigation culminating in the enactment of the New Jersey Fair Housing Act in 1985 (“FHA”); and

### **The Fair Housing Act of 1985**

**WHEREAS**, the Legislature enacted the FHA to restore home rule, to bring the fair share numbers back to reality and to reduce the burdens of Mount Laurel compliance; and

**WHEREAS**, more specifically, the FHA sought *to restore home rule* by imposing a moratorium on the builder’s remedy and by providing an administrative process that municipalities could voluntarily pursue wherein they would be insulated from developers seeking builder’s remedies to try to compel them to capitulate their zoning demands; and

**WHEREAS**, the FHA sought *to bring the fair share numbers back to reality* by among other things defining the prospective need as the need “based on development and growth which is reasonably likely to occur” and by calling for the fair share to be adjusted to a number lower than the fair share formula generated if the municipality lacked sufficient land to satisfy the obligation generated by the fair share formula; and

**WHEREAS**, the FHA sought *to reduce the burdens on municipalities* by prohibiting any requirement for municipalities to expend their own resources to comply; and

### **The New Jersey Council on Affordable Housing**

**WHEREAS**, the FHA created COAH and conferred “primary jurisdiction” on COAH to administer the FHA and to implement the affordable housing policies of our State; and

**WHEREAS**, all acknowledge -- even Fair Share Housing Center (“FSHC”) -- that COAH functioned just fine in Rounds 1 and 2; and

**WHEREAS**, COAH did not adopt valid regulations for Round 3 despite multiple efforts to do so and made no efforts to cure the bottleneck the third time COAH voted 3-3 on Round 3 regulations in October of 2014; and

### **Mount Laurel IV**

**WHEREAS**, in 2015, the Supreme Court issued a decision, commonly referred to as Mount Laurel IV, in response to a motion to transfer the responsibilities of COAH back to the courts in light of COAH’s failure to adopt valid regulations; and

**WHEREAS**, in Mount Laurel IV, the Supreme Court returned the task of implementing the doctrine back to the Courts because COAH had failed to do its job and made no effort to cure the roadblock when it voted 3-3 on the third iteration of Round 3 regulations; and

**WHEREAS**, notwithstanding the foregoing, the Court emphasized that it preferred the administrative remedy created by the FHA to a judicial one and hoped that COAH would be



effective so that towns could comply once again through the administrative process created by the FHA; and

**WHEREAS**, the Court process proved to be far more expensive than the COAH process and was ill-suited for resolving comprehensive planning disputes over affordable housing matters; and

**WHEREAS**, the Round 3 process was a disaster with judges pressing municipalities to comply before even establishing the obligations with which they must comply; and

**WHEREAS**, ultimately, on March 8, 2018, after a 41-day trial in Mercer County, Judge Jacobson issued an opinion in which she set forth a fair share methodology; and

**WHEREAS**, in that trial and in various other instances throughout the state, FSHC took the position that the Statewide obligation should exceed 300,000 to be addressed between 2015 and 2025; and

**WHEREAS**, municipalities, through Dr. Robert Powell, presented evidence that, in a best case scenario, the State could only absorb less than 40,000 affordable units in a ten year period and thus argued that FSHC's calculations was not grounded in reality whatsoever; and

**WHEREAS**, the trial judge, having been constrained by the Supreme Court to use the formula for Round 2 that COAH adopted in 1994, ultimately concluded that the Statewide obligation to be constructed between 2015-2025 was roughly 153,000 units; and

### **The 354 Settlements with FSHC**

**WHEREAS**, FSHC reports that it entered 354 settlements in Round 3; and

**WHEREAS**, many municipalities are reeling under the burden of satisfying their obligations under those settlements entered between 2015 and 2023; and

**WHEREAS**, many of those Round 3 settlements will result in development during the Round 4 period; and

**WHEREAS**, consequently, many of the 211,000 COs anticipated in Round 4 will come from ordinances adopted to satisfy a Round 3 obligation, leaving far fewer units that could contribute to an additional Round 4 responsibilities; and

**WHEREAS**, Round 4 is set to begin on July 1, 2025 and there is no comprehensive analysis on the impacts of the 354 Round 3 settlements and over-zoning described above; and

**WHEREAS**, indeed, the A4/S50 Bill fails to consider the impact from affordable housing projects that were approved during the Third Round, but are still not yet under construction, as said projects, as well as additional future projects, will impact legitimate public concerns like infrastructure, the environment, schools, traffic, parking and open space; and

