



**A G E N D A**  
**Combined Meeting of the Mayor and Council**  
**Wednesday, April 10, 2024**  
**7:00 PM**

To view the Mayor & Council meeting via livestream, please access the YouTube [link](http://www.northvalenj.org) 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**

Mayor McGuire suspends the order of business at this time to entertain the Public Hearing on the Borough's Open Space Application for Hogan Park Baseball Field Improvements.

**OPEN PUBLIC HEARING**  
**FIELD IMPROVEMENTS AT JOHN L. HOGAN MEMORIAL PARK**  
**NEW YORK AVENUE**

**OPEN MEETING TO THE PUBLIC**  
**CLOSE MEETING TO THE PUBLIC**

**AWARDS & PROCLAMATIONS**  
National Library Week Proclamation

**APPOINTMENTS**  
Approve the appointment of Brian J. Park, 176 Winthrop Street to the Northvale Fire Department.

**APPROVAL OF MINUTES**  
**Combined Meeting of March 13, 2024**

**CORRESPONDENCE**

1. County of Bergen, ADA Cooperative Curb Ramp Grant Program  
Shared Service Agreement  
(Resolution #2024-64)
2. County of Bergen, County Road Resurfacing Program  
Shared Service Agreement  
(Resolution #2024-65)
3. Collier's Letter of Recommendation  
2024 Riverside Coop Paving Program  
(Resolution #2024-69)
4. County of Bergen, Tree Removal Along County Roads  
Shared Service Agreement  
(Resolution #2024-70)
5. Neglia Group Proposal  
Veterans Memorial Park Basketball Court Improvements  
(Resolution #2024-71)



6. Neglia Group  
Livingston Street Streetscape Contract Award  
(Resolution #2024-75)

**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 #2024-63**

**TITLE: RESOLUTION AUTHORIZING SUBMISSION OF A 2024 BERGEN COUNTY OPEN SPACE TRUST FUND MUNICIPAL PARK IMPROVEMENT GRANT APPLICATION**

**WHEREAS**, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and

**WHEREAS**, the Borough of Northvale desires to further the public interest by obtaining a matching grant of \$179,795.00 from the County Trust Fund to fund the “Hogan Park Baseball Field Improvements,” including the replacement of chain link fencing at two (2) of the Hogan Park baseball/softball fields and the installation of 2 new dugouts at each of those baseball fields, with a total of 4 dugouts; and

**WHEREAS**, the Mayor and Council of the Borough of Northvale have reviewed the County Trust Fund Program Statement and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and

**WHEREAS**, as part of the application process, the Mayor and Council of the Borough of Northvale held the required Public Hearing to receive public comments on the proposed park improvements in the application on April 10, 2024 and

**WHEREAS**, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and

**WHEREAS**, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations, and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Northvale:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of May 3, 2024, as established by the County; and
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Mayor and Council has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and
3. That the Mayor and Council is committed to providing a dollar for dollar cash match for the project; and
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the Mayor and Council agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
6. That this resolution shall take effect immediately.



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**RESOLUTION #2024-64**

**TITLE: RESOLUTION AUTHORIZING PARTICIPATION IN ADA COOPERATIVE CURB RAMP PROGRAM**

**WHEREAS**, the County of Bergen maintains and controls approximately 450 miles of County roads; and

**WHEREAS**, the New Jersey Department of Transportation (NJDOT), the Federal Highway Administration (FHWA), the Americans with Disabilities Act Accessibility Guidelines (ADAAG), and Public Right-of-Way Accessibility Guidelines (PROWAG) mandate that public sidewalks at intersections provide, at a minimum: depressed curb cuts, detectable warning surfaces and a landing area at all crosswalk locations as designated by the County Engineer or his designee; and

**WHEREAS**, public sidewalks, including handicap ramps, are a municipal responsibility in as much as the County's road responsibility is limited to improved road areas from curb face to curb face as set forth in N.J.S.A. 27:16-8; and

