



MINUTES
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 which is posted on the Northvale website, www.northvalenj.org. Go to government tab, then to meeting livestreams.

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

Mayor McGuire read the Open Public Meetings Act Notice into the record as follows:

“This is a Combined Meeting of the Mayor and Council of the Borough of Northvale. The date, time and location of this meeting have been advertised in the official Newspapers 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

Mayor McGuire asked everyone to stand and join him in a salute to the flag. He also asked everyone to remain standing for a moment of silence for our first responders and troops stationed overseas protecting our freedom.

Mayor McGuire asked for roll call:

Mayor McGuire	Present	Councilwoman McMorrow	Present
Councilman Bakalian	Present	Councilman Mattessich	Present
Councilwoman Fernandez	Present	Councilman Menafra	Present
		Councilman Sokoloski	Present

Other Officials Present:

Robert Ferraro, Borough Attorney
Scott Loverich, Borough Engineer
Frances Weston, Municipal Clerk

Mayor McGuire suspended 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

Mayor McGuire opened the meeting to the public for questions or comments on the Open Space application for field improvements at John L. Hogan Memorial Park. The Borough will be applying for a matching grant of under \$180,000 for fencing on fields 3 and 4 and new dugouts. Councilman Bakalian asked if the park will be accessible when the work is being done. There being no questions or comments from the public, Mayor McGuire closed the meeting to the public.

AWARDS & PROCLAMATIONS

Mayor McGuire announced this week is National Library week. Mayor McGuire and Councilwoman Fernandez read the Library Proclamation. Mayor McGuire encouraged everyone to go to the Library, which is newly renovated.

APPOINTMENTS

Mayor McGuire asked for a motion and second to approve the appointment of Brian J. Park, 176 Winthrop Street to the Northvale Fire Department. Motion was made by Councilman Menafra, seconded by Council President McMorrow.



Mayor McGuire asked for a roll call vote:

Councilman Bakalian	Yes	Council President McMorrow	Yes
Councilwoman Fernandez	Yes	Councilman Menafra	Yes
Councilman Mattessich	Yes	Councilman Sokoloski	Yes

Approval of Minutes

Mayor McGuire asked for a motion and second to approve the Minutes of the Combined Meeting of March 13, 2024. Motion was made by Councilman Sokoloski, seconded by Councilman Bakalian.

Mayor McGuire asked for a roll call vote:

Councilman Bakalian	Yes	Council President McMorrow	Yes
Councilwoman Fernandez	Yes	Councilman Menafra	Yes
Councilman Mattessich	Yes	Councilman Sokoloski	Yes

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”.

Mayor McGuire asked for a motion and second to approve Consent Agenda Resolutions #2024-63 through 2024-76. Motion was made by Councilman Bakalian, seconded by Councilwoman Fernandez.

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.

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.

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.

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

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

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

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.

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.

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 8, 2024 as follows:

Surveying, Engineering Design, Bidding Services (Phase I)	\$12,776.00
Construction Management Services (Phase II)	\$13,040.00
Material Basis (Phase III)	\$1,000.00

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.

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.

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 Due to the Lienholder	\$229,587.33

The Chief Financial Officer shall issue a check in the amount of \$229,587.33 to:
R. Rothman
411 Grand Avenue
Englewood, New Jersey 07631

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.

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.

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	



SUBTOTAL	\$427,018.66
Off cycle Checks – Current Fund (2024)	\$2,484.79
Grant Fund	\$16,491.36
SUBTOTAL	\$445,994.81

WHEREAS, above claims have been listed and summarized in the 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	\$150,000.00
Payroll- Salaries & Wages	3- 27-24	\$158,556.51
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		
TOTAL		\$1,716,331.38

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.

ON THE QUESTION - Councilwoman McMorro asked if just the basketball court. At Veterans Park will be done Mr. Loverich replied it is isolated to the basketball court and will be a full excavation of the court. Mayor McGuire said the court will also be lined for pickleball.



Councilman Bakalian asked how many county roads there are. There are 3, Livingston, Paris and Tappan.

Mayor McGuire opened the meeting to the public for questions or comments on Consent Resolutions only. There being no questions or comments, Mayor McGuire closed the meeting to the public.

Mayor McGuire asked for a roll call vote:

Councilman Bakalian	Yes	Council President McMorrow	Yes
Councilwoman Fernandez	Yes	Councilman Menafrá	Yes
Councilman Mattessich	Yes	Councilman Sokoloski	Yes

ORDINANCES – 2nd READING

Mayor McGuire asked for a motion and second for the 2nd Reading of Ordinance #1079-2024. Motion made by Council President McMorrow, seconded by Councilman Menafrá. This is DEP state mandated update as to how we handle stormwater in the Borough. Mr. Loverich explains the ordinance.

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:

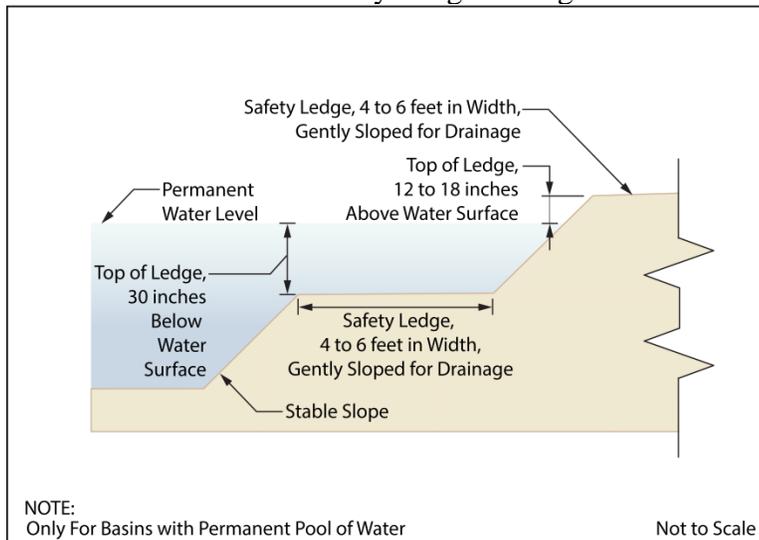
A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any



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.

ON THE QUESTION – Councilman Bakalian asked if 1 acre or wider pertains to a single family house. Mr. Loverich answered if you disturb more than an acre of land or increase impervious by more than a quarter acre or combination of the two than one triggers the requirement to meet the rules. No one is exempt.

OPEN MEETING TO THE PUBLIC

Billy Guyt, 195 High Street – asked is this approved by the Planning Board and enforced by the Building Department. Mr Loverich explains that when the application comes before the board, it will be reviewed by the engineer who will then give a letter with recommendations to the board.

Mayor McGuire asked for a roll call vote:

Councilman Bakalian	Yes	Council President McMorrow	Yes
Councilwoman Fernandez	Yes	Councilman Menafra	Yes
Councilman Mattessich	Yes	Councilman Sokoloski	Yes

Mayor McGuire asked for a motion and second for the 2nd Reading of Ordinance #1080-2024. Motion made by Councilman Bakalian, seconded by Councilman Mattessich. Mayor McGuire states this is another DEP regulation ordinance. It applies to both public and private. Mr. Loverich explains this ordinance is to regulate privately owned salt storage facilities and deicing facilities. The DPW already complies.



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 15th and April 15th:
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 16th and October 14th.
- 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.

