**M I N U T E S**

**Combined Meeting of the Mayor and Council**

**Wednesday, July 14, 2021**

**7:00 PM**

**CALL THE MEETING TO ORDER**

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

**STATEMENT**

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

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

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

Mayor Marana asked everyone to rise and join him in a Salute to the Flag led by Tom Gannon. Mayor Marana also asked everyone to remain standing for a Moment of Silence to remember the troops here and abroad.

**ROLL CALL**

|  |  |  |
| --- | --- | --- |
| Name | Present | Absent |
| Mayor Marana |  |  |
| Councilman Argiro |  |  |
| Councilman DeLisio |  |  |
| Councilman Devlin |  |  |
| Councilman Hogan |  |  |
| Councilman McGuire |  |  |
| Councilman Sotiropoulos |  |  |

**Also present:** Shuaib Firozvi, CFO, Steve Wielkotz, Borough Auditor, Deena Rosendahl, Borough Attorney, Craig Zimmerman, Borough Engineer, Frances Weston, Acting Borough Clerk

**Mayor Marana administers the Oaths of Office to the Police Officers at the Senior Center.**

**Mayor Marana administers the Oath of Office to Captain Michael Graham which is effective August 1, 2021.**

**Mayor Marana administers the Oath of Office to the new Police Officers:**

**Angelo Milordo**

**Alexander Puccio**

**Michael Panella**

**SUSPENSION OF REGULAR ORDER OF BUSINESS**

**INTRODUCTION**

**2021 MUNICIPAL BUDGET**

**(Public Hearing on August 11, 2021)**

Mayor Marana asked Mr. Firozvi to discuss the budget. Mr. Firozvi states “the budget we are introducing tonight is for the most part the same as what was discussed at the budget workshop on June 22nd, with some changes in Revenues & Appropriations highlighted in the summary circulated. If you refer to the summary of revenues/appropriations, the overall budget increases by $218,385.00 which is a 2.34% increase with the total appropriation going from 9,348,000 in 2020 to 9,566,385 in 2021. Municipal Tax Levy goes up from 7,465,795 to 7,625,938 which represents an increase of 160,143 or 2.15%. However, with the ratable growth, the actual impact on the average assessed house will be only $61.99 or 1.80%. This increase is for municipal levy only which includes the Library levy as well. Average house assessed at $399,000 will pay $3,512.95 in local taxes compared to $3,450.96 last year. On the Appropriation side, major increases and decreases are also listed on the sheet, and to highlight some, debt service had the biggest reduction close to $250,000 followed by deferred charges decreasing by about $64,000. Operating expenses throughout the departments go up by $125,000, salaries and wages go up by $231,000, pension contributions increase by $73,000 and Bergen County sewer charges go up by $58,000. Reserve for Uncollected Taxes was increased by $45,000 to comply with the state mandated calculation. On the Revenues side, Current Fund surplus utilization decreases by $114,000, Municipal Tax Levy goes up by $169,000 and the Library Levy goes down by $9,500. We are using $165,000 from funds for Sale of Assets to balance the budget and the strategy will be to use the remaining funds from Sale of Property for a number of years going forward.”

Mr. Wielkotz also agreed that there are increases that you cannot do anything about such as the BCUA, pensions. The tax collection should be better this year. We were able to use 25% of the sale of the property. Mr. Wielkotz also stated that this is a small town with a small budget therefore there is not much wiggle room.

Councilman DeLisio knows this was a difficult year and congratulated Mayor Marana on this budget. Council President Sotiropoulos also agreed this was a good percent increase.

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**RESOLUTION #2021-117**

**TITLE: INTRODUCTION OF THE 2021 MUNICIPAL BUDGET**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
|  |  | Councilman Argiro |
|  |  | Councilman DeLisio |
|  |  | Councilman Devlin |
|  |  | Councilman Hogan |
|  |  | Councilman McGuire |
|  |  | Councilman Sotiropoulos |

**BE IT RESOLVED** that the following statement of revenue and appropriation attached hereto constitute the local budget of the Borough of Northvale, County of Bergen, New Jersey for the year 2021.

**BE IT FURTHER RESOLVED**, that said budget is to be published in the Record in the issue of July 23, 2021, and that a hearing on the Budget will be held at the Municipal Complex on August 11, 2021 at 7:00 PM or as soon thereafter as the matter may be reached.