**WHEREAS**, the County seeks to assist municipalities, including the Borough of Northvale, with their obligation to comply with NJDOT and Federal ADA regulations on County roadways by dedicating a portion of the County's New Jersey Department of Transportation, Bureau of Local Aid funds for the design and inspection of ADA improvements, as designated by the County Engineer or his designee, on County roads; and

**WHEREAS**, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et. seq.) promotes the broad use of shared services to reduce local expenses funded by property tax payers; and

**WHEREAS**, the County and the seventy municipalities within Bergen County, including the Borough of Northvale, are "local units" under N.J.S.A 40:65-4(a)(1) , authorized to enter into shared services agreements pursuant to the Uniform Shared Services Act and Consolidation Act, N.J.S.A. 40A:65- 1 et seq.; and

**WHEREAS**, County Counsel has, with the input of the Department of Public Works (Supervisor of Roads) and the Department of Planning and Engineering (County Engineer), prepared a form of agreement for execution between the County of Bergen and each municipality, including the Borough of Northvale, in which the County will carry out its ADA Curb Ramp program, a copy of which is annexed hereto; and

**WHEREAS**, the Borough Attorney and Borough Engineer have reviewed the agreement and recommend the Borough execute the shared services agreement.

**NOW THEREFORE BE IT RESOLVED**, by the Governing Body of the Borough of Northvale as follows:

1. The recitals set forth above are hereby incorporated into the body of this resolution as if set forth at length herein.
2. The Mayor is hereby authorized to execute the shared services agreement between the County and the Borough of Northvale for the County to perform the ADA Ramp construction as set forth in the agreement annexed hereto.

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**RESOLUTION #2024-65**

**TITLE: RESOLUTION AUTHORIZING PARTICIPATION IN COUNTY ROAD RESURFACING PROGRAM**



**WHEREAS**, the County of Bergen maintains and controls approximately 450 miles of County roads; and

**WHEREAS**, maintenance of the County roads requires periodic resurfacing for the benefit of the drivers and residents of Bergen County; and

**WHEREAS**, the County's Department of Public Works performs this resurfacing through periodic Road Resurfacing Projects; and

**WHEREAS**, the County Road Resurfacing Projects require cooperation and coordination between the County and the seventy municipalities in which the County roads are located, including the Borough of Northvale; and

**WHEREAS**, a formal agreement between the County of Bergen and the seventy municipalities in which the County will undertake road resurfacing activities, including the Borough of Northvale, will serve to memorialize the respective responsibilities of the County and the Borough of Northvale in connection with a Road Resurfacing Project; and

**WHEREAS**, N.J.S.A. 40A:65-4(a)(1) states, in part, that "[a]ny local unit may enter into an agreement with any other local unit or units to provide, or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction;" and

**WHEREAS**, the County and the seventy municipalities within Bergen County, including the Borough of Northvale, are "local units" under N.J.S.A. 40:65-4(a)(1), authorized to enter into shared services agreements pursuant to the Uniform Shared Services Act and Consolidation Act, N.J.S.A. 40A:65-1 et .; and

**WHEREAS**, County Counsel has, with the input of the Department of Public Works (Supervisor of Roads) and the Department of Planning and Engineering (County Engineer), prepared a form of shared services agreement for execution between the County of Bergen and each municipality, including the Borough of Northvale, in which the County will carry out its Road Resurfacing Project, a copy of which is annexed hereto; and

**WHEREAS**, the Borough Attorney and Borough Engineer have reviewed and approve the form of agreement with the County; and

**WHEREAS**, it is in the best interest of the Borough to execute the agreement.

**NOW THEREFORE BE IT RESOLVED**, by the Governing Body of the Borough of Northvale as follows:

1. The recitals set forth above are hereby incorporated into the body of this resolution as if set forth at length herein.
2. The Mayor is hereby authorized to execute a shared services agreement between the County and the Borough of Northvale whereby the County will be performing the Road Resurfacing Project.