**WHEREAS**, the Round 3 process destroyed the balance achieved by the Fair Housing Act in 1985; and

### **A-4/S-50**

**WHEREAS**, on December 19, 2023, against the above backdrop, the Housing Committee of the Assembly (a) unveiled the Legislation (A-4) – a detailed 69-page bill that the Chairwoman of the Housing Committee announced had been worked on for a long time; and (b) scheduled the bill for a vote at a hearing scheduled less than 24 hours later; and

**WHEREAS**, on December 19, 2023, the Administrative Office of the Courts wrote to the Legislature and made clear that it could not structure the bill in the manner set forth in the proposed legislation; and

**WHEREAS**, notwithstanding the foregoing, on December 20, 2023, the Housing Committee voted the bill out of the Committee and announced that the bill needed to be ready for signing by the Governor before the end of the lame duck session on January 8, 2024; and



**WHEREAS**, the perception that the Legislature designed the process to adopt the bill before the public had an opportunity to review it and provide meaningful comment was as troubling as it was real; and

**WHEREAS**, consequently, the Legislature did not ram the bill through in the lame duck session as had been announced; and

**WHEREAS**, instead, on January 29, 2024, the Housing Committee of the Assembly met to consider a new version of A-4 and voted to release it out of the Committee; and

**WHEREAS**, on February 8, 2024, as a result of comments, letters and resolutions challenging this new version of A-4, the Appropriations Committee of the Assembly announced a number of changes to the Bill; and

**WHEREAS**, one witness likened the summary presented to the public at the February 8, 2024 Appropriations meeting to that of an auctioneer; and

**WHEREAS**, the Appropriations Committee voted the bill out of the Committee at its February 8, 2024 meeting before the public had an opportunity to even see the changes, much less process their significance and comment on them; and

**WHEREAS**, the bill has been improved marginally as it has evolved from its initial version in December of 2023 to the current version voted out of the Appropriations Committee of the Assembly on February 8, 2024; and

**WHEREAS**, the Assembly adopted the Bill on February 12, 2024 with the changes rattled off at the February 8, 2024 Appropriations Committee hearing of the Assembly; and

**WHEREAS**, despite elimination of just some of the gross excesses of the prior version of the bill, the Bill the Committee adopted on February 12, 2024 is still severely flawed; and

**WHEREAS**, the Bill still creates a judicial entity made up of 3-7 retired Mount Laurel judges called “The Program”, which, unlike COAH, is not comprised of an equal number of municipal and housing representatives, and is not made up of an equal number of Republicans and Democrats, thereby depriving the citizens of our State of the carefully crafted COAH Board that included a diversity of interests and that was the centerpiece of the FHA adopted in 1985; and

**WHEREAS**, the Bill still does not require the promulgation of affordable housing obligations, or the adoption of substantive regulations, in a way that utilizes an open and transparent process that COAH used and that gave all interested parties an opportunity to comment and receive COAH’s response to their comments; and

**WHEREAS**, as detailed below, the bill creates a patently unreasonable responsibility on municipalities by imposing an obligation on them to create a realistic opportunity for satisfaction of a fair share that is itself unrealistic; and

**WHEREAS**, the current version still details the methodology to be used for determining the fair share numbers of municipalities in Round 4 and in subsequent rounds; and

**WHEREAS**, the current version still presumes that 40 percent of all new households will qualify as low or moderate; and

**WHEREAS**, the current version still calls for the determination of the prospective need by subtracting the number of households reported in the 2010 Decennial Census from the number of households reported in the 2020 Decennial Census and multiplying that figure by 40 percent; and

**WHEREAS**, the statewide need number has been calculated to be 84,690 based upon the formula set forth in the bill; and

**WHEREAS**, the current version of the Bill calls for 84,690 to be adjusted by the number of conversions and demolitions; and

**WHEREAS**, the statewide fair share would be increased from 84,690 to 96,780, if the same number of demolitions and conversions used by Judge Jacobson in her formula for Round 3 apply in Round 4; and



**WHEREAS**, an estimate of the obligation for each municipality can be made if we assume that the same percentage of the regional need in Round 3 for each municipality applies in Round 4; and

**WHEREAS**, the estimates of the fair share obligations the Bill would generate for Round 4 have been widely distributed and all have had the opportunity to review the estimates and offer any corrections; and