**Revenue and Appropriation Summaries - Anticipated**

|  |  |  |
| --- | --- | --- |
| **Summary of Revenues** | **2021** | **2020** |
| 1. Surplus | 109,000.00 | 223,000.00 |
| 2. Total Miscellaneous Revenues | 1,590,447.00 | 1,547,349.49 |
| 3. Receipts from Delinquent Taxes | 241,000.00 | 243,000.00 |
| 4. a) Local Tax for Municipal Purposes | 7,300,000.00 | 7,130,399.00 |
| b) Addition to Local District School Tax |  |  |
| c) Minimum Library Tax | 325,938.00 | 335,396.00 |
| Total Amount to be Raised by Taxes for Municipal | 7,625,938.00 | 7,465,795.00 |
| **Total General Revenues** | **9,566,385.00** | **9,479,144.49** |
|  |  |  |
| **Summary of Appropriations** |  |  |
| 1. Operating Expenses: Salaries & Wages | 3,493,500.00 | 3,262,253.00 |
| Other Expenses | 4,021,619.65 | 3,970,942.49 |
| 2. Deferred Charges & Other Appropriations | 1,049,827.35 | 1,039,714.00 |
| 3. Capital Improvements | 40,000.00 | 40,000.00 |
| 4. Debt Service | 656,438.00 | 906,235.00 |
| 5. Reserve for Uncollected Taxes | 305,000.00 | 260,000.00 |
| **Total General Appropriations** | **9,566,385.00** | **9,479,144.49** |
|  |  |  |

**Mayor Marana opened the meeting to the public for questions or comments on the 2021 Introduced Budget.**

**Andrew Durfee, 174 Walnut Street –** asked what projects is the town looking to accomplish with the budget. Mayor Marana answered the Bond Ordinance should be posted on the web site. If not, he can contact Ms. Weston for a copy.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro |  |  |  |  |
| Councilman DeLisio |  |  |  |  |
| Councilman Devlin |  |  |  |  |
| Councilman Hogan |  |  |  |  |
| Councilman McGuire |  |  |  |  |
| Councilman Sotiropoulos |  |  |  |  |

**ORDINANCES – 1ST READING – (continued after the Resolution to Introduce the Municipal Budget)**

Mr. Wielkotz explained that this is an annual ordinance that is introduced with the Budget every year.

**ORDINANCE #1039-2021 – ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

**(N.J.S.A. 40A:4-45.14)**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
|  |  | Councilman Argiro |
|  |  | Councilman DeLisio |
|  |  | Councilman Devlin |
|  |  | Councilman Hogan |
|  |  | Councilman McGuire |
|  |  | Councilman Sotiropoulos |

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

**WHEREAS,** N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Mayor and Council of the Borough of Northvale in the County of Bergen finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Mayor and Council of the Borough of Northvale hereby determines that a 2.50 % increase in the budget for said year, amounting to $170,873.23 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS,** the Mayor and Council of the Borough of Northvale hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Northvale, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Borough of Northvale shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 2.50%, amounting to $170,873.23, and that the CY 2021 municipal budget for the Borough of Northvale be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED,** that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro |  |  |  |  |
| Councilman DeLisio |  |  |  |  |
| Councilman Devlin |  |  |  |  |
| Councilman Hogan |  |  |  |  |
| Councilman McGuire |  |  |  |  |
| Councilman Sotiropoulos |  |  |  |  |

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**Mayor Marana resumes the regular order of business at this time.**

**APPROVAL OF MINUTES**

**Combined Meeting of June 9, 2021**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
|  |  | Councilman Argiro |
|  |  | Councilman DeLisio |
|  |  | Councilman Devlin |
|  |  | Councilman Hogan |
|  |  | Councilman McGuire |
|  |  | Councilman Sotiropoulos |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro |  |  |  |  |
| Councilman DeLisio |  |  |  |  |
| Councilman Devlin |  |  |  |  |
| Councilman Hogan |  |  |  |  |
| Councilman McGuire |  |  |  |  |
| Councilman Sotiropoulos |  |  |  |  |

**Closed Session Minutes of June 9, 2021**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
|  |  | Councilman Argiro |
|  |  | Councilman DeLisio |
|  |  | Councilman Devlin |
|  |  | Councilman Hogan |
|  |  | Councilman McGuire |
|  |  | Councilman Sotiropoulos |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro |  |  |  |  |
| Councilman DeLisio |  |  |  |  |
| Councilman Devlin |  |  |  |  |
| Councilman Hogan |  |  |  |  |
| Councilman McGuire |  |  |  |  |
| Councilman Sotiropoulos |  |  |  |  |

**Special Meeting of June 17, 2021**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
|  |  | Councilman Argiro |
|  |  | Councilman DeLisio |
|  |  | Councilman Devlin |
|  |  | Councilman Hogan |
|  |  | Councilman McGuire |
|  |  | Councilman Sotiropoulos |
|  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro |  |  |  |  |
| Councilman DeLisio |  |  |  |  |
| Councilman Devlin |  |  |  |  |
| Councilman Hogan |  |  |  |  |
| Councilman McGuire |  |  |  |  |
| Councilman Sotiropoulos |  |  |  |  |
| Mayor Marana |  |  |  |  |

**Closed Session Minutes of June 17, 2021**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
|  |  | Councilman Argiro |
|  |  | Councilman DeLisio |
|  |  | Councilman Devlin |
|  |  | Councilman Hogan |
|  |  | Councilman McGuire |
|  |  | Councilman Sotiropoulos |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro |  |  |  |  |
| Councilman DeLisio |  |  |  |  |
| Councilman Devlin |  |  |  |  |
| Councilman Hogan |  |  |  |  |
| Councilman McGuire |  |  |  |  |
| Councilman Sotiropoulos |  |  |  |  |
| Mayor Marana |  |  |  |  |