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#### **RESOLUTION #2024-66**

**TITLE: RESOLUTION APPROVING RAFFLE LICENSE #252 – K OF C IMMACULATE CONCEPTION COUNCIL 9021 – 50/50 RAFFLE – MAY 10, 2024**

NAME: K of C Immaculate Conception Council 9021  
ADDRESS: 211 Summit Street, Norwood, NJ  
LOCATION OF RAFFLE: 199 Walnut Street, Northvale, NJ  
HOURS: 5:00-8:00 PM



DATE OF RAFFLE: May 10, 2024  
 ID #: 355-6-42364  
 RAFFLE LICENSE #: RA #252

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**RESOLUTION #2024-67**

**TITLE: RESOLUTION APPROVING RAFFLE LICENSE #253 – NORTHVALE PTO – ON PREMISE RAFFLE – MAY 4, 2024**

NAME: Northvale PTO  
 ADDRESS: 441 Tappan Road, Northvale, NJ  
 LOCATION OF RAFFLE: 199 Walnut Street, Northvale, NJ  
 HOURS: 7:30-10:30 PM  
 DATE OF RAFFLE: May 4, 2024  
 ID #: 353-5-37377  
 RAFFLE LICENSE #: RA #253

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**RESOLUTION #2024-68**

**TITLE: RESOLUTION APPROVING RAFFLE LICENSE #254 – NORTHVALE PTO – 50/50 RAFFLE – MAY 4, 2024**

NAME: Northvale PTO  
 ADDRESS: 441 Tappan Road, Northvale, NJ  
 LOCATION OF RAFFLE: 199 Walnut Street, Northvale, NJ  
 HOURS: 7:30-10:30 PM  
 DATE OF RAFFLE: May 4, 2024  
 ID #: 353-5-37377  
 RAFFLE LICENSE #: RA #254

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**RESOLUTION #2024-69**

**TITLE: RESOLUTION ACCEPTING LOWEST RESPONSIBLE BID FOR THE 2024 RIVERSIDE COOPERATIVE ROAD IMPROVEMENT PROGRAM**

**WHEREAS**, NJSA 40A:11-10(1) authorizes contracting units to enter into cooperative pricing agreements; and



**WHEREAS**, the Borough of Northvale has volunteered to act as “Lead Agency” for the purchase of work, materials, and supplies for the Riverside Cooperative (“the Coop”) for the year 2024; and

**WHEREAS**, the Borough of Northvale received six (6) bids for the 2024 Riverside Cooperative Road Improvement Program.

**WHEREAS**, the bid opening was performed at the Borough of Northvale Borough Hall at 116 Paris Avenue in Northvale at which time the six bids were read aloud; and

**WHEREAS**, the following bids were received:

- |   |                |
|---|----------------|
| 1. DLS Contracting Inc.                   | \$4,174,668.39 |
| 2. American Asphalt & Trucking LLC        | \$4,179,641.56 |
| 3. D&L Paving Contractors                 | \$4,279,962.25 |
| 4. Cifelli & Son General Contracting Inc. | \$4,812,599.35 |
| 5. J.A. Alexander Inc.                    | \$4,963,903.54 |
| 6. Schifano Construction                  | \$5,475,585.28 |

**WHEREAS**, the bids are on file in the office of the Municipal Clerk; and

**WHEREAS**, DLS Contracting Inc. is the lowest responsible bidder.

**NOW, THEREFORE BE IT RESOLVED**, that a contract be awarded to DLS Contracting Inc. based on the prices quoted in its bid; and

**BE IT FURTHER RESOLVED**, that the Northvale Mayor and Municipal Clerk be and are hereby authorized and directed to execute a Master Contract with the above-named firm acting as the Lead Agency on behalf of the Riverside Cooperative; and

**BE IT FURTHER RESOLVED**, that member municipalities shall be responsible for entering into individual contracts with the above-named firm covering the scope of work required by each member community or entity.