ON THE QUESTION - Councilman Bakalian asked if this ordinance was inclusive of all de-icing materials and if this will impact on how the salt is spread on the streets. Mr. Loverich said this is strictly for storage.

Mayor McGuire opened the meeting to the public for questions or comments on Ordinance #1080-2024 only. There being no questions or comments, Mayor McGuire closed the meeting to the public.

Mayor McGuire asked for a roll call vote:

Councilman Bakalian	Yes	Council President McMorrow	Yes
Councilwoman Fernandez	Yes	Councilman Menafra	Yes
Councilman Mattessich	Yes	Councilman Sokoloski	Yes

Mayor McGuire asked for a motion and second for the 2nd Reading of Ordinance #1081-2024. Motion made by Councilman Menafra, seconded by Councilwoman Fernandez.



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:

POSITION/TITLE	2024 SALARY
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 21.00per 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.

Mayor McGuire opened the meeting to the public for questions or comments on Ordinance #1081-2024 only. There being no questions or comments, Mayor McGuire closed the meeting to the public.

Mayor McGuire mentioned that the Borough needs more Crossing Guards and to apply in Borough Hall.

Mayor McGuire asked for a roll call vote:

Councilman Bakalian	Yes	Council President McMorrow	Yes
Councilwoman Fernandez	Yes	Councilman Menafra	Yes
Councilman Mattessich	Yes	Councilman Sokoloski	Yes

Mayor McGuire asked for a motion and second for the 1st Reading of Ordinance #1082-2024. Motion made by Councilman Mattessich, seconded by Councilman Sokoloski.

Mayor McGuire stated this Ordinance outlines the rules and regulations for a company group that wants to come in and do filming in the Borough. It establishes how to apply for a permit, pricing for the permit, clean up, etc. We had no ordinance in place before.

ORDINANCES – 1ST Reading

ORDINANCE #1082-2024

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

WHEREAS, the Governing Body of the Borough of Northvale believes it is in the best interest of the Borough to create Chapter 17 of the Borough Code entitled “FILMING” as set forth herein.

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



Section 1:

Chapter 17 Filming

§ 17-1 Purpose and intent.

The Borough of Northvale has determined that family-friendly commercial filming is an important industry in the Borough and should be regulated to maintain the health and safety of all persons, mitigate the disruption to all persons within filming areas, maintain the safety of property within the Borough of Northvale, and control traffic congestion at certain locations within the Borough. This chapter is not intended to apply to purely private filming events, including, but not limited to, the filming or photographing of a wedding or private social function, or the filming by any public entity; neither is it intended to include the filming of news stories.

§ 17-2 Definitions.

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

APPLICANT or APPLICANT OF PERMIT

Any person, organization, corporation, association, or other entity applying for a film permit from the Borough of Northvale.

BOROUGH

The Borough of Northvale.

FILM

As used in this chapter, any film, including a movie, television program, commercial, still photography, video documentary, music video, internet video or other visual recording medium, used in whole or in part for sale, lease, or other commercial exchange, including the advertisement or promotion of any product, service or organization. A recurrent television or internet series is a film. A film which is not sold or leased in whole or part, or is not otherwise part of a commercial exchange, is a "nonprofit film."

FILM CREW MEMBERS

Shall include, but not be limited to: directors, actors, set or costume designers, camera crew members, lighting crew members, sound crew members, boom operators, pyrotechnics experts, stunt performers, extras, stage hands, security personnel, production or personal assistants, contractors and subcontractors, interns (whether or not paid) and agents.

INTERMEDIATE FILM

Commercial still photo shoots, web series, independent films, short films that consist of either a filming crew size that is between 10 and 19 people, a casting size that is between 10 and 14 people, or the presence of nine or fewer production vehicles on Borough streets.

MAJOR FILM

Major motion pictures, commercials, TV series, network, cable, streaming services (e.g., Netflix, Hulu, Amazon, etc.) that consist of either a filming crew size of 20 or more people, a casting size of 15 or more people, or the presence of greater than 10 production vehicles on Borough streets.

MINOR FILM

Commercial still photo shoots, web series, independent films, short films that consist of either a filming crew size that is between four and nine people, a casting size that is between four and nine people, or the presence of three or fewer production vehicles on Borough streets.

NEWS MEDIA

As used in this chapter, filming for the purpose of spontaneous, unplanned television news reporting by journalists, reporters, photographers or camera operators.

PRIVATE PROPERTY

As used in this chapter, any property not owned by the Borough of Northvale, but rather is owned by or assessed to a private person or entity in which filming would not interfere with public right-of-way, access or safety.



PUBLIC PROPERTY

Any public street, road, sidewalk, public park or playground, Borough-owned building or property or any other public place which is maintained and within the control of the Borough of Northvale.

STILL PHOTOGRAPH

Photographs or other visual impressions which are not films which are sold or leased or otherwise commercially exchanged and all activity related to the staging or shooting of such photographs or other visual impressions.

STUDENT FILM

A not-for-profit film, filmed in eight hours or less, made by currently enrolled students under the sponsorship of an accredited school or institution of higher learning, who have evidenced such sponsorship with a letter written on school letterhead, signed by a school administrator, and who present a certificate of insurance.

§ 17-3 Filming/still photography permit.

A.

Permit requirement. No person or organization shall commence the making of a film or permit filming or take still photographs (as defined in this chapter) on public property without first having completed an application and obtaining a film/photography permit from the Clerk's office.

B.

1. No person shall commence the making of a film, commercial film or permit filming or take still photographs on private property without first having completed an application and obtaining a film/photography permit from the Borough Clerk's office if filming will interfere with the public's use of public property or rights-of-way on public property.
2. No permit shall be issued if, on the basis of objective facts and after a review of the application and a report thereon by the Police Department and by other township agencies involved with the proposed filming site, that filming at the location and/or the time set forth in the application would violate any law or ordinance or would unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare.
3. The Borough reserves the right to require one or more on-site patrolmen in situations where the proposed production may impede the proper flow of traffic, the cost of said patrolman to be borne by the applicant as a cost of production. Where existing electrical power lines are to be utilized by the production, an on-site licensed electrician may be similarly required if the production company does not have a licensed electrician on staff.

C.

Time to apply. Applicants shall, if practicable, apply for a permit at least seven days before commencing filming. All permits shall be applied for and obtained from the office of the Borough Clerk during normal business hours. Applications for such permits shall be in a form approved by the Borough Clerk and shall be accompanied by a permit fee in the amount established by this chapter.

D.

Upon approval as provided for in this chapter, a permit shall be issued, and be readily available for inspection by Borough officials at all times at the site of the filming.

E.

If a permit is issued and, due to inclement weather or other good cause, filming does not in fact take place on the dates specified, the Borough Clerk may, at the request of the applicant, issue a new or amended permit for filming on other dates, subject to full compliance with all other provisions of this chapter. No additional fee shall be paid for this permit.



§ 17-4 **Permit fees.**

A.

Permit fees. The imposition of fees shall not preclude the Borough from seeking payment or reimbursement for additional expenses incurred by the Borough.

(1)

Major film permit: \$750 per day.

(2)

Intermediate film permit: \$500 per day.

(3)

Minor film permit: \$150 per day.

B.

Notwithstanding the above schedule of fees, the Borough Clerk hereby have authorization to waive any administrative fees, and waive or decrease permit fees in extenuating circumstances or when a film does not meet the criteria of major, intermediate and minor as defined in this Chapter.

C.

Reimbursement of costs.