**WHEREAS**, other than an analysis of the allocation factors by an expert for the American Planning Association (Creigh Rahenkamp) who identified problems with the allocation factors, nobody has reviewed and commented on our rough estimates set forth above that were generated in a very short period of time; and

**WHEREAS**, to the contrary, the Executive Director of Fair Share Housing Center, Inc. testified that he did not have a calculation of the fair share numbers; and

**WHEREAS**, more importantly, no committee of the Assembly or Senate has identified the fair share obligations municipalities should expect based upon the formula set forth in the bill; and

**WHEREAS**, the 96,780 fair share number estimated for Round 4 compares to the roughly 211,000 COs issued between 2010 and 2020; and

**WHEREAS**, the 96,780 fair share number divided by 211,000 COs equals roughly 46 percent (45.867 percent to be more precise); and

**WHEREAS**, all municipalities should be able to cure any violations of the prohibition against exclusionary zoning with inclusionary zoning; and

**WHEREAS**, traditional inclusionary zoning ordinances generally require no more than 20 percent of the units to be affordable; and

**WHEREAS**, it is mathematically impossible to satisfy a 46 percent problem with a 20 percent solution and, therefore, the number generated by the statutory formula is patently excessive; and

**WHEREAS**, this mathematical error conceptually may have existed at COAH; however, COAH utilized its discretion to reduce the statewide number to roughly 5,000 units per year in Rounds 1-2 (or lower for prospective need in its attempted regulations in 2014); and

**WHEREAS**, in addition, COAH's Round 2 regulations had flexible standards, Regional Contribution Agreements (RCAs), an achievable bonus structure, waivers and other flexible standards to further mitigate the problem; and

**WHEREAS**, had COAH not mitigated the problem, it is likely that the regulations would have been challenged by municipalities; and

**WHEREAS**, as detailed below, the Bill still fails to account for the enormous burdens on municipalities to comply with their Round 3 obligations before imposing very substantial additional burdens on those 354 municipalities for Round 4; and

**WHEREAS**, a representative of FSHC testified that it has entered into 354 settlements and that it would furnish those settlements to the Housing Committee, which it has failed to do; and

**WHEREAS**, at least one witness at the Committee hearings have pressed FSHC to advise how much development will take place in Round 4 as a result of municipalities implementing the 354 settlements reached in Round 3; and

**WHEREAS**, Adam Gordon on behalf of FSHC has indicated he doesn't know the answer to this question and no committee of the Assembly or Senate has even hinted at what the answer might be; and

**WHEREAS**, the Bill requires municipalities to create a realistic opportunity for satisfaction of a fair share without taking into account how many affordable units can realistically be achieved through traditional inclusionary zoning (where generally one out of every five units must be affordable); and

**WHEREAS**, efforts have also been made to ascertain how many affordable units could be realistically achieved through traditional inclusionary zoning by urging the Legislature to do a market study since the strength of the housing market will determine the number of market units



that can reasonably be anticipated and since there must be a sufficient market for the four market units to generate the one affordable unit under a traditional inclusionary ordinance; and

**WHEREAS**, the Legislature has not furnished a market study in response to the repeated emphasis on the need for one to ascertain how many affordable units could be realistically achieved through traditional inclusionary zoning; and

**WHEREAS, as explained below, the bill dilutes the protections to which a municipality is currently entitled; and**

**WHEREAS**, while the Supreme Court established standards to preserve a municipality's immunity in the absence of proof that the municipality is "determined to be constitutionally noncompliant", the proposed bill does not require proof that the municipality is "determined to be constitutionally noncompliant" to warrant stripping the municipality of immunity; and

**WHEREAS**, the Bill subjects municipalities to litigation not only as they seek approval of their Housing Element and Fair Share Plans, but also even after they secure approval of those plans; and

**WHEREAS**, more specifically, the Bill provides municipalities a "compliance certification" if the municipality secures approval of its affordable housing plan; however, that certification does not prevent an interested party from "alleging that, despite the issuance of compliance certification, a municipality's fair share obligation, fair share plan, housing element, or ordinances implementing the fair share plan or housing element are in violation of the Mount Laurel doctrine"; and

**WHEREAS, the Bill suffers from a myriad of additional flaws; and**

**WHEREAS**, for example, a municipality would have a right to rely on the fair share number that COAH provides under prior laws, under the new bill, a municipality would only have a presumption of validity that the number the DCA provides to the municipality is appropriate and FSHC, a deep pocketed developer or any other interested party could seek to overcome that presumption through litigation; and