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**RESOLUTION #2024-70**

**TITLE: RESOLUTION AUTHORIZING THE EXECUTION OF A FIVE-YEAR SHARED SERVICE AGREEMENT WITH THE COUNTY OF BERGEN FOR CERTAIN TREE REMOVALS**

**WHEREAS**, the County of Bergen will continue to offer shared services to the Borough of Northvale in removing dead or dying trees located within the public right of way along County roadways; and

**WHEREAS**, the County of Bergen has proposed that the Shared Service Agreement be executed by the Borough of Northvale setting forth the procedures to be followed and the responsibilities of the Borough of Northvale; and

**WHEREAS**, it is in the best interests of the Borough of Northvale to execute this Shared Service Agreement substantially in conformance with the proposed Agreement.

**NOW, THEREFORE BE IT RESOLVED**, the Mayor is hereby authorized to enter into a Five-Year Shared Service Agreement with the County of Bergen.

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**RESOLUTION #2024-71**



**TITLE: RESOLUTION AUTHORIZING PROFESSIONAL SERVICES FOR NEGLIA GROUP – VETERANS MEMORIAL PARK BASKETBALL COURT IMPROVEMENTS – PROJECT NO. NOVLMUN24.010**

**WHEREAS**, Neglia Group has prepared a scope of services for the Veterans Memorial Park Basketball Court Improvements as per their letter dated April 3, 2024 as follows:

<b>Surveying, Engineering Design, Bidding Services (Phase I)</b>	<b>\$12,776.00</b>
<b>Construction Management Services (Phase II)</b>	<b>\$13,040.00</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 \$26,816.00.

**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 #2024-72**

**TITLE: RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A NORTHVALE FIREFIGHTER STIPEND PROGRAM TO ADMINISTER FUNDING FROM THE FEMA STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANT (SAFER)**

**WHEREAS**, the Borough of Northvale (“the Borough”) has been approved for Federal Funding from a SAFER grant issued by the Department of Homeland Security and FEMA; and

**WHEREAS**, the proceeds from this grant will assist the Borough in attracting and maintaining firefighters in the Borough: and

**WHEREAS**, in order to administer the proceeds from the grant the Borough wishes to establish a Northvale Fire Department Stipend program.

**NOW, THEREFORE BE IT RESOLVED**, by the governing body of the Borough of Northvale that the Firefighter Stipend Program is hereby adopted by reference; and

**BE IT FURTHER RESOLVED**, that the Firefighter Stipend Program shall only be effective for so long as there are funds available from the aforesaid SAFER grant and that the funds for the Northvale Firefighters Stipend Program are approved by the Department of Homeland Security, FEMA, or one of its designated divisions or agencies.

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**RESOLUTION #2024-73**

**TITLE: RESOLUTION TO APPROVE THE REDEMPTION OF TAX SALE CERTIFICATE #92 FOR BLOCK 706, LOT 3**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Northvale that the Tax Collector shall conduct the Redemption of Tax Sale Certificate #92, Chris and Bessie Fiakos, the property owners, from R. Rothman, the lienholder, according to N.J.S.A. 54:5-54. The breakdown is as follows:

Block 706, Lot 3 – Chris and Bessie Fiakos – 407 Wildwood Road

Tax Sale Certificate #92	\$ 12,447.02
6% Redemption Penalty	746.82
0% Interest on Certificate	0.00
Recording Fee	43.00
Search Fee	12.00
Subsequent Tax 2011-2018	81,513.18



Interest on Subsequent Taxes	<u>134,825.31</u>
Total	\$229,587.33
Premium	<u>7,000.00</u>
Total Due to the Lienholder	\$236,587.33