(1)

It is intended by this section that the Borough of Northvale incur no unreimbursed costs which must be expended in order to reasonably deal with health, safety and welfare concerns generated by the filming. Said costs may include, for example: Fire Inspector, Sanitarian, police, public works or similar persons or agencies. At the time of issuance of the permit and in addition to the requisite fee, the Borough Clerk shall seek an escrow deposit in an amount equal to the estimated costs to be incurred, if any, for the individuals herein discussed. Such estimate will be based upon the approximate hourly cost for the individuals involved times the estimated number of hours which they may be compelled to expend. At the conclusion of the filming, any unexpended balance will be refunded.

(2)

If the fire official determines that the Borough's volunteer Fire Department and/or Ambulance Corps are required to stand by during all or a portion of the film shoot, arrangements are to be made directly with the Fire Chief and/or Ambulance Corps Chief respectively. A donation to the volunteer organization is customary in such situations. In the event Emergency Management Services are used, a donation to that organization is customary as well.

§ 157-5 **Exceptions to permit requirements.**

A.

No permit shall be required for:

(1)

Filming by news media as defined in this chapter.

(2)

Filming for private social activities, including weddings, unless the filming or photographing of such events is sold, leased, rented or used for any commercial purposes, including reality television, in which case a permit shall be obtained and all fees paid.

(3)

Filming activities or still photography conducted for use in a criminal investigation or civil or criminal court proceeding, but not including films or photographs which are sold, leased or used for any commercial purpose.

(4)

Filming or still photography conducted solely for private nonprofit, personal or family use, including real estate sales purposes of selling an individual residence.



(5)

Filming activities or still photography conducted by or for the Borough of Northvale.

(6)

Filming which requires no more than three crew members and no other equipment except two cameras and two tripods.

(7)

A student film, provided that the makers and the school shall agree, in writing, that if the student film is ever released for commercial purposes, all permit costs and fees shall be due and payable as provided for in this chapter. All fees other than the permit fee, shall apply.

(8)

Permit fees may be waived at the discretion of the Borough Clerk for nonprofit organizations with a valid 501(c)(3) status.

B.

In the event that any of the above activities require the use of commercial vehicles, a permit shall be obtained notwithstanding the fact that no fee is imposed.

§ 17-6 Requirements for applicants.

A.

Liability insurance. Before a permit is issued, a certificate of insurance will be, for bodily injury to any one person, in the amount of \$1,000,000 and, for any occurrence, in the aggregate amount of \$3,000,000, as well as, for property damage, for each occurrence, in the aggregate amount of \$500,000. The Borough officers and employees shall be named as additional insured. The certificate shall not be subject to cancellation or modification until after 30 days' written notice to the Borough. A copy of the certificate will remain on file.

B.

Workers' compensation insurance. An applicant shall conform to all applicable federal and state requirements for workers' compensation insurance for all persons operating under a permit.

C.

Hold-harmless agreement. An applicant shall execute a hold-harmless agreement as provided by the Borough prior to the issuance of a permit under this chapter. This agreement will be in writing, whereby the applicant agrees to indemnify and save harmless the Borough of Northvale from any and all liability, expense, claims or damages resulting from the use of public lands.

D.

Security deposit. To ensure cleanup and restoration of the site, an applicant may be required to submit a refundable security deposit in the form of a cash bond as follows: the posting of a cash bond of \$500 or a maintenance bond of \$1,000 running in favor of the Borough and protecting and ensuring that the location utilized will be left, after filming, in a satisfactory condition, free of debris, rubbish and equipment, and that due observance of all Borough ordinances, laws, and regulations will be followed. Within 14 business days of the completion of the filming, the Borough will return the bond if there has been no damage to public property or public expense caused by the filming.

E.

Child labor laws. An applicant shall conform to all applicable child labor laws, including, but not limited, to N.J.S.A. 34:2-21.57 to 34:2-21.64 and N.J.A.C. 12:58-4.14.



F.

Off-duty police Off duty police officers requested for extra duty work will be compensated by the applicant at such rates of pay as are set forth in the then existing Collective Bargaining Unit Agreement for police officers. Off-duty police officers shall be required during filming if:

(1)

Firearms or any prop resembling a firearm, pyrotechnics or other hazardous materials are to be used;

(2)

Any actors or crew members are to be wearing costumes that resemble the uniforms of any type of public personnel;

(3)

Any streets or lanes are to be intermittently or permanently closed; or

(4)

The filming involves activities in which a police presence is necessary to protect the health, safety or welfare of the residents of Northvale.

G.

Parking lots and any on street parking space metered spots. An applicant shall be required to arrange with the Chief of Police for the use of parking in a municipal lot or any on street parking space metered spot(s).

§ 17-7 Granting of permit; rules and regulations.

A.

Permits shall not be transferable.

B.

A permit may be denied if:

(1)

The Superintendent of Public Works and/or Police Chief determines that closing a street will cause a substantial risk to public safety or interfere with street maintenance work, or a previously authorized excavation permit.

(2)

The filming activity will substantially interfere with municipal functions or the scheduled maintenance of Borough buildings or grounds.

(3)

The activity creates a substantial risk of injury to persons or damage to property.

(4)

The applicant failed to complete the application after being requested to do so, or the information contained in the application is found to be false in any material detail.

(5)

The activity violates federal, state, or local law including licensing or permit requirements.

(6)

The applicant has failed to obtain or provide proof of insurance, as required in § **17-6** above.

(7)

The applicant has failed to submit the appropriate application fee in the manner required in § **17-4** above.

(8)

Filming may violate any regulation in § **17-7D** below.



C.

When the grounds for permit denial can be corrected by imposing reasonable conditions, the Borough may impose such conditions rather than denying the permit.

D.

Regulations upon receipt of permit.

(1)

The permit holder shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Police Department with respect thereto.

(2)

The permit holder shall conduct its activities in such a manner so as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets. The permit holder shall avoid any interference with previously scheduled activities upon Borough property and limit, to the extent possible, any interference with normal activities.

(3)

Where a permit holder's activities, by reason of location or otherwise, affect any business(es), merchants or residents, the permit holder will give these parties at least 48 hours' notice prior to the film/photography shooting date(s).

(4)

The permit holder shall make every effort to minimize the inconvenience caused by filming and shall provide a designee who will respond to residents' concerns and for ensuring the obtaining of off-duty police assistance, the placing of "no parking" signs and other traffic control devices (under the direction of the Parking Utility, but at the applicant's expense), providing advance notice to affected property owners/businesses and cleanup and restoration of all property, including streets, affected by the filming.

(5)

All filming and/or photography must be completed by the time specified in the permit. Any extension to this time must be approved by the Borough Clerk.

(6)

The permit holder shall pay all fees, and obtain all permits and licenses required for its activity under local, state and federal law and pay any fees associated therewith.

(7)

The permit holder shall abide by all governmental fire regulations.

(8)

The permit holder shall disclose to the Borough and obtain permission for any use of stunts, pyrotechnics, open flames, vehicle crashes or hazardous materials.

(9)

The permit holder shall conceal police, fire and other official uniforms worn by actors, when the actors are not on camera.

(10)

The applicant shall file a request for the use of Borough logos, insignias, badges or decals, and abide by any restrictions imposed.

(11)

The Borough shall receive credit on the project that shall read: "Thanks to the Borough of Northvale." The credit shall have a blank space above and below the credit so that it stands apart from and not on a list of like credits.