**WHEREAS**, the Bill replaces a straightforward system by which a municipality could secure bonus credits up to a 25 percent cap with a highly complicated system for securing bonuses with many conditions attached to various forms of bonus; and

**WHEREAS**, the Legislature previously capped the fair share of any municipality down to 1,000 in recognition that any obligation above 1,000 would be "onerous"; the Bill applies the 1,000-unit cap only to a component of the municipality's fair share -- the prospective need -- and authorizes the imposition of an obligation that is onerous; and

**WHEREAS**, the Bill creates unfair requirements when a municipality secures a Vacant Land Adjustment in that it requires a land-poor municipality to create a realistic opportunity for satisfaction of 25 percent of its unmet need or to "demonstrate why" it is unable to do so; and

**WHEREAS**, the the Bill includes many other provisions and changes to the FHA that are impractical and devoid of any consideration of the burdens created by the statute; and

**WHEREAS**, as a result of the facts set forth above, a bill that boasts of its effectiveness in reducing costs and litigation will clearly have the exact opposite effect; and

**WHEREAS**, in addition to all the concerns expressed above, a bill that so radically changes the affordable housing laws of our state still needs considerable work; and

**WHEREAS**, indeed, as the following facts demonstrate, the Legislature has yet to do the most fundamental due diligence before enacting a statute with such broad ramifications;

1. The Legislature has not and cannot inform the public of the fair share obligations the bill, if enacted, would impose on the public;
2. The Legislature has not and cannot inform the public of the obligations that municipalities will satisfy in Round 4 from the 354 settlements achieved in Round 3 before heaping substantial additional burdens on them for Round 4;



- 3. The Legislature has not and cannot inform the public of the number of affordable units that can realistically be achieved through traditional inclusionary zoning while imposing obligations on municipalities to create a realistic opportunity for a fair share that far exceeds any number a municipality can realistically achieve through inclusionary zoning; and

**WHEREAS**, as a result of the pronounced lack of due diligence, the bill will likely force taxes to increase dramatically and will foster serious overdevelopment creating unreasonable burdens on our schools, public services, roads, sewer and water infrastructure; and

**WHEREAS**, the Legislature clearly can and should upgrade the affordable housing policies of our State; however, the current Version of A4 is not the answer and the most fundamental diligence can and should be exercised before adopting such a bill.

**NOW, THEREFORE BE IT RESOLVED**, that for all of the above reasons, the Mayor and Council of the Borough of Northvale objects to and opposes Assembly Bill No. 4/Senate Bill No. 50, and requests that the bill be tabled, re-written and re-introduced in way that imposes achievable obligations and facilitates the ability of the municipality to satisfy its obligations.

**NOW, THEREFORE, BE IT RESOLVED**, that the Clerk of the Mayor and Council of the Borough of Northvale is hereby directed to forward a certified copy of this resolution immediately to Governor Phil Murphy, Senate President Nicholas Scutari , Assembly Speaker Craig Coughlin, the sponsors of the Bill in the Senate and in the Assembly, and to the Legislators in the State Assembly and Senate representing our District immediately.

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**RESOLUTION #2024-58**

**TITLE: RESOLUTION AUTHORIZING PROFESSIONAL SERVICES FOR NEGLIA GROUP – WILDWOOD ROAD WEST AND SCHARER AVENUE IMPROVEMENTS – NJDOT MA24**

**WHEREAS**, Neglia Group has prepared a scope of services for the Wildwood Road West and Scharer Avenue Improvements as per their letter dated February 26, 2024 as follows:

<b>Surveying, Engineering Design, Bidding Services (Phase I)</b>	<b>\$34,380.00</b>
<b>Construction Management Services (Phase 11)</b>	<b>\$37,440.00</b>
<b>Material Basis (Phase III)</b>	<b>\$1,000.00</b>

**WHEREAS**, the Chief Financial Officer certifies that the funds will be available not to exceed \$72,820.00.

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council hereby approve the Proposal for Surveying, Engineering Design, Bidding and Construction Management Services for Neglia Group.