The Chief Financial Officer shall issue a check in the amount of \$236,587.33 to:  
R. Rothman  
411 Grand Avenue  
Englewood, New Jersey 07631

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**RESOLUTION #2024-74**

**TITLE: RESOLUTION AUTHORIZING THE BOROUGH OF NORTHVALE TO BECOME A MEMBER OF THE H-GAC BUY IN ORDER TO PARTICIPATE IN ITS COOPERATIVE PURCHASING PROGRAM**

**WHEREAS**, H-GAC Buy acts as the designated purchasing agent on behalf of participating Members by performing specific services including, but not limited to:

- A. Developing specifications for competitive bids and proposals
- B. Soliciting vendor participation
- C. Conducting pre-bid/pre-proposal conferences
- D. Conducting public bid/proposal openings of responses
- E. Evaluating responses and making award recommendations
- F. Executing vendor contracts awarded by the H-GAC Board of Directors
- G. Maintaining contract information available through HGAC Buy’s Website
- H. Contract Administration; and

**WHEREAS**, H-GAC Buy can lower the cost of products needed by the Borough;

**NOW, THEREFORE BE IT RESOLVED**, that the Borough of Northvale is hereby authorized to become a member of H-GAC Buy in order to benefit from the services it provides.

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**RESOLUTION #2024-75**

**TITLE: RESOLUTION ACCEPTING LOWEST RESPONSIBLE BID FOR THE LIVINGSTON STREET STREETScape IMPROVEMENTS PROJECT (D.O.T. FUNDED)**

**WHEREAS**, on Tuesday, April 9, 2024, the Borough of Northvale accepted bids for the Livingston Street Streetscape Improvements Project, which project is D.O.T. funded; and

**WHEREAS**, the Borough of Northvale received six (6) bids for the project.

**WHEREAS**, the following base bids were received:

- |                                 |              |
|---------------------------------|--------------|
| 1. D&L Paving Contractors, Inc. | \$270,908.10 |
| 2. AA Berms, LLC                | \$277,098.00 |
| 3. Covino & Sons                | \$307,378.00 |
| 4. Zuccaro, Inc.                | \$335,583.00 |
| 5. Grade Construction           | \$352,106.38 |
| 6. United Terrain Group         | \$591,354.00 |

**WHEREAS**, the bids are on file in the office of the Municipal Clerk; and





**WHEREAS**, D&L Paving Contractors, Inc. is the lowest responsible bidder.

**NOW, THEREFORE BE IT RESOLVED**, that a contract be awarded to D&L Paving Contractors, Inc. based on the prices quoted in its bid; and

**BE IT FURTHER RESOLVED**, that the Northvale Mayor and Municipal Clerk be and are hereby authorized and directed to execute a Contract with D&L Paving Contractors, Inc. for the sum of \$270,908.10 for the scope of work set forth in the bid.

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**RESOLUTION #2024-76**

**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)	\$271,124.03
Current Fund Appropriations (2023)	\$56.00
General Capital Fund	\$135,724.52
Grant Fund	\$575.44
Animal Trust	\$19.20
Police DEA Trust	
Escrow Trust	\$15,175.54
Affordable Housing Trust	
Recreation Trust	\$4,343.93
Summer Recreation Trust	
<b>SUBTOTAL</b>	<b>\$427,018.66</b>
Off cycle Checks – Current Fund (2024)	<b>\$2,484.79</b>
Grant Fund	<b>\$16,491.36</b>
<b>SUBTOTAL</b>	<b>\$445,994.81</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		
Payroll – Salaries & Wages	3-15-2024 3- 27-24	\$150,000.00 \$158,556.51



Payroll- Salaries & Wages		
Health Benefits	03/08/24	\$62,581.31
County Taxes	3/5/25	\$26,936.41
Employee Pension Payment- PERS/PFRS	03-25-2024 PERS&PFRS	\$693,183.00 179,079.34
Northvale Board OF Education Northern Valley Regional High School District		
Northvale Public Library		
Trust - Interfund		
DTC- Bond Principal		
DTC- Bond Interest		
<b>TOTAL</b>		<b>\$1,716,331.38</b>

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Northvale that the claims totaling **\$1,715,386.60** and ratified respectively.