(12)

The permit holder shall provide the Borough with five different publicity stills. The stills will be used by the Borough solely for promotional purposes, including, but not limited to, encouraging tourism and filmmaking. The applicant shall give the Borough proper acknowledgment for any assistance provided in making feature, television, or commercial productions.

(13)

The permit holder shall immediately report all accidents, injuries, health incidents or damage to property to the appropriate public authority.

(14)

Cleanup. The permittee shall conduct operations in an orderly fashion, with continuous attention to the storage of equipment not in use and the cleanup of trash and debris. The area used shall be cleaned of trash and debris upon completion of shooting at the scene and restored to the original condition before leaving the site.

(15)

Filming in residential zones shall be permitted only between the hours of 7:00 a.m. and 9:00 p.m., provided that all requests for night scenes shall be approved in the permit. The setup, production and breakdown required by all filming shall be included in the hours as set forth herein.

(16)

The Borough Clerk may authorize filming other than during the hours herein described. In determining whether to allow an extension of hours under this subsection, the Clerk, after consulting with the Chief of Police or his designee, shall consider the following factors:

(a)

Traffic congestion at the location caused by vehicles to be parked on the public street;

(b)

The applicant's ability to remove film-related vehicles from the public streets;

(c)

When the applicant is requesting restrictions on the use of public streets or public parking during the course of the filming;

(d)

The nature of the film shoot itself, e.g., indoors or outdoors, day or night; and

(e)

Prior experience of the film company/applicant with the Borough, if any.

(17)

Copies of the approved permit will be sent to the Borough of Northvale Police and Fire Departments before filming takes place and to the New Jersey Film Commission. The applicant shall permit the Fire Department or other Borough inspectors to inspect the site and the equipment to be used. The applicant shall comply with all safety instructions issued by the Fire Department or other Borough inspectors. A fire extinguisher must be maintained on site at all times.

(18)

In addition to any other fees or costs mentioned in this chapter, the applicant shall reimburse the Borough for any lost revenue, repairs to public property or other revenues that the Borough was prevented from earning because of filming.

(19)

If an applicant wishes to utilize Bergen County property within the Borough of Northvale, the applicant must obtain a permit from the Bergen County Film Commission and the Borough of Northvale.



(20)

Weapons. If weapons, including, but not limited to, guns, knives, swords, cannons, machetes, rifles, and bow and arrows, are used during filming, the applicant must notify the Borough of Northvale Police Department of same, even if these weapons are only props. Notifications must be made 7 days prior to filming. Notification shall include a description of how weapon is to be used during filming.

(21)

Pyrotechnics. If an applicant wishes to use pyrotechnics, they must submit their plan, including the date, time, location and amount of explosives, to the Borough of Northvale Fire Chief.

(22)

Drones. Drone operation may be permitted in accordance with FAA rules and regulations. See <https://www.faa.gov/uas/>. Operations over people and property are not allowed without a waiver, in which case they will be allowed if a waiver request is submitted and approved (https://www.faa.gov/uas/commercial_operators/part_107_waivers).

§ 157-8 Violations and penalties.

Any person violating this chapter or these rules and regulations, upon conviction thereof, shall be punishable as provided in Article II § 1-15, General Penalty, of the Code of the Borough of Northvale. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

§ 157-9 Appeals.

Any person aggrieved by a decision of the Borough Clerk denying or revoking a permit or a person requesting relief from any requirements of § **17-3** through **17-7** of this chapter may appeal to the Borough Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Clerk. An appeal from the decision of the Clerk shall be filed within 10 calendar days of the Clerk's decision. The Borough Council shall set the matter down for a hearing at the next regularly scheduled meeting of the Mayor and Borough Council to be held after the appeal was filed. The decision of the Borough Council shall be in the form of a resolution supporting the decisions of the Borough Clerk at the first regularly scheduled public meeting of the Borough Council after the hearing of the appeal, unless the appellant agrees, in writing, to a later date for the decision. If such a resolution is not adopted within the time required, the decision of the Clerk shall be deemed to be reversed, and a permit shall be issued in conformity with the application, or the relief from any requirements of § **17-3** through **17-7** of this chapter shall be deemed denied.

Section 2. This ordinance will take effect immediately upon passage.

Section 3. All prior ordinances that are inconsistent with this ordinance are repealed.

Mayor McGuire asked for a roll call vote:

Councilman Bakalian	Yes	Council President McMorrow	Yes
Councilwoman Fernandez	Yes	Councilman Menafr	Yes
Councilman Mattessich	Yes	Councilman Sokoloski	Yes

Mayor McGuire asked for a motion and second for the 1st Reading of Ordinance #1083-2024. Motion made by Councilman Menafr, seconded by Council President McMorrow.

Mr. Ferraro outlines this ordinance. We had some instances where our sewer lines were damaged. We are beefing up the current ordinance to require a bond plus more stringent requirements on the insurance policy. The insurance policy has to insure Northvale for the type of work being done. This was an issue in the past. There is an application and a



review process. When the application comes to Fran, she will send a copy to Scott, DPW, Police and Mr. Ferraro to review.

ORDINANCE #1083-2024

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

WHEREAS, the Governing Body of the Borough of Northvale believes it is in the best interest of the Borough to repeal Article 1 General Provisions of Chapter 174 of the Borough Code and ordains that it be replaced it with the following:

Section 1.

Chapter 174 Streets and Sidewalks.

§ 174-1 Definitions.

Whenever used in this article, unless a different meaning clearly appears from the context, the following terms shall have the following meanings indicated:

APPLICANT

Any person, firm or entity who makes application for permit.

BOROUGH

The Borough of Northvale.

CLERK

The Borough Clerk of Northvale or her duly authorized representative.

CROSS TRENCH

Any opening at 90° to the center line of the street.

EMERGENCY

Any unforeseen circumstance or occurrence, the existence of which constitutes a clear and immediate danger to a person or property.

MAJOR PERMIT

An opening exceeding 20 square yards.

MATERIALS

Includes pipes, fittings and appurtenances, as well as the excavation or backfill.

MINOR PERMIT

An opening of 20 square yards or less.

PERMITTEE

Any person, firm or entity who has been issued a permit and has agreed to fulfill all the terms of this article.

ROADWAY

The cartway or paved area only.

STREET

The improved portion of the right-of-way of any public street, public highway, public way, public road or public easement within the borough, including that portion of the right-of-way improved with curbs and sidewalks.

SUPERINTENDENT

The Superintendent of Public Works or his duly authorized representative.

UTILITY

Any utility, public, private or government.

§ 174-2 Permit required; restrictions.

A.

No person, firm or corporation shall open or cause to be opened, by cutting or excavating, the surface or soil of any street, roadway or other public property for any purpose whatsoever without



first obtaining therefore from the Clerk a written permit; provided, however, that any person maintaining pipes, lines or other underground facilities in or under the surface of any street may proceed with an opening without a permit when emergency circumstances demand the work to be done immediately, provided that the permit could not reasonably and practically have been obtained beforehand. The person shall thereafter apply for a permit on the first regular business day on which the borough is open for business.

B.

It is not intended to require a permit for the opening or excavating within any county or state road for which a permit has been acquired from the proper authority.

C.

A permit shall be valid for an effective period not to exceed 30 consecutive calendar days. Such effective period may be extended, if so requested by the permittee prior to the expiration thereof, for an additional period not to exceed 30 days. An additional extension for a final period not to exceed 30 days may be requested and granted. A permit may not be extended for a period in excess of 90 days from the date the original permit was issued.

D.