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**RESOLUTION #2024-59**

**TITLE: RESOLUTION APPROVING RAFFLE LICENSE RL #251 FOR ST. ANTHONY’S CHURCH – CASINO NIGHT – APRIL 6, 2024**

NAME: St. Anthony’s Church  
 ADDRESS: 199 Walnut Street, Northvale, NJ  
 LOCATION OF RAFFLE: 199 Walnut Street, Northvale, NJ  
 HOURS: 7:00 PM – 12:00 AM



DATE OF RAFFLE: April 6, 2024  
 ID #: 353-1-146  
 RAFFLE LICENSE #: RL #251

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**RESOLUTION #2024-60**

**TITLE: RESOLUTION TO EXTEND THE MASTER CONTRACT FOR EMERGENCY WATER MAIN AND/OR STORM AND SANITARY SEWER REPAIRS FOR AN ADDITIONAL YEAR WITH CONQUEST CONSTRUCTION INC. AS LEAD AGENCY FOR THE RIVERSIDE COOPERATIVE**

**WHEREAS**, the above contract was approved on October 18, 2022 with Conquest Construction Inc., 450 South River Street, Hackensack, New Jersey 07601; and

**WHEREAS**, the term of the contract was December 1, 2022 through November 30, 2024; and

**WHEREAS**, at the February 15, 2024 Riverside Cooperative meeting, the members voted to have the contract extended a year to expire November 30, 2025; and

**WHEREAS**, the Borough of Northvale, acting as Lead Agency of the Riverside Cooperative, would like to extend the contract to expire November 30, 2025.

**NOW, THEREFORE BE IT RESOLVED**, that the Master Contract for Emergency Water Main and/or Storm and Sanitary Sewer Repairs be extended for one year effective December 1, 2024 through November 30, 2025.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk shall forward a copy of this Resolution to Conquest Construction Inc.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk is hereby instructed to forward a copy of this Resolution to each member of the Riverside Cooperative.

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**RESOLUTION #2024-61**

**TITLE: TRANSFER OF APPROPRIATIONS FROM THE APPROPRIATION RESERVE FUND BUDGET FOR 2023 IN THE AMOUNT OF \$25,500**

**WHEREAS**, N.J.S.A.40:4-59 permits the transfer of appropriations during the first three months of the fiscal year from accounts showing unexpended balances to accounts in which commitments from 2023 may exceed the original budgeted appropriations;

**NOW, THEREFORE BE IT RESOLVED**, that the attached transfers are hereby authorized in the total amount of \$25,500.

<b>GENERAL APPROPRIATIONS</b>	<b>ACCOUNT #</b>	<b>GROUP</b>	<b>FROM</b>	<b>TO</b>
Financial Admin. Salaries	S&W	03-01-20-130-101		2,000.00
Construction Code Salaries	S&W	03-01-22-195-101		2,000.00
Police Dept. Salaries	S&W	03-01-25-240-101		16,500.00



Health: Salaries	S&W	03-01-27-330-101	3,000.00
Telephone	O/E	03-01-31-440-201	2,000.00
Admin. Postage & Copier	O/E	03-01-20-100-207	5,500.00
Admin. Grant Writer	O/E	03-01-20-100-209	3,000.00
Legal	O/E	03-01-20-155-202	7,500.00
Fire Vehicle Maintenance	O/E	03-01-25-255-205	1,000.00
Senior Center Food Supplies	O/E	03-01-27-360-207	1,500.00
Building & Grounds: Prof Services	O/E	03-01-26-310-203	2,000.00
Natural Gas	O/E	03-01-31-446-201	5,000.00
Total Appropriation Reserve Transfer			25,500.00
			25,500.00

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**RESOLUTION #2024-62**

**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 (2024)	\$44,477.67
Current Fund Appropriations (2023)	\$473,702.33
General Capital Fund	\$26,333.68
Grant Fund	\$11,537.00
Animal Trust	\$103.20
Police DEA Trust	\$3,365.17
Escrow Trust	\$6,044.00
Affordable Housing Trust	
Recreation Trust	\$4,637.95
Summer Recreation Trust	
<b>SUBTOTAL</b>	<b>\$570,201.00</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, 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:

Northern Valley Regional High School	02-09-2024	\$752,087.50
	02-09-2024	\$752,087.50
Payroll – Salaries & Wages	2-2-2024	\$166,261.67
Payroll- Salaries & Wages	2-15-2024	\$215,000.
	2-29-2024	\$165,000
Health Benefits	02-14-2024	\$64,581.31
County Taxes	02-15-24	\$29,551.90
		\$641,217.88
Employee Pension Payment-PERS/PFRS		
Northvale Board OF Education	2-09-2024	\$943,431.59
Northern Valley Regional High School District	12/12/2023	\$943,431.59
Northvale Public Library		
Trust - Interfund		
DTC- Bond Principal		
DTC- Bond Interest		
<b>TOTAL</b>		\$5,242,851.94

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Northvale that the claims totaling **\$5,242,851.94** and ratified respectively.