**ROLL CALL**

**ORDINANCES – 2nd 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**

**Section 1. WHEREAS, the Borough is required to amend and revise its Stormwater Management Ordinance, to meet State mandated requirements:**

**NOW, THEREFORE BE IT ORDAINED, That Chapter 172 of the Borough Code is hereby amended, revised and replaced with the following:**

**Section I72-1. Scope and Purpose:**

**A. Policy Statement**

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs should be developed based upon physical site conditions and the origin,



nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for green infrastructure, water quality, quantity, and groundwater recharge.

#### B. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development,” as defined below in Section 172-2

#### C. Applicability

1. This ordinance shall be applicable to the following major developments:
  - i. Non-residential major developments and redevelopment projects; and
  - ii. Aspects of residential major developments and redevelopment projects that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21 et seq.
2. This ordinance shall also be applicable to all major developments undertaken by the Borough of Northvale.
3. Applicability of this ordinance to major developments shall comply with last amended N.J.A.C. 7:8-1.6, incorporated herein by reference.

#### D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

#### **Section 172-2. Definitions:**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions used in this ordinance shall be the same as the last amended Stormwater Management Rules at N.J.A.C. 7:8-1.2, incorporated herein by reference.

#### **Section 172-3. Design and Performance Standards for Stormwater Management Measures:**

This section establishes design and performance standards for stormwater management measures for major development intended to minimize the adverse impact of stormwater runoff on water quality and water quantity and loss of groundwater recharge in receiving water bodies. Design and performance standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5, incorporated herein by reference.



#### Section 172-4. Solids and Floatable Materials Control Standards:

A. Site design features identified under Section III above, or alternative designs in accordance with Section III above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 4.A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
  - i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
  - ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

2. The standard in IV.A.1. above does not apply:

- i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
    - ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
    - iii. Where flows from the water quality design storm as specified in the last amended Stormwater Management rules at N.J.A.C. 7:8 et seq. are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
      - a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
      - b. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).



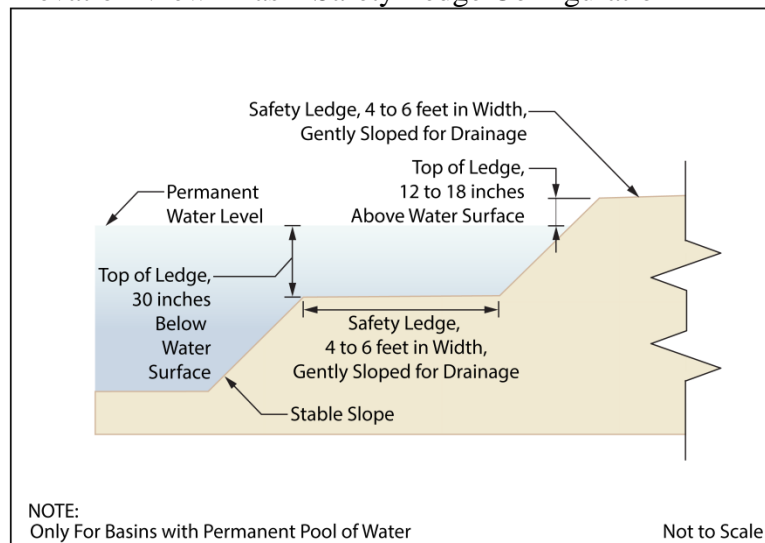
- iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

### Section 172-5. Safety Standards for Stormwater Management Basins:

A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin. Safety standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-6, incorporated herein by reference.