No work shall proceed between November 15 and March 15 unless emergency circumstances exist.

E.

No work provided to be done under a permit shall be performed on Saturdays, Sundays or holidays except with prior approval of the Clerk or in the event of an emergency. Any work regulated hereunder shall be performed between the hours of 8:00 a.m. and 5:00 p.m. unless an emergency exists.

§ 174-3 Notice of work.

The permittee shall not begin or carry on any part of the work provided to be done, except in the event of an emergency, without first notifying the Clerk not less than 24 hours in advance and obtaining her approval therefor.

§ 174-4 General considerations.

A.

In all cases, full consideration is required to be given to the adoption and implementation of measures reflecting sound engineering principles and economic factors necessary to preserve and protect the integrity and visual quality of the roadway, its maintenance and efficiency and vehicular and pedestrian traffic safety.

B.

Utility lines are to be located to permit servicing such lines with minimum interference with vehicular or pedestrian traffic. Efforts must be made to minimize the construction of chambers or vaults in the roadway area and to avoid their location at street intersections.

C.

Ground-mounted utility facilities shall be of a design compatible with the visual quality of the roadway section being traversed.

D.

New roadways or roadways resurfaced with a bituminous concrete surface course shall not be opened for a period of two years unless an emergency exists.

E.

If any subsequent borough facility necessitates the moving or adjusting of utility facilities located by permit, then such utilities shall bear all costs and expenses of the required move or adjustment unless the cost and expense of said move or adjustment is otherwise provided for by law.



F.

Utility line designs and construction are subject to minimum safety standards and construction requirements prescribed by the respective national or industry standard codes.

§ 174-5 Application for permit; required information.

Any person desiring a permit for street opening shall make application therefor to the Clerk for each such opening upon forms provided for that purpose. Applications for a street opening permit for work to be performed for a utility shall be made by the utility, and such permit shall be issued to the utility and not to the contractor. A separate application shall be made and a separate permit issued for each street to be opened by the permittee.

A.

Except to the extent waived by the Clerk in the case of any emergency, the application shall show or include the following information for a minor street opening:

(1)

The name, address and twenty-four-hour telephone number(s) of the applicant. The applicant shall also provide the Police Department with at least two emergency contact telephone numbers to be called in case of emergency problems at the construction site prior to the start of any work.

(2)

The name, address and telephone number of the owner of the property in front of which or for whom the work is to be performed.

(3)

The location of the property.

(4)

The extent and nature of the work to be done.

(5)

The date or dates when the work is to be done.

(6)

Evidence that all materials, labor and/or equipment which are needed to complete such undertaking as authorized by the permit are available.

(7)

The signed statement by the applicant that he agrees to perform the work for which the permit is granted strictly in accordance with the conditions of the permit and this article.

(8)

A list of all federal, state or local government agencies having jurisdiction thereover and, if such agencies require approval, a statement whether such approval has been obtained and attachment of a copy of such approval.

(9)

A signed statement by the applicant that the borough is to be saved harmless by the applicant from any loss, injury or damage arising out of the granting of the permit or from any negligence or fault of such applicant, his servants or agents in connection with any of the work done under or in connection with such permit.

(10)

Certificate of insurance.

(a)



A certificate of insurance stating that 10 days' written notice shall be given to the borough before a policy covered thereby shall be changed or cancelled, indicating that the applicant is insured against all hazards and risks of loss which may arise from or out of the performance of the work, whether such performance be by himself, his subcontractor or anyone directly or indirectly employed by him, and shall include protection against liability arising from completed operations. This insurance shall be written in comprehensive form, and the liability limits shall not be less than the following:

[1]

Bodily injury: \$1,000,000 each person; \$3,000,000 each occurrence.

[2]

Property damage: \$1,000,000 each occurrence.

(b)

With the approval of the Clerk, public utilities subject to regulation by the Board of Public Utilities may furnish a self-insurance certificate in lieu of a liability insurance certificate.

(c)

Certificates of insurance required pursuant to this article shall name the borough as an additional insured.

B.

The application for a major street opening permit shall require the items in Subsection A(1) through (10), both inclusive, and, in addition thereto, three sets of plans and specifications, a traffic control plan in accordance with the Manual on Uniform Traffic Control Devices and/or a detour plan as required by the Clerk.

§ 174-6 Action of Clerk on application.

A.

The Clerk will have a minimum of five working days to review the application prior to issuing a street opening permit.

B.

When the Clerk approves an application, she shall at that time advise the applicant of the amount of deposit necessary to cover the work proposed in said application.

C.

The Clerk will also state the probable inspection costs that may be incurred and advise the applicant of such costs.

D.

Once the applicant meets all the requirements of this article, the Clerk will grant the permit.

§ 174-7 Permit fee; deposits.

Every person obtaining a permit shall:

A.

Pay a permit fee for the issuance of an excavation permit which shall be in addition to all other fees for permits or charges relative to any proposed construction work in an amount as set forth in this article.

B.

Pay an inspection fee as set forth in this article.

C.

Make a deposit as required by §174-9 of this article.

§ 174-8 Conditions for permit.



In granting any permit under this article and to prevent danger to public or private property or to prevent the operation from being conducted in a manner hazardous to life or property or in a manner likely to create a nuisance, the following conditions will apply:

A.

Only rubber-tired equipment shall be used unless approved by the Borough Engineer.

B.

Routes upon which materials may be transported are to be approved by the borough before the permit is issued.

C.

Disposal of excavated materials within the Borough of Northvale is subject to Chapter 166, Soil Removal, of the Borough Code.

D.

Dust resulting from construction procedures is to be kept to a minimum.

E.

Excessive noise shall be prohibited.

F.

Roadways and sidewalks are to be kept clear for pedestrian and vehicular traffic. All operations shall be planned with full regard to safety and to keep traffic interference to an absolute minimum. No trench shall remain open beyond the hours of work. Gas companies, however, shall be permitted to leave open small openings for the purpose of adequately venting natural gas, provided that said small openings are adequately protected with traffic control devices and that proper notice is given to the borough. Said openings shall be maintained for no longer than 48 hours. The Clerk may permit other small openings in circumstances where work cannot be completed during normal working hours, provided that said openings are properly plated so as not to interfere with the flow of traffic or to endanger the public.

G.

Construction equipment and materials shall not be left on the street overnight unless special permission is given, in writing.

H.

Traffic shall be controlled in accordance with the appropriate sections of the Manual on Uniform Traffic Control Devices, which manual includes information regarding the furnishing and erecting of traffic control devices necessary to move pedestrians and vehicular traffic safely through or around the work area.

I.

Construction shall be performed in accordance with the latest edition of the New Jersey Department of Transportation Standard Specifications for Road and Bridge Construction.

J.

Road closings and/or traffic detours shall not be permitted unless approved by the Northvale Police Department.

K.

Traffic directors shall be posted at all construction sites when determined by the Northvale Police Department that same is necessary to provide for the safety and expeditious movement of traffic. In the event that it is determined that traffic directors are required, uniformed Northvale police shall act as traffic directors, and the cost of providing uniformed police shall be the responsibility of the applicant.



§ 174-9 **Required deposit.**

The amount of deposit for street openings shall be \$5,000 or shall be computed in accordance with the following unit prices for pavements or other areas to be disturbed or work to be done, as determined by the Clerk, whichever is greater:

A.

Paved streets (all types): \$750 per square yard.