**APPOINTMENTS & PERSONNEL CHANGES**

**Planning Board/Board of Adjustment**

**Mayor’s Appointment**

**Brian Alfonso – Alternate #4, vacant two year term which expires on 12/31/2022**

**CORRESPONDENCE**

1. Colliers Engineering Letter from Craig Zimmerman dated June 22, 2021

Re: 185 Old Tappan Road, Tappan, NY

**MONTHLY REPORTS**

The following reports are on file in the Borough Clerk’s office and can be viewed by the public between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

Building Department

Colliers Engineering

Fire Department

Fire Prevention

Millenium Strategies

Recreation Minutes

Tax Collector

**RESOLUTIONS – Consent Agenda**

*“All items are considered to be non-controversial by the Council and will be approved by one motion. There may be further discussion prior to the vote upon request of a member of the public or a Council member. Any item may be removed for further discussion or for a roll call vote in which case the item will be removed and considered in its normal sequence as part of the general order of business”*

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
|  |  | Councilman Argiro |
|  |  | Councilman DeLisio |
|  |  | Councilman Devlin |
|  |  | Councilman Hogan |
|  |  | Councilman McGuire |
|  |  | Councilman Sotiropoulos |

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**RESOLUTION #2021-118**

**TITLE: APPROVE THE PROMOTION OF LIEUTENANT MICHAEL GRAHAM AS CAPTAIN OF NORTHVALE POLICE DEPARTMENT EFFECTIVE AUGUST 1, 2021**

**WHEREAS,** Captain Robert Pizzi will be retiring effective August 1, 2021; and

**WHEREAS,** the Mayor & Council are desirous of promoting Lieutenant Michael Graham to fill the position; and

**WHEREAS,** Lieutenant Graham meets all of the requirements and credentials to serve as Captain.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council hereby promote Lieutenant Graham as Captain of the Northvale Police Department effective August 1, 2021.

**\*\*\*\*\*\***

**RESOLUTION #2021-119**

**TITLE: AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND DUE TO THE OVERPAYMENT OF TAXES**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Northvale that a warrant be drawn as indicated below in the designated amount representing a duplicate tax payment as follows:

**Block/Lot Name /Address Date Paid Amount**

803/4 Refund Dept.-CoreLogic 5/10/2021 $ 1,800.10

CoreLogic Tax Services

P.O. Box 9202

Coppell, TX 75019-9978

Property – 400 Grace Avenue

**BE IT FURTHER RESOLVED** that CoreLogic is requesting this refund of overpaid taxes on behalf of Central Loan Administration, the lender for Howard & Patricia Bauscher, the property owners.

**\*\*\*\*\*\***

**RESOLUTION #2021-120**

**TITLE: AUTHORIZE THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND DUE TO THE OVERPAYMENT OF TAXES**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Northvale that a warrant be drawn as indicated below in the designated amount representing a duplicate tax payment as follows:

**Block/Lot Name /Address Date Paid Amount**

409/22 Refund Dept.-CoreLogic 2/9/2021 $ 3226.61

CoreLogic Tax Services

P.O. Box 9202

Coppell, TX 75019-9978

Property – 414 Wildwood Road

**BE IT FURTHER RESOLVED** that CoreLogic is requesting this refund of overpaid taxes on behalf of Cenlar, the lender for Christopher & Melissa Garcia, the property owners.

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**RESOLUTION #2021-121**

**TITLE: AUTHORIZE THE TAX COLLECTOR TO APPLY 2020 OVERPAID BALANCES TO 2021 TAXES**

**WHEREAS,** 2020 taxes on two properties are overpaid on the Borough of Northvale tax records; and

**WHEREAS,** the overpayments are to be applied to the 2021 taxes as listed below; and

**NOW THEREFORE, BE IT RESOLVED,** by the Mayor and Council of the Borough of Northvale that the Tax Collector is hereby authorized to apply the 2020 overpaid taxes listed below to the 2021 Ta

Block/Lot Name/Address Amount

409/20 Tiago Fonseca $ 28.29

407 Crest Drive

**\*\*\*\*\*\***

**RESOLUTION #2021-122**

**TITLE: RESOLUTION AUTHORIZING THE HIRING OF A VIOLATIONS CLERK**

**WHEREAS,** the part-time Violations Clerk position has become vacant; and

**WHEREAS,** the Borough has a need for a part-time Violations Clerk, working an average of nine (9) hours per week

**WHEREAS,** the position of part-time Violations Clerk shall not be eligible for fringe benefits, other than paid sick leave in accordance with State Law, shall be designated a non-exempt position, and shall be paid by way of an hourly rate of twenty dollars ($20.00); and

**WHEREAS,** Ms. Clare Cabibbo, CMCA, the Municipal Court Administrator has interviewed a number of applicants for the position of Violations Clerk; and

**WHEREAS**, Ms. Cabibbo has recommended Tara Pisano to fill the Violations Clerk position effective June 25, 2021; and

**WHEREAS,** it is in the best interest of the Borough to hire Tara Pisano in the position of part-time Violations Clerk as set forth herein.