#### B. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



### Section 172-6. Requirements for a Site Development Stormwater Plan:

#### A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section VI.C below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit 18 copies of the materials listed in the checklist for site development stormwater plans in accordance with Section VI.C of this ordinance.

#### B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

#### C. Submission of Site Development Stormwater Plan



The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Section III is being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations



- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section III of this ordinance.
- ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

#### 7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section VII.

#### 8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section VI.C.1 through VI.C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

### **Section 172-7. Maintenance and Repair:**

#### A. Applicability

Projects subject to review as in Section I.C of this ordinance shall comply with the requirements of Section VII.B and VII.C.

#### B. General Maintenance

1. Maintenance for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5.8, incorporated herein by reference.
2. The following requirements of N.J.A.C. 7:8-5.8 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department:
  - i. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation; and
  - ii. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.



3. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.

C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

**Section 172-8. Penalties:**

A. General Maintenance

1. A fine of not more than \$2,000, imprisonment for any term not exceeding 90 days, and/or a period of community service not exceeding 90 days.
2. A separate offense or violation shall be deemed to be committed on each day that a violation occurs or continues.

**Section 172-9. Severability:**

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

**Section 172-10. Effective Date:**

This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

Section 2: All ordinances or sections thereof that are inconsistent with this Ordinance are hereby repealed.

**OPEN MEETING TO THE PUBLIC**

**ROLL CALL**

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**ORDINANCE #1080-2024**

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

**WHEREAS**, the Governing Body of the Borough is required to provide by ordinance for the regulation of privately owned salt storage.

**NOW, THEREFORE BE IT ORDAINED**, that the Borough of Northvale hereby amends and revises its Borough Code to add Chapter 146 as follows:

**CHAPTER 146 Privately-Owned Salt Storage**





### **SECTION 146- 1. Purpose:**

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the Borough of Northvale to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

### **SECTION 146-2. Definitions:**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. “De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. “Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. “Storm drain inlet” means the point of entry into the storm sewer system.
- D. “Permanent structure” means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
- 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
- 3. The structure shall be erected on an impermeable slab;
- 4. The structure cannot be open sided; and
- 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.

- E. “Person” means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- F. “Resident” means a person who resides on a residential property where de-icing material is stored.

### **SECTION 146-3. Deicing Material Storage Requirements:**

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15<sup>th</sup> and April 15<sup>th</sup>:
  - 1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;



2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
4. Loose materials shall be covered as follows:
  - a. The cover shall be waterproof, impermeable, and flexible;
  - b. The cover shall extend to the base of the pile(s);
  - c. The cover shall be free from holes or tears;
  - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
  - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
    - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
5. Containers must be sealed when not in use; and
6. The site shall be free of all de-icing materials between April 16<sup>th</sup> and October 14<sup>th</sup>.
  - B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 -April 15.
  - C. All such temporary and/or permanent structures must also comply with all other local ordinances, including building and zoning regulations.
  - D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
    1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

#### **SECTION 146-4. Exemptions:**

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.



**SECTION 146.5. Enforcement:**

The provisions of this chapter shall be enforced by the employees, officers, and agents of the Police Department, the Department of Public Works, and the Board of Health of the Borough of Northvale.

**SECTION 146-6. Violations and Penalties:**

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines as follows: a fine of not more than \$1,250, imprisonment for any term not exceeding 90 days, and/or a period of community service not exceeding 90 days. A separate offense or violation shall be deemed to be committed on each day that a violation occurs or continues.