§ 174-10

A. Form of deposit; approval.

The deposit may be in the form of cash, a certified treasurer's or cashier's check or surety bond made payable to the borough and meeting the approval of the Clerk. The surety bond must be written by a reputable surety company licensed to do business in the State of New Jersey, and the bond shall be conditioned upon the payment of all charges required by this article. Such bond must be approved by the Borough Attorney as to form. The borough shall have the right to require the submission of the deposit in any of the above specified forms.

B. Use of deposit.

(i).

The amount of deposit shall be retained by the borough for the duration of the period of maintenance, as defined hereunder.

(ii).

Upon failure or default by the permittee of any of the terms, agreements, covenants and conditions of the permit on the permittee's part to be done or performed, said deposit may be used by the borough for any expense incurred by the borough by reason of such failure or default on the part of the permittee.

(iii).

Any balance left after the expense of such failure or default, as determined and certified by the Clerk, has been paid and deducted from the amount of the deposit shall be refunded to the permittee.

(iv). Insufficient deposit.

If the deposit made is less than sufficient to pay all fees and costs, the permittee shall, upon demand, pay to the borough an amount equal to the deficiency. If the permittee fails or refuses to pay such deficiency upon demand, the borough may recover the same by action in any court of competent jurisdiction. Until such deficiency is paid in full, additional permits shall not be issued to such permittee.

C. Annual deposits.

Whenever any public utility or municipal authority maintaining underground facilities shall contemplate more than one street opening or excavation per calendar year, it may post a surety bond in the amount of at least \$50,000 for the calendar year or part thereof to cover the estimated fees and cost of any and all work. Said bond must be written by a reputable surety company licensed to do business in the State of New Jersey or other approved surety, and the bond shall be conditioned upon the payment of all charges estimated to be required by this article during the term of the bond. Such bond must be approved by the Borough Attorney as to form.

§ 174-11 **Maintenance period; costs.**

A.

The period of maintenance shall be construed as a period of two years after the date of final completion, as determined by the Borough Engineer, of the work to be done pursuant to the terms of the permit; except, however, that in the event that the termination of said two-year period shall



fall between November 1 and April 1, inclusive, then and in that event, the period of maintenance shall be considered as extending until the 15th day of May next thereafter.

B.

The permittee shall be responsible for the entire work and shall keep every portion of said work in perfect order and repair during the entire period of maintenance, and should said permittee fail to make needed repairs to the work or to adequately maintain surfaces disturbed by said permittee, the Clerk reserves the right, and without prior notice to the permittee, to cause such repairs to be made or such surfaces to be maintained by the borough's own forces or by contract or otherwise, in which case all expenses incurred by the borough shall be deducted from the deposit as herein otherwise provided for.

§ 174-12 **Notice**

A. to adjoining property owners or tenants.

If the work to be undertaken by the permittee is such that it will affect the use of properties abutting or adjoining the project, the permittee shall, in writing, notify by hand delivery or mail the affected property owners or tenants of the proposed work to be done. The permittee shall submit a list of the names and addresses of the owners and/or tenants of such properties to the Clerk along with a copy of the notification.

B. Notice to police and fire officials.

The permittee shall notify the Borough Police and Fire Departments of any street opening or excavation which affects the flow of traffic in the streets within the borough. Such notification shall state the nature of the work to be done and the location of such project. He shall also notify the Police and Fire Departments when any openings or excavations have been closed, permitting traffic to flow thereon.

C. Exhibit of permit.

Any person receiving a permit as provided in this article shall cause the same to be kept in the possession of the person in charge of the work, who shall exhibit the same to any official or police officer in the borough on demand.

§ 174-13 **Permission of Borough Engineer required.**

Except in the case of emergency, no work shall be performed by the permittee unless the Borough Engineer shall be present or permission has been given by the Borough Engineer to proceed in his absence. Such permission should not be unreasonably denied.

§ 174-14 **Inspections.**

The Superintendent or Borough Engineer shall periodically inspect all road openings and the repair and resurfacing thereof for the purpose of determining compliance with the conditions imposed on the issuance of the permit and the specifications. The Borough may, upon the recommendation of either of them:

A.

Order a temporary stop to any road opening.

B.

Order that the applicant perform or correct work in accordance with the directions of the borough.

C.

Order a stop to any work and revoke the permit, in which event the Borough of Northvale shall complete the work or cause it completed and either declare the applicant's deposit forfeited or notify the applicant's surety of an intent to file claim on the bond.

D.



Authorize the correction of any work after notification to the permittee and after the neglect or the refusal of the permittee to make sure corrections within 24 hours and, after completion of the same, either declare the permittee's deposit forfeited or notify the permittee's surety of an intent to file a claim on the bond.

E.

Take any other action deemed reasonable under the circumstances to protect the borough's interests.

§ 174-15 Permit not required of borough.

Street opening permits will not be required for any contracts proposed by the borough. All guarantees are provided for within plans and/or specifications so provided by the borough.

§ 174-16 Performance of additional work.

A.

No person to whom a permit has been granted under the provisions of this article shall perform any of the work authorized by such permit in any amount or quantity greater than that specified in the permit, except that, upon the approval by the Borough Engineer and payment of the additional fee, additional work may be done under the provisions of the permit in an amount not greater than 10% of the amount specified in the permit.

B.

Any deposit and bond posted in connection with the original permit shall be deemed to cover any such additional work as may be approved pursuant to this section within the limits mentioned herein.

§ 174-17 Time period for commencement of work; renewal of permit.

A.

Work for which a permit has been issued pursuant to this article shall commence within 30 days after the issuance of the permit therefore and shall be carried out as expeditiously as possible.

B.

If not so commenced or proper time extension granted, the permit shall be automatically terminated and the permit fee, inspection fee and any cash deposit shall be refunded to the permittee, with the exception of the application fee.

C.

Permits thus terminated may be renewed upon the payment of an additional application fee and the required permit and inspection fees as defined within this article.

§ 174-18 Nontransferability.

Permits issued under this article are not transferable from one person to another, and the work shall be carried out only at the location specifically designated in the permit.

§ 174-19 Notification to owner of pipes, conduits or other structures.

It shall be the duty of the permittee to notify any company whose pipes, conduits or other structures are laid in the street in which any work is to be done by the permittee not less than 72 hours before commencing such opening or work. The permittee doing such work shall, at its own expense, carefully support, maintain in operation and protect from injury such pipes, conduits or other structures and, in case of injury, shall restore the same at its own expense or allow the company to whom the pipes, conduits or other structures belong, at its option, to make the necessary repairs,



and costs thereof sustained by said company thereby shall be paid by said permittee to said company upon presentation of a bill.

§ 174-20 Excavation specifications; notice of blasting.

A.

Trenches shall be cut to have vertical faces, where soil and depth conditions permit, with a maximum width of two feet, plus the outside diameter of the pipe to be installed. Trenches shall be braced as necessary in accordance with all applicable federal, state, county and municipal laws and regulations.

B.

Pipe bedding shall be installed in accordance with the manufacturer's or industry standard instructions for the pipe or conduit being used.

C.

Prior to the excavation of the trench, the existing pavement shall be cut by pneumatic or hydraulically operated hand-held equipment or by saw cut. In no case shall large impact-type equipment be used.

D.

The integrity of the remaining pavement structure, shoulders and slopes shall be of primary concern, and construction methods shall be utilized which will keep the damages to the existing pavement and other areas to a minimum.

E.