**OPEN MEETING TO PUBLIC ON CONSENT AGENDA ITEMS**

**ROLL CALL**

**ORDINANCES – 2nd READING**

**ORDINANCE #1076-2024**

**AN ORDINANCE TO FIX THE SALARIES, WAGES AND COMPENSATION OF DPW CONTRACT EMPLOYEES OF THE BOROUGH OF NORTHVALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY (Year 3 of 5-Year Contract – 2.50%)**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF NORTHVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, as follows:**

**Section 1.** The Department of Public Works Contract Employees shall consist of One Superintendent, and in the discretion of the Governing Body, there may be an Assistant Superintendent, Foremen and suc other Department of Public Works employees as determined by the Governing Body.



**DEPARTMENT OF PUBLIC WORKS SALARY SCHEDULE  
EMPLOYEES HIRED BEFORE JANUARY 1, 1995**

<b>2024</b>	<b>2024</b>
Less than 1 year of service	\$46,383.48
Beginning 2nd year of service	\$72,603.60
Beginning 3rd year of service	\$81,142.07
Beginning 4th year of service and thereafter	\$89,680.55
Working Foreman	\$9,910.06
C-2 License	\$753.82

**DEPARTMENT OF PUBLIC WORKS SALARY SCHEDULE  
EMPLOYEES HIRED AFTER JANUARY 1, 1995**

<b>2024</b>	<b>2024</b>
Less than 1 year of service	\$51,223.20
Beginning 2nd year of service	\$60,132.58
Beginning 3rd year of service	\$72,603.40
Beginning 4th year of service	\$81,142.08
Beginning 5th year of service	\$89,680.55
Working Foreman	\$9,910.06
C-2 License	\$753.82

All Employees, regardless of date of hire, in this bargaining unit shall receive a CDL stipend payable by separate check, before June 1 of the year in which it is due as follows:

Effective 1/1/24	\$2,300.00
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**Section 2.** In addition to the compensation set forth in Section 1, each full time employee of the Borough of Northvale shall receive longevity pay as follows:

**EMPLOYEES HIRED BEFORE JANUARY 1, 1995**

- 2% of the base annual pay after 5 years of service
- 4% of the base annual pay after 9 years of service
- 6% of the base annual pay after 13 years of service
- 8% of the base annual pay after 17 years of service
- 10% of the base annual pay after 21 years of service

Longevity shall be paid in two installments with the 1<sup>st</sup> pay check in July and the 1<sup>st</sup> pay check in December of each year and it is not to exceed \$7,500.00 in any one year.

**EMPLOYEES HIRED AFTER JANUARY 1, 1995**

Effective January 1, 1995, longevity pay will no longer be granted to any employees hired after January 1, 1995.

**Section 3.** The Superintendent of Public Works will designate a member of the Department each week to be available on a Saturday, Sunday or Holiday. Such time will be classified as “Stand By” time and shall be paid at the rate of \$215.00 per day.

**Section 4.** Each new and existing employee of the Department of Public Works shall receive \$2,000.00, effective January 1, 2022, for clothing allowance. Clothing allowance shall be paid by separate check in 2 (two) equal installments. The 1<sup>st</sup> (first) payment shall be in the 1<sup>st</sup>



(first) pay period of each year and the 2<sup>nd</sup> (second) payment shall be during the 1<sup>st</sup> (first) pay period in July of each year.

**Section 5.** Time in excess of forty (40) hours per week for all full time employees is to be paid at the rate of time and one-half.