**SECTION 146.7. Severability:**

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

**SECTION 146.8. Effective Date:**

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

**OPEN MEETING TO THE PUBLIC**

**ROLL CALL**

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**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**

**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 employees herein designated shall be paid up to the annual salaries as follows:

<b>POSITION/TITLE</b>	<b>2024 SALARY</b>
Mayor	\$6,357.36
Council Members	4,485.84
Borough Clerk, Bd. of Health Secretary, Registrar, DPW Secretary, Election and Safety Officer	90,000
Chief Financial Officer	42,025
Accounting Assistant	50,029.40
Qualified Purchasing Agent	6,150.00
Tax Collector/Payroll Clerk	77,936.00
Tax Assessor	24,230.00
Planning Zoning Secretary	5,125.00
UCC Bld. Subcode Official	9,737.26
Construction Code Official	14,555.60
Fire Sub-code Official	9,530.00
Electrical Sub-code Official	13,382.00
Plumbing & Mechanical Sub-code Official	12,056.46
Construction Code Technical Assistant	47,237.12



Code Compliance Officer	27,316.12
Code Compliance Secretary	2,062
Fire Prevention Officer	17,230
Fire Prevention Inspector	15,667.00
Fire Prevention Secretary	2,930.00
Magistrate	29,341.80
Acting Judge	250.00 per session
Court Administrator	32,872.060
Deputy Court Clerk / Violations Clerk	Up to 28.00 per hour
Recording Clerk	Up to 25.00 per hour
Municipal Court Attendant	75.00 per session
Municipal Prosecutor	\$13,307.00
Public Defender	5,708.56
Alternate Public Defender	150.00 per case
DPW Superintendent	134,100
Assistant DPW Superintendent & Pest Control Officer	129,100
DPW Part-time / Seasonal Worker	13.00 – 15.00 per hour
Deputy Registrar	4,087.00
Public / Special Events Coordinator	5,000.00
Recreation Director	5,000.00
Senior Center Director	46,792.00
Senior Center Assistant to the Director	Up to 19.00 per hour
Senior Center Assistants	Up to 15.00 per hour
Senior Van Driver	Up to 21.00 per hour
Fire Department Engineer	1,700.00
Library Director	75,000.00
Youth Services Librarian (NJ Certified)	44,290.00
Senior Library Assistant	20.00 – 25.00 per hour
Library Assistant	15.00 – 19.00 per hour
Library Monitor / Page	Up to 15.00 per hour
Library Custodian	Up to 15.00 per hour

**Section 2.** The compensation of Special Police and School Crossing Guards shall be as follows:

School Crossing Guards - per hour \$ 24.45

**Section 3.** 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 excluding all statutory appointments.

**Section 4.** All full time Borough employees and School Crossing Guards shall be paid bi-weekly, or as determined by resolution of the Mayor and Council.

**Section 5.** Sick leave policies for all employees other than DPW Contract and Police Contract employees are in accordance with Administrative Rules, Regulations and Practices.

**Section 6.** All ordinances or parts of ordinances inconsistent herewith are repealed.

**OPEN MEETING TO THE PUBLIC**

**ROLL CALL**

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

**ORDINANCE #1082-2024**



**AN ORDINANCE TO CREATE CHAPTER 17 OF THE BOROUGH CODE ENTITLED  
“FILMING”**

**ORDINANCE #1083-2024**

**AN ORDINANCE TO REPLACE ARTICLE 1 GENERAL PROVISIONS OF CHAPTER  
174 OF BOROUGH CODE ENTITLED STREETS AND SIDEWALKS**

**ORDINANCE #1084-2024**

**AN ORDINANCE TO CREATE CHAPTER 185 OF THE BOROUGH CODE ENTITLED  
TREE REMOVAL**

**ORDINANCE #1085-2024**

**AN ORDINANCE TO AMEND CHAPTER 84 OF THE BOROUGH CODE TO  
IMPLEMENT A SURCHARGE ON PERMIT FEES TO OFFSET THE COST**

**OLD BUSINESS**

**NEW BUSINESS**

**MAYOR & COUNCIL REPORTS**

**BOROUGH ATTORNEY REPORT**

**BOROUGH ENGINEER REPORT**

**OPEN MEETING TO THE PUBLIC**

**ADJOURNMENT**

**DRAFT-SUBJECT TO CHANGE**