All blasting shall be conducted in accordance with applicable state and federal laws and regulations. Prior to proceeding with blasting, twenty-four-hour notice shall be given to the Borough Engineer, owners of utilities within 50 feet and adjacent property owners.

§ 174-21 Other minimum requirements to be met.

A.

Utility installations must meet the minimum requirements of the national or industry associations, institutes or codes which recommend methods of installation and utilization.

B.

Wherever possible, the depth of bury for pipelines and conduits shall be a minimum of three feet. Sufficient vertical and horizontal clearance between pipelines or structures of another utility facility shall be provided to permit the proper maintenance of the pipeline or structure.

§ 174-22 Backfilling and Pavement Restoration

A. Inspection required before backfilling.

No backfilling shall be done by the permittee until the work being done under the permit shall have first been inspected and the backfilling authorized by the Borough Engineer. In case of nonconformity with this requirement, the Borough Engineer shall have the right to require that the work be uncovered by the permittee at the latter's own expense so that property inspection may be made.

B. Backfilling methods and materials.

1.

Backfilling must be done with a pervious material placed in two stages. The first stage includes the fill to a level of one-foot above the top of the pipe, and the second stage includes the remaining



portion of the trench to finished grade. Backfill for the first stage shall be carefully deposited and compacted in six-inch layers without in any way injuring or disturbing the completed pipe or structure. The remaining portion of the trench shall be backfilled and compacted in twelve-inch layers.

2.

Backfilling must be accomplished with select material. Backfilling necessitated by an emergency opening during the period from November 15 to March 15, inclusive, shall not be made with frozen material. In the event that backfilling is made with frozen material, it shall be removed by the permittee and replaced with stone dust or backrun sand.

3.

Compacting shall be accomplished by approved mechanical or vibratory means to achieve 95% of maximum density based on the modified proctor test.

D Pavement Restoration.

A. Temporary pavement restoration.

1.

Immediately after backfilling the excavation, the permittee shall place thereon an acceptable temporary pavement as provided herein below. Such temporary pavement shall be maintained even with the roadway surface until the permanent restoration is placed.

2.

The temporary pavement shall consist of three inches of bituminous concrete, Mix 1-5 or approved equal, when the opening was made in an existing pavement, and six inches of quarry process stone in all other cases, except that, where topsoil, seeded areas or sod have been disturbed by the excavation, the permittee shall restore the ground surface to its original condition.

E. Permanent pavement.

1.

Permanent restoration of the pavement surface over the street opening shall be made within two months, weather permitting, or within the same construction season if so noted on the permit, from the date the temporary pavement was installed.

2.

Prior to the installation of the permanent pavement, the subgrade shall be properly prepared and the existing pavement neatly cut back a minimum of six inches from the edge of the trench or pavement damage in a straight line, with vertical faces free of foreign matter. A tack coat shall be applied to the vertical faces of the existing pavement prior to the placement of the patch material.

3.

The permanent pavement shall consist of a bottom course of bituminous stabilized base, Mix 1-2, placed at a compacted thickness of four inches, and a surface course of bituminous concrete, Mix 1-5, placed at a compacted thickness of two inches.

4.

All pavement restoration, both temporary and permanent, shall be constructed in accordance with the applicable specifications of the New Jersey State Highway Department.

5.

The top or surface course of the permanent patch shall be flush with the grade of the surrounding pavement when it is compacted. The joint between the patch and the existing pavement shall be sealed with an asphalt emulsion.

6.



For lateral trenches over 100 feet in length, the top or surface course of pavement shall extend from the curblin e or edge of pavement to a point three feet beyond the edge of the bottom course; however, such width shall not be less than 10 feet. If cross trenches are located less than 250 feet apart, the entire roadway shall be resurfaced.

§ 174-23 Cleanup; restoration; letter of release.

A.

The permittee shall clean up and remove promptly from the site of the work, upon completion thereof, all surplus excavated material and debris and shall leave the site of the work in a neat and orderly condition on a daily basis.

B.

Where concrete curb, asphalt berm, sidewalk or landscaped areas are disturbed in the course of the work, the permittee shall restore such surface to its original condition. A letter of release shall be furnished to the Borough of Northvale from the affected property owner prior to the release of the deposit or bond.

§ 174-24 Revocation of permit.

Any permit issued under this article may be revoked by the Clerk, after notice, for:

A.

Violation of any condition of the permit.

B.

Violation of any provision of this article or any other applicable ordinance or law relating to the work.

C.

The existence of any condition or the doing of any work constituting or creating a nuisance or endangering the lives or property of others.

§ 174-25 Petition for deviation from provisions.

Deviations from the provisions of this article may be issued by the borough upon review and approval of a written petition by the permittee which shall include, in detail, the reason why such a deviation is being requested.

§ 174-26 Violations and penalties.

Any person or persons, firm, partnership, association or corporation violating any of the provisions of this article shall, upon conviction thereof, be subject to a fine not exceeding \$1,000 and, in default of the payment thereof, may be sentenced to the county jail for a term not exceeding 30 days. Every day during which such violation continues after notice in writing shall have been served by the borough shall constitute a separate offense.

Section 2. This ordinance will take effect immediately upon passage.

Section 3. All prior ordinances that are inconsistent with this ordinance are repealed.

ON THE QUESTION - Councilman Mattessich stated this will eliminate smaller contractors coming in to get jobs that are smaller. Mr. Ferraro answered that it is not to say a smaller company cannot meet the requirements. Councilman Bakalian asked if this covers subs if the general contractor subs out to someone.

Mayor McGuire asked for a roll call vote:

Councilman Bakalian	Yes	Council President McMorrow	Yes
Councilwoman Fernandez	Yes	Councilman Menafra	Yes
Councilman Mattessich	Yes	Councilman Sokoloski	Yes



Mayor McGuire asked for a motion and second for the 1st Reading of Ordinance #1084-2024. Motion made by Council President McMorrow, seconded by Councilman Menafra.

Mayor McGuire stated that this is another state mandated ordinance regarding tree removal. It outlines several things we need to put in place for trees. A permit is now required and replacing trees that are taken down. Mr. Ferraro explains this ordinance. This is required by DEP and must be in place by May. It affects both public trees and private trees. If we do not meet the deadline, the Borough would receive a fine.

ORDINANCE #1084-2024

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

WHEREAS, the Governing Body of the Borough of Northvale believes it is in the best interests of the Borough to adopt a tree removal ordinance.

NOW, THEREFORE BE IT ORDAINED, as follows:

Section 1:

Chapter 185 Tree Removal

§ 185-1 Purpose:

An ordinance to establish requirements for tree removal and replacement in the Borough of Northvale to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

§ 185-2. 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 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 use of the word "shall" means the requirement is always mandatory and not merely directory.

A. "Applicant" means any "person", as defined below, who applies for approval to remove trees regulated under this ordinance.

B. "Critical Root Radius (CRR)" – means the zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6" DBH would have a CRR = 6"x1.5' = 9'.

C. "Diameter at Breast Height (DBH)" means the diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 ½ foot height, the DBH shall be measured at the highest point before any division.

D. "Hazard Tree" means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees. [Municipalities may choose to require a Licensed Tree Expert to make all Hazard tree determination]

1. Has an infectious disease or insect infestation;
2. Is dead or dying;



3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;
4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
5. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert (LTE).

E. "Person" means any individual, resident, corporation, utility, company, partnership, firm, or association.

F. "Planting strip" means the part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.

G. "Resident" means an individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.

H. "Street Tree" means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to (or specified distance from) the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.