**NOW THEREFORE BE IT RESOLVED** Tara Pisano is hereby appointed as Violations Clerk effective June 25, 2021.

**\*\*\*\*\*\***

**RESOLUTION #2021-123**

**TITLE: RESOLUTION APPOINTING PIAZZA & ASSOCIATES AS THE ADMINISTRATIVE AGENT FOR THE BOROUGH OF NORTHVALE**

**WHEREAS,** the Borough of Northvale has a constitutional obligation to provide affordable housing; and

**WHEREAS**, the Borough Council of the Borough of Northvale has determined to appoint and designate Piazza and Associates as its Administrative Agent.

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Northvale, County of Bergen, that the Borough of Northvale hereby retains Piazza & Associates as its designated Administrative Agent.

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**RESOLUTION #2021-124**

**TITLE: RESOLUTION AUTHORIZING AGREEMENT BETWEEN BERGEN COUNTY AND THE INTERBORO REGIONAL POLICE COMMUNICATIONS NETWORK**

**WHEREAS,** the Boroughs of Closter, Alpine, Harrington Park, Haworth, Northvale, Norwood, and Rockleigh collectively operate the Interboro Regional Police Communications Network formed under the Interlocal Services Act (N.J.S.A.40:8a-1 et seq.), herein after referred to as (“Interboro”) providing 9-1-1 Public Safety Answering Points (“PSAP”) and Public Safety Dispatch Points (“PSDP”); and

**WHEREAS**, the Bergen County Department of Public Safety currently operates a state-of-the-art Public Safety Communications Center and has the capability to provide

9-1-1 communications and dispatch services to the municipalities throughought Bergen County; and

**WHEREAS**, Interboro and the County are currently party to a shared services agreement under which the County of Bergen provides 9-1-1 communications and public safety dispatch services for the Interboro Regional Communications; and

**WHEREAS**, the initial term of this agreement was for five years (January 1, 2021 – December 31, 2015, and was renewed for a second five year term (January 1, 2016-December 31, 2020); and

**WHEREAS**, the County and Interboro wish to enter into a new agreement with each other for the aforesaid services for a five (5) year term retroactive from January 1, 2021 and ending on December 31, 2025; and

**WHEREAS,** an agreement memorializing the duties and responsibilities has been prepared; and

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

1. The Borough of Northvale as a member of the Interboro Regional Communications Network agrees to enter into an agreement with the County of Bergen authorizing the County to provide 9-1-1 communications and public safety dispatch services for the Interboro, including the Borough of Northvale, subject to approval of the Mayor and Council and its attorney’s review.
2. That said agreement shall be for a period of five (5) years retroactive to January 1, 2021 and ending on December 31, 2025 at an annual payment of $300,900.00 to be paid by Interboro in quarterly installments on February 1, May 1, August 1, and November 1 of each year.
3. The Mayor, Borough Attorney and Chief of Police or their designees, be and hereby are authorized and directed to negotiate the specific terms of the contract to be entered into with the County of Bergen and subject to final review of the Mayor and Council.
4. That the Mayor and Council support the continuation of the Interboro Regional Communications Network and its more formal organization/formation as a legally recognized entity to act as a contracting unit for its members.
5. The Mayor and Borough Clerk be hereby authorized and directed to execute such contract on behalf of the Borough.

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**RESOLUTION #2021-125**

**TITLE: RESOLUTION AUTHORIZING APPOINTMENT OF MUNICIPAL REPRESENTATIVES TO THE BERGEN COUNTY COMMUNITY DEVELOPMENT REGIONAL COMMITTEE**

**WHEREAS,** the Municipality of Northvale has entered into a three year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:65-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

**WHEREAS,** said Agreement requires that the Municipal Council appoint a representative and alternate and that the Mayor appoint a representative and alternate for the FY 2021-2022 term starting July 1, 2021 and ending on June 30 2022.

**NOW THEREFORE BE IT RESOLVED** that the Municipal council hereby appoints Councilman Ed Devlin as its representative and Councilman Joe McGuire as its alternate and that the Mayor hereby appoints Councilman Lou DeLisio as his Alternate to serve on the Community Development Regional Committee for FY 2021-2022; and

**BE IT FURTHER RESOLVED** that an original, certified copy of this resolution be immediately emailed and sent via postage to Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, Fourth Floor; Hackensack, New Jersey 07601, email – [resposito@co.bergen.nj.us](mailto:resposito@co.bergen.nj.us) as soon as possible and no later than Friday, July 30, 2021.

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**RESOLUTION #2021-126**

**TITLE: RESOLUTION AUTHORIZING THE FLYING OF FLAGS ON BOROUGH OWNED PROPERTY**

**WHEREAS**, flags have been used to symbolize leadership, beliefs, support and to display the insignia of a community or organization; and

**WHEREAS**, the selection of flags to be flown on Borough owned property should not be arbitrary, offensive or create division among residents; and

**WHEREAS,** the Borough is desirous of establishing uniformity on Borough owned property regarding the flying of flags and a process by which the Governing Body may consider requests concerning the flying of flags on Borough owned Property.