**Section 6.** All full time employees of the Department of Public Works shall be paid bi-weekly.

**Section 7.** All ordinances and parts of ordinances inconsistent herewith are repealed.

**Section 8.** This Ordinance shall take effect immediately after passage and publication.

**OPEN MEETING TO THE PUBLIC**

**ROLL CALL**

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**ORDINANCE #1077-2024**

**AN ORDINANCE TO FIX THE SALARIES, WAGES AND COMPENSATION OF POLICE EMPLOYEES OF THE BOROUGH OF NORTHVALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY (YEAR 2 of 5 Year Contract – 2.50%)**

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

**Section 1.** That the following annual salaries, wages, and compensation shall be paid to Police Employees of the Borough of Northvale in the amounts set forth opposite their respective title and commencing on January 1, 2024, through December 31, 2024:

**EMPLOYEES HIRED PRIOR TO 01-01-2023**

Lieutenant	152,304.00
Sergeant	142,974.00
Patrolman	
Beginning:	
Seventh year	135,509.00
Sixth year	108,760.00
Fifth year	107,001.00
Fourth year	92,746.00
Third year	78,493.00
Second year	65,330.00
First year	58,126.00
Training pay	43,736.00

**EMPLOYEES HIRED AFTER 01-01-2023**

Lieutenant	152,304.00
Sergeant	142,974.00
Patrolman	
Beginning:	
Tenth year	135,509.00
Ninth year	121,463.00
Eighth year	108,760.00
Seventh year	107,001.00
Sixth year	92,746.00
Fifth year	85,620.00
Fourth year	78,493.00
Third year	71,912.00



Second year	65,330.00
First year	58,126.00
Training pay	43,736.00

**Section 2.** In addition to the compensation set forth in Section 1, each full time member of the Police Department hired before January 1, 2012, shall receive longevity pay as follows:

- 2% of annual base pay after 7 years of service
- 4% of annual base pay after 10 years of service
- 6% of annual base pay after 13 years of service
- 8% of annual base pay after 17 years of service
- 10% of annual base pay after 21 years of service

The following longevity schedule will take effect for all employees hired after January 1, 2012:

- 1.5% of annual base pay after 8 years of service
- 3% of annual base pay after 10 years of service
- 5% of annual base pay after 13 years of service
- 8% of annual base pay after 17 years of service
- 10% of annual base pay after 21 years of service

If an employee reaches a higher plateau of longevity entitlement at any time during the calendar year, then said employee shall be entitled to receive the full value of the higher plateau.

**Section 3.** Time in excess of the basic work week or tour for a day performed by a Lieutenant, Sergeant or Patrolman shall be compensated for at the rate of time and one-half.

**Section 4.** Each full-time member of the Police Department under Contract shall receive a lump sum compensation for thirteen (13) holidays, payable between December 1 and 5, 2024.

**Section 5.** There shall be paid to each full-time member of the Police Department during the year of attainment of college credits towards a Police Science Degree and in each year of service thereafter the sum of:

- \$ 300.00 upon completion of 25 credits
- \$ 600.00 upon completion of 45 credits
- \$1,000.00 upon completion of an Associate's Degree
- \$1,500.00 upon completion of a Bachelor's Degree

Where an employee qualifies for a higher plateau of credits during the first half of a calendar year (January 1 through June 30), then said employee shall be entitled to higher educational incentive payments starting the first day of July 1 of that same year and in each year of service thereafter. In the event that an Employee qualifies for a higher plateau of credits during the last half of the calendar year (July 1 through December 31), then the entitlement to higher educational compensation shall commence with the following January 1 and in each year of service thereafter.

**Section 6.** All full time employees of the Police Department shall be paid bi-weekly.

**Section 7.** All ordinances or parts of ordinances inconsistent herewith are repealed.

**Section 8.** This ordinance shall take effect immediately after passage and publication according to law.

**OPEN MEETING TO THE PUBLIC**

**ROLL CALL**

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**ORDINANCE #1078-2024**

**AN ORDINANCE TO AMEND AND REVISE CHAPTER 74 “BACKGROUND CHECKS” OF THE BOROUGH CODE OF THE BOROUGH OF NORTHVALE AND IN PARTICULAR SECTION 74-1C**

**WHEREAS** the Governing Body of the Borough of Northvale believes it is in the best interest of the Borough to amend and revise §74-1C and §74-7.1C of the Borough Code entitled “Criminal history record background checks required for employees and volunteers involved with Borough programs or services for minors” as set forth herein.