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

1. Flags and flagpoles shall be permitted in appropriate locations upon Borough owned property as freestanding flags.

2. The number of permitted flagpoles in front of an individual building shall be limited to a maximum of three.

3. The American Flag, the Prisoner of War flag, the New Jersey State Flag, the Bergen County Flag and a Borough of Northvale flag are permitted flags to be flown on any Borough owned property.

4. The Governing Body may authorize, by Resolution, the display of other flags not specifically permitted herewith, provided however the Governing Body shall not permit the flying of any flag which demonstrates any religious preference.

5. The Governing Body shall not authorize the flying of any commemorative flag as an expression of any third party but may only authorize the flying of a commemorative flag as a form of government expression only.

6. The size of any permitted flag shall be limited to a maximum of 150 square feet, provided the American Flag area shall not be restricted in size

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**RESOLUTION #2021-127**

**TITLE: RESOLUTION AUTHORIZING EXECUTION OF SHARED SERVICES AGREEMENT WITH THE BOROUGH OF OLD TAPPAN**

**WHEREAS**, the Uniformed Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., allows any municipality to enter into a contract with any other municipality or local unit for the joint provision of any services within their joint jurisdiction; and

**WHEREAS**, the need exists in the Borough of Northvale to enter into a Shared Services Agreement with the Borough of Old Tappan whereby the Borough of Old Tappan will provide to Northvale, at Northvale’s request, services and goods for motor vehicle and other mechanical maintenance and repairs (“the Services”); and

**WHEREAS**, the Borough of Northvale and the Borough of Old Tappan have negotiated a shared services agreement setting forth the terms and conditions of the services to be provided by Old Tappan and all payment rates; and

**WHEREAS,** it is in the best interest of the Borough of Northvale to execute the attached Shared Services Agreement with the Borough of Old Tappan.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Northvale the Mayor is hereby authorized to execute the Shared Services Agreement between the Borough of Northvale and the Borough of Old Tappan.

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**RESOLUTION #2021-128**

**TITLE: RESOLUTION AUTHORIZING NEW DIGITAL TAX MAP AND GEOGRAPHIC INFORMATION SYSTEM**

**WHEREAS**, the Borough Engineer, Colliers Engineering & Design, has submitted a proposal to convert the Borough’s existing hand drawn tax map to a new digital tax map (the “Project”) utilizing Geographic Information Systems (GIS); and

**WHEREAS,** the Borough’s existing tax map was last updated in 2010; and

**WHEREAS,** the Project includes creating a new digital tax map for the Borough to be prepared in accordance with N.J.S.A. 54:1-15 et. Seq., N.J.S.A. 54:50-1 et seq., and N.J.S.A. 52:18A-46 along with tax map maintenance services as set forth in the attached proposal; and

**WHEREAS**, the proposed cost for the Project is Thirty Four Thousand Nine Hundred Fifty ($34,950.00) Dollars; and

**WHEREAS,** it is in the best interest of the Borough to accept the proposal submitted by the Borough Engineer for the Project.

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Northvale that the attached proposal by Colliers Engineering & Design is hereby accepted and Colliers Engineering & Design is authorized to commence the Project as set forth on the attached proposal.

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**RESOLUTION #2021-129**

**TITLE: RESOLUTION TO UTILIZE THE THREE YEAR AVERAGE METHOD IN COMPUTING THE RESERVE FOR UNCOLLECTED TAXES APPROPRIATION FOR 2021 BUDGET**

**WHEREAS,** the State of New Jersey, Division of Local Government Services, requires a resolution by Municipalities that desire to compute their Reserve for Uncollected Taxes under the alternative three year average method as provided under N.J.S.A. 40A:4-41(c); and

**WHEREAS,** it is beneficial to the Borough of Northvale to compute the 2021 Reserve for Uncollected Taxes appropriation under the three year average method; and

**WHEREAS,** the actual percentage of tax collection for 2018, 2019 and 2020 were 99.07%, 98.94%, and 98.51% respectively and the average tax collection percentage over those three years is 98.84%.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Northvale, County of Bergen, State of New Jersey, that it approves the utilization of the three-year average method in computing the Borough’s 2021 Reserve for Uncollected Taxes appropriation.

**AND BE IT FURTHER RESOLVED** that a certified copy of this resolution is to be forwarded to the Director of the Division of Local Government Services.