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

**SECTION 1.** §74-1C of the Borough Code of the Borough of Northvale, entitled “Criminal history record background checks required for employees and volunteers involved with Borough programs or services for minors” is hereby amended and revised as follows:

**§ 74-1Criminal history record background checks required for employees and volunteers involved with Borough programs or services for minors.**

Request for criminal background checks; costs. The Borough requires that all employees and volunteers, 18 years of age and older, of any Borough-sponsored program, sports, recreation, or otherwise, involving minors request, through the Recreation Committee, that the State Bureau of Identification within the Division of State Police conduct a criminal history record background check on each prospective and current employee or volunteer of the organization.

**A.**

The Division of State Police shall inform the Northvale Police Department and the employee and/or volunteer if the person's criminal history record background check reveals a conviction of a disqualifying crime or offense as set forth in § **74-3** of this article.

**B.**

The Recreation Committee and/or the Police Department shall conduct a criminal history record background check only upon receipt of a written consent to the check from prospective or current employee or volunteer.

**C.**

The Borough shall bear the costs associated with conducting the criminal history record background checks **including the cost of fingerprinting**.

The Borough shall bear the costs associated with conducting the criminal history record background checks.

**§ 74-6Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**BOROUGH EMPLOYEE**

All current or prospective salaried officers and employees of the Borough, including, but not limited to, employees within the Police Department, Department of Public Works, Building Department, Board of Health, library, as well as employees and volunteers in the Fire Department, Fire Prevention Bureau and Ambulance Corps, except those personnel exempted herein.

**§ 74-7Exempted personnel.**

The personnel of the Borough hereinafter designated shall be exempt from the provisions of this article:

**A.**

Elected officials.



**B.**

The Borough Engineer, Borough Attorney, Borough Auditor, Board of Adjustment Attorney, Planning Board Attorney and Borough Judge.

**C.**

Professional consultants or counsel rendering professional services.

**§ 74-7.1 Criminal history and motor vehicle record background checks required.**

The Borough requires that all current and prospective Borough employees, 18 years of age and older, as hereinabove defined, annually submit a signed consent to the Borough to conduct a criminal history background check and a motor vehicle record background check to the extent permissible by law.

**A.**

For all prospective employees, the Borough shall abide by N.J.S.A. 34:6B-11 et seq., otherwise known as the "New Jersey Opportunity to Compete Act" (the "Act"). Consistent with this Act, no criminal background checks shall be completed until after the initial employment application process as defined in N.J.A.C. 12:68-1.2 set forth below.:

**INITIAL EMPLOYMENT APPLICATION PROCESS**

The period beginning when an applicant for employment first makes an inquiry to an employer about a prospective employment position or job vacancy or when an employer first makes an inquiry to an applicant for employment about a prospective employment position or job vacancy, and ending when an employer has conducted a first interview of an applicant for employment, whether the interview has been conducted in person or by any other means.

**B.**

The Borough shall conduct a criminal history record background check and motor vehicle record background check only upon receipt of a written consent from the prospective or current employee.

C. The Borough shall bear the costs associated with conducting the criminal history , **fingerprinting**, and motor vehicle record background checks.

**SECTION 2.** All ordinances of the Borough of Northvale, which are inconsistent with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency.

**SECTION 3.** If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

**SECTION 4.** All other provisions of Chapter 74 of the Code of the Borough of Northvale are not further amended and remain in full force and effect.

The ordinance shall take effect immediately upon final passage.

**OPEN MEETING TO THE PUBLIC**

**ROLL CALL**

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**ORDINANCES – 1<sup>st</sup> READING**

**ORDINANCE #1079-2024**

**AN ORDINANCE TO AMEND AND REVISE AND REPLACE CHAPTER 172 “STORMWATER MANAGEMENT” OF THE BOROUGH CODE OF THE BOROUGH OF NORTHVALE**



**ORDINANCE #1080-2024**

**AN ORDINANCE TO REGULATE PRIVATELY OWNED SALT STORAGE IN THE BOROUGH OF NORTHVALE**

**ORDINANCE #1081-2024**

**AN ORDINANCE TO FIX THE SALARIES, WAGES, AND COMPENSATION OF CERTAIN EMPLOYEES OF THE BOROUGH OF NORTHVALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY**

**ROLL CALL**

**OLD BUSINESS**

**NEW BUSINESS**

**MAYOR & COUNCIL REPORTS**

**BOROUGH ATTORNEY REPORT**

**BOROUGH ENGINEER REPORT**

**OPEN MEETING TO THE PUBLIC**

**ADJOURNMENT**

**DRAFT-SUBJECT TO CHANGE**