**\*\*\*\*\*\***

**RESOLUTION #2021-130**

**TITLE: RESOLUTION TO ANTICIPATE MISCELLANEOUS REVENUES IN THE 2021 BUDGET USING THE THREE YEAR AVERAGE OF REALIZED REVENUES FROM THE PRIOR THREE YEARS**

**WHEREAS,** the COVID 19 pandemic had an adverse effect on the anticipated municipal revenues in the 2020 municipal current fund budget; and

**WHEREAS,** Section 1 of P.L. 2020, c.74 amended N.J.S.A 40A:4-26 authorized the Director of the Division of Local Government Services (“Division”) to promulgate new standards for the anticipation of COVID-19 affected revenues in the FY2021 budget, and, if necessary, in future years and

**WHEREAS**, for FY 2021, the Director authorizes the use of a three-year average for the calculation of affected revenues; and

**WHEREAS,** the Chief Financial Officer of the Borough of Northvale, certifies that the following revenues were affected in 2020 by the COVID 19 pandemic and that the 3 year average of the amounts realized in 2018-2020 be anticipated in the introduced budget for 2021;

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Revenue Category | 2018 | 2019 | 2020 | Average |
| Construction Code Fees | 171,610.00 | 221,711.00 | 165,778.00 | 186,366.33 |

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Northvale in the County of Bergen, State of New Jersey that the above referenced revenues be anticipated using the 3 year average as permitted by the amendments to 40A: 4-26, adopted by the P.L. 2020, c. 74.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro |  |  |  |  |
| Councilman DeLisio |  |  |  |  |
| Councilman Devlin |  |  |  |  |
| Councilman Hogan |  |  |  |  |
| Councilman McGuire |  |  |  |  |
| Councilman Sotiropoulos |  |  |  |  |

Mayor Marana asks Ms. Rosendahl to explain Resolution #2021-126.

Mr. Ed Durfee yells out Point of Order from the audience. He would like to question the Council on Resolution #2021-126. Mayor Marana asks him to sit down and wait until the meeting is open to the public.

**OPEN MEETING TO THE PUBLIC – RESOLUTIONS ONLY**

Mayor Marana opens the meeting to the public for questions or comments on the Resolutions Only.

**Ed Durfee, 215 Livingston Street** – apologizes for his outburst. He feels the flag resolution should have been an ordinance since it will be a stronger stand as an ordinance. The resolution has to be voted on each year.

\*\*\*\*\*\*

**RESOLUTION #2021-131**

**TITLE: PAYMENT OF BILLS**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
|  |  | Councilman Argiro |
|  |  | Councilman DeLisio |
|  |  | Councilman Devlin |
|  |  | Councilman Hogan |
|  |  | Councilman McGuire |
|  |  | Councilman Sotiropoulos |

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

|  |  |
| --- | --- |
| Current Fund Appropriations (2020) |  |
| Current Fund Appropriations (2021) | $390,133.57 |
| General Capital Fund | $256,195.85 |
| Grant Fund |  |
| Animal Trust | $14.40 |
| Police DEA Trust | $31,225.70 |
| Escrow Trust |  |
| Recreation Trust | $4,505.20 |
| Summer Recreation Trust | $224.66 |
| **TOTAL** | **$682,299.38** |

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

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

**WHEREAS**, claims have already been paid in the following amounts for the purposes

specified below during the course of the year:

|  |  |  |
| --- | --- | --- |
| Payroll – Salaries & Wages | 06-11-2021 | $192,301.98 |
| Payroll – Salaries & Wages | 06-25-2021 | $158,081.25 |
| Health Benefits | June 2021 | $50,202.26 |
| School Taxes – Local | June 2021 | $843,293.75 |
| Performance Trailers | Police DEA Trust | $11,597.00 |
| **TOTAL** |  | **$1,255,476.24** |

**ON THE QUESTION** – Councilman Hogan questioned the charge for the recording system, if the no littering signs were new or replacements, and the calendar for the Planning Board.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro |  |  |  |  |
| Councilman DeLisio |  |  |  |  |
| Councilman Devlin |  |  |  |  |
| Councilman Hogan |  |  |  |  |
| Councilman McGuire |  |  |  |  |
| Councilman Sotiropoulos |  |  |  |  |

**OPEN MEETING TO THE PUBLIC**

**Andrew Durfee, 174 Walnut Street –** asked if there will be virtual meetings in the future. He suggested there be both in person and virtual. He thought more people would be able to attend if offered virtually.

**John McKeever, 188 Walnut Street** – asked who will be helping out at the Senior Center when it reopens on Monday.

**ORDINANCES – 2ND READING**

**ORDINANCE #1038-2021**

**ORDINANCE AMENDING AND MODIFYING, §200-15 FENCES AND FENCE WALLS**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
|  |  | Councilman Argiro |
|  |  | Councilman DeLisio |
|  |  | Councilman Devlin |
|  |  | Councilman Hogan |
|  |  | Councilman McGuire |
|  |  | Councilman Sotiropoulos |

**Section 1. Purpose & Authority.** The purpose of this ordinance is to modify and amend Chapter 200, §200-15 Fences and fence walls, pursuant to N.J.S.A. 40:48-1, and 40:49-2.

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

§200-15 Fences and fence Walls:

A. Residential zones.

(1) No fence shall be constructed, installed or replaced without a zoning permit, including a pool barrier fence.

(2) No fence or fence wall in a ~~required~~ yard shall exceed six feet in height, measured from the highest point of ground at its base, except where required by this chapter to screen parking areas. Six foot fences are permitted in side and rear yards.

(3) No fence or fence wall in any ~~required~~ front yard shall exceed ~~three~~ four feet in height. All fences in a front yard shall be a minimum of ten feet in from the road/curb line and also must be on or within the homeowner’s property line.

(4) Chain link fences are prohibited in a front yard. All fences in a front yard shall be a minimum of ten feet in from the road/curb line and also must be on or within the homeowner’s property line.

(5) Regarding corner lots, four foot fences are permissible on the second front yard, and must maintain ten feet from the right of way. The maximum height of six feet, may start on the rear corner foundation and run parallel to the rear property line and also be on or within the homeowners property line.

(6) Fence post caps are allowed to rise an additional six inches above the maximum fence panel heights.

(7) No fence, shrubs or other obstruction to visibility, exclusive of trim trees or existing buildings, shall be built, planted or maintained upon a corner lot within 25 feet of any street intersection. Plantings higher than 32 inches are prohibited. Any existing obstruction of this character which within the foregoing limits curtails the view of drivers of vehicles approaching the intersection, as determined by the Northvale Police Department Traffic Officer, shall be removed by and at the expense of the owner of such corner lots within six months of the date of the passage of this chapter.

~~No fence or fence wall (except a retaining wall) over six feet in height shall hereafter be erected within 10 feet of a property line~~. ~~Any fence or fence wall erected pursuant to this chapter in a residential zone shall be placed such that its good side faces outwards from the property on which it is so erected.~~

(7) Any fence which is not aesthetically and visually identical on both sides must be erected so that the side facing an adjoining property owner, or a street, is of equal or better aesthetic and visual appearance than the side facing the property upon which the fence is erected.

(8) No fence panel, picket or slat shall be in excess of six feet in height. The total height of the top of the fence panel, picket or slat shall not include any slight undulations of the ground. An allowance of two (2) inches from the bottom or any fence panel, picket or slat is permitted, provided that 80% of the fencing does not exceed a height of six feet two inches above the ground. This maximum height is intended to allow a six-foot-tall fence panel to be installed up to two inches above the ground, regardless of any undulations of the ground up to six inches above the ground when the ground does undulate. No fence post, including any decorative finial, shall be in excess of six feet eight inches

B. Nonresidential zones. The regulations for residential zones shall apply herein. Nothing contained herein shall prevent an owner of nonresidential property, where necessary to protect the public from dangerous equipment, from applying to the Mayor and Council for permission to erect a security fence of the chain-link type above the six-foot height requirement imposed herein

**Section 3. Repealer.** All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

**Section 4.** **Savings and Construction.** This ordinance shall be construed consistent with the purpose stated in Section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Northvale Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Northvale Code.

**Section 5. Codification.** This ordinance shall be codified as amendments to the chapters set forth herein.

**Section 6. Effective Date.** This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

**OPEN MEETING TO THE PUBLIC ON ORDINANCE #1038-2021 ONLY**

Mayor Marana opened the meeting to the public for questions or comments on Ordinance #1038-2021.

**CLOSE MEETING TO THE PUBLIC**

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

**ROLL CALL VOTE**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro |  |  |  |  |
| Councilman DeLisio |  |  |  |  |
| Councilman Devlin |  |  |  |  |
| Councilman Hogan |  |  |  |  |
| Councilman McGuire |  |  |  |  |
| Councilman Sotiropoulos |  |  |  |  |

**MAYOR & COUNCIL REPORTS**

**Council President Sotiropoulos** – reported the Police had a total of 466 events for the month of June. They completed the Click it or Ticket campaign. Congratulations to Captain Pizzi for his 25 years of service. Congratulations also to the new Captain Graham and the three new police officers. The DPW has been chipping, working on catch basins, tree trimming, picking up white goods, cleaning out stormwater outfalls, putting up the tent for the camp, and cold patch. The Ambulance Corps had 22 calls for the month of June

**Councilman Argiro** – reported that Recreation has been slow. The Receation Director, Frank Petrilli, stepped down as it was a conflict of interest in his new profession. There were two boys’ baseball teams in the finals. Unfortunately they both lost. Summer basketball playoffs start tomorrow. Brandon has done a nice job with summer basketball. Adult Softball playoffs start this weekend. The Library is back in full swing. The Library was awarded a county grant for the entrance way and bathroom. There will be an outdoor Library concert this Saturday at 1 PM on the front lawn.

**Councilman McGuire** – reported that the Northvale School will be ending on June 18th. The high school will end the following week. Old Tappan school won the sportsmanship award. Both schools are waiting for guidance from the state for the fall reopening. Northvale Preschool will be back in September.

**Councilman DeLisio** – reported that Northern Valley Greenway had a meeting on June 24th. All municipalities passed the resolution and are not obligated for any financial commitment. The friends of Northern Valley Greenway are gathering information for federal funding. We were awarded the Click It or Ticket Grant and ADA Compliant for the Library.

**Councilman Hogan** – reported that the Building Department issued 33 permits for the month of June for a total of $38,966. The June 16th Planning Board meeting was cancelled. Gerard McNerney Jr. was appointed Alternate #3 at the July 7th meeting. Congratulations to Brian Alfonso being appointed Alternate #4 tonight. The application for 516 Arrow Street came before the board for a fence ordinance. They were approved for a 6 foot fence on the side and back and a 4 foot fence along Hughes Street. The Board of Health meeting was held in person on June 17th. The revenue collected was $25,890. The next Board of Health meeting is scheduled for October 21st. There was discussion to change the meeting time to 7:00 PM.

**Councilman Devlin** – reported the Senior Center will officially reopen on July 19th. It will be open Monday, Wednesday, Friday 9:00 – 1:00. Golden Age has scheduled their third bus trip. Fire Prevention had 16 inspections and 6 reinspections for the month of June. The Fire Department had their 300 club drawing on Sunday. Ed Brady was the big winner. Fire Department had 44 calls for the month of June.

**Mayor Marana** – reported the Clinton Avenue repaving new date is Spring of 2022. Colliers submitted the detailed plan to the DOT for approval. Since Clinton Avenue crosses the CSX tracks, the submission will sit at the DOT for 3 months. D & L Paving did a great job; the streets look nice. There is about $78,000 left for D & L that was bonded for. D & L can come in the fall and do a couple of additional roads, one being Crest between Clinton and White. We will have to see how far the money goes. Fort Lee joined Riverside Coop. We will regroup in late November to start planning for the 2022 roads. Tracy is back to work. Nic Lepore’s last day was Friday. Thank you Nic for helping us out. Nic did us a big favor coming back as the Zoning Official and kept things moving. The Mayor spoke with the Mayor of Rockleigh in reference to the noise coming from The Rockleigh. They discussed sharing a certified noise control officer.

**BOROUGH ENGINEER REPORT**

**Mr. Zimmerman –** reported on the various projects they are working on including the Clinton Avenue paving grant. For 2022, the DOT application was submitted for a grant for Veterans Drive. The survey for Veterans Park will be done in the next two weeks indicating where the boundaries are. Colliers is working on digitalizing the tax maps and making them accessible to the public.

**BOROUGH ATTORNEY REPORT**

**Ms. Rosendahl –** reported that she has been working with Councilman Devlin to update the Ambulance Corps bylaws and ordinance. Also the Council needs to approve the employee handbook by October.

**CLOSED SESSION – TIME** - **8:21 PM**

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

**RESOLUTION #2021-132**

**TITLE: TO PROVIDE FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT N.J.S.A 10:4-12**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
|  |  | Councilman Argiro |
|  |  | Councilman DeLisio |
|  |  | Councilman Devlin |
|  |  | Councilman Hogan |
|  |  | Councilman McGuire |
|  |  | Councilman Sotiropoulos |

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

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

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

1. Matters required by law to be confidential

2. Matters where the release of information would impair the right to receive funds.

3. Matters involving individual privacy

4. Matters relating to collective bargaining

5. Matters relating to the purchase, lease or acquisition of real property or the investment of public funds.

6. Matters relating to public safety and property.

7. Matters relating to litigation, negotiations and attorney client privilege.

8. Matters relating to the employment relationship – Personnel

9. Matters relating to the potential imposition of a penalty.

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

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro |  |  |  |  |
| Councilman DeLisio |  |  |  |  |
| Councilman Devlin |  |  |  |  |
| Councilman Hogan |  |  |  |  |
| Councilman McGuire |  |  |  |  |
| Councilman Sotiropoulos |  |  |  |  |

**RETURN TO OPEN SESSION – TIME: 8:40 PM**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
|  |  | Councilman Argiro |
|  |  | Councilman DeLisio |
|  |  | Councilman Devlin |
|  |  | Councilman Hogan |
|  |  | Councilman McGuire |
|  |  | Councilman Sotiropoulos |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro |  |  |  |  |
| Councilman DeLisio |  |  |  |  |
| Councilman Devlin |  |  |  |  |
| Councilman Hogan |  |  |  |  |
| Councilman McGuire |  |  |  |  |
| Councilman Sotiropoulos |  |  |  |  |

Council President Sotiropoulos explained that the Ambulance Corps. would like to purchase a First Responder vehicle for approximately $35,000. Councilman McGuire asked where would the car reside. Mayor Marana stated that it could be included in a bond ordinance. The Council all agreed.

**ADJOURNMENT – TIME: 8:47 PM**

|  |  |  |
| --- | --- | --- |
| Motion | Second | Name |
|  |  | Councilman Argiro |
|  |  | Councilman DeLisio |
|  |  | Councilman Devlin |
|  |  | Councilman Hogan |
|  |  | Councilman McGuire |
|  |  | Councilman Sotiropoulos |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Yes | No | Absent | Abstain |
| Councilman Argiro |  |  |  |  |
| Councilman DeLisio |  |  |  |  |
| Councilman McGuire |  |  |  |  |
| Councilman Hogan |  |  |  |  |
| Councilman McGuire |  |  |  |  |
| Councilman Sotiropoulos |  |  |  |  |

Patrick J. Marana

Mayor

**ATTEST:**

Frances M. Weston

Frances M. Weston

Acting Borough Clerk

Approved: August 11, 2021