I. "Tree" means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

J. "Tree Caliper" means the diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.

K. "Tree removal" means to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

§ 185-3. Regulated Activities:

A. Application Process:

1. Any person planning to remove a street tree, as defined as Tree removal, with DBH of 2.5" or more or any non-street tree with DBH of 6" or more on their property shall submit a Tree Removal Application to the Borough Clerk . No tree shall be removed until municipal officials have reviewed and approved the removal.

B. Tree Replacement Requirements

1. Any person who removes one or more street tree(s) with a DBH of 2.5" or more, unless exempt under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table below.



2. Any person, who removes one or more tree(s), as defined as Tree removal, with a DBH of 6” or more per acre, unless otherwise detailed under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table.

The species type and diversity of replacement trees shall be in accordance with Appendix A.

Replacement tree(s) shall:

1. Be replaced in kind with a tree that has an equal or greater DBH than tree removed **or** meet the Tree Replacement Criteria in the table below;
2. Be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the municipality;
3. Be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and
4. Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.

Tree Replacement Requirements Table:

Category	Tree Removed (DBH)	Tree Replacement Criteria (See Appendix A)	Application Fee /
1	DBH of 2.5” (for street trees) or 6” (for non-street trees) to 12.99”	Replant 1 tree with a minimum tree caliper of 1.5” for each tree removed	\$50.00
2	DBH of 13” to 22.99”	Replant 2 trees with minimum tree calipers of 1.5” for each tree removed	\$75.00
3	DBH of 23” to 32.99”	Replant 3 trees with minimum tree calipers of 1.5” for each tree removed	\$100.00
4	DBH of 33” or greater	Replant 4 trees with minimum tree calipers of 1.5” for each tree removed	\$100.00

C. Replacement Alternatives:

1. If the municipality determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:
 - a. Plant replacement trees in a separate area(s) approved by the municipality.
 - b. Pay a fee of \$500.00 per tree removed. This fee shall be placed into a fund dedicated to tree planting and continued maintenance of the trees.

§ 185-4. Exemptions:

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the municipality by all persons claiming an exemption. Proper justification shall be made by a NJ licensed tree expert as per NJ Statue 45:15C-11 or arborist.

- A. Residents who remove less than four (4) trees per acre that fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period. [The number of trees removed is a rolling count across a five-year period. For example, if 3 trees from category 1 are removed in July 2023, the ‘count’ resets to zero in July 2028. However, if 1 tree from category 1 is removed in July 2023 and another in July of 2025 the first tree will come off the count in July 2028 and the second in July 2030.]



- B. Tree farms in active operation, nurseries, fruit orchards, and garden centers;
- C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the municipality;
- D. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
- E. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
- F. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
- G. Hazard trees may be removed with no fee or replacement requirement.

§ 185-5. Enforcement:

This ordinance shall be enforced by the Northvale Police Department or members of the Public Works Department during the course of ordinary enforcement duties.

§ 185-6. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of \$1000.00.

§ 185-7. 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.

§ 185-8. 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.

Section 2. This ordinance will take effect immediately upon passage.

Section 3. All prior ordinances that are inconsistent with this ordinance are repealed.

Appendix A

Approved list of Replacement tree Species and Planting Standards for **the Borough of Northvale**

Tree Species	Cultivars	Planting Season	Planting Optimal Conditions
<u>Acer Negubdo</u> Box Elder Maple		Spring / Fall	Full Sun to Part Shade, Soil Moisture - average to wet, Soil Type wide range (clay to sandy loam)
<u>Acer Rubrum</u> Red Maple		Spring / Fall	Full Sun to Part Shade, Soil Moisture - average to wet, Soil



			Type wide range (clay to sandy loam)
<u>Acer Saccharum</u> Sugar Maple		Fall / early winter	Full Sun to Part Shade, Soil Moisture - average to dry, Soil Type wide range (clay to sandy loam)
<u>Acaer x Freemanii</u> Freeman Maple	Armstrong, Fairfall, Marmo, scarlet Sentinel	Spring / Fall	Full Sun, Soil Moisture - average to dry, Soil Type wide range (clay to sandy loam)
<u>Amelanchier laevis</u> Shadblow Serviceberry		Spring / Fall	Full Sun to Part Shade, Soil Moisture - average to wet, Soil Type wide range (prefers well-drained loams)
<u>Betula Nigra</u> River Birch		Spring / Fall	Full Sun, Soil Moisture - average to wet, Soil Type- Prefers moist, acidic, fertile soils
<u>Carpinus Caroliniana</u> American Hornbeam	Native Flame	Spring	Part Shade, Soil Moisture - average to wet, Soil Type - Prefers moist, organically rich soils.
<u>Celtis Occidentalis</u> Hackberry		Spring	Full Sun to Part Shade, Soil Moisture - average to dry, Soil Type wide range (clay to sandy loam)
<u>Cercis Canadensis</u> Eastern Red Bud		Fall	Full Sun to Part Shade, Soil Moisture - average to wet, Soil Type - Performs best in moderately fertile soils
<u>Cercis Chinensis</u> Chinese Redbud		Late Spring / Early Summer	Full Sun to Part Shade, Soil Moisture - average to wet, Soil Type - Performs best in moderately fertile soils
<u>Cladrastis Kentukea</u> Yellowwood	Sweetshade, Perkins Pink	Spring	Full Sun, Soil Moisture - average, Soil Type - Prefers moist well drained, organically rich soils.
<u>Crataegus Crus-galli</u> Cockspurn Hawthorn	Thornless varieties only	Spring / Fall	Full Sun, Soil Moisture - average to medium moisture, Soil Type wide range (clay to sandy loam)
<u>Ginkgo Bilobra</u> Ginkgo, Maidenhair Tree		Spring / Fall	Full Sun, Soil Moisture - average to medium moisture, Soil Type wide range (clay to sandy loam)
<u>Gladitsia Triacanthos</u> Honey Locust	Moraine, Shademaster, Sunburst, Imperial	Spring / Fall	Full Sun, Thornless, Soil Moisture - average to medium moisture, Soil Type wide range (clay to sandy loam)
<u>Gymnocladus Dioicus</u> Kentucky Coffeetree		Early Winter / Early Spring	Full Sun, Soil Moisture - Medium moisture, Soil Type organically rich, well-drained soils
<u>Halesia Carolina</u> Carolina Silverbell		Spring / Fall	Full Sun, Soil Moisture - average to medium moisture, Soil Type wide range (clay to sandy loam)



<u>Liquidambar Styraciflua</u> American Sweetgum	Cherokee, Rotundiloba, Slender Silhouette, Worplesdon	Early Winter / Early Spring	Full Sun to Part Shade, Soil Moisture - average to wet, Soil Type wide range (clay to sandy loam)
<u>Liriodendron Tulipifera</u> Tulip Tree	Ardis, Arnold, Emerald City, Fastigiatum	Spring / Fall	Full Sun, Soil Moisture - average, Soil Type - organically rich, well-drained loams
<u>Magnolia Virginiana</u> Sweet Bay Magnolia		Spring / Fall	Full Sun to Part Shade, Soil Moisture – average to wet, Soil Type – clay to loam, prefers acidic soils
<u>Nyssa Sylvatica</u> Black Gum		Spring / Fall	Full Sun, Soil Moisture - average to wet, Soil Type sandy loam.
<u>Ostrya Virginiana</u> Eastern Hop Hornbeam		Spring / Fall	Full Sun to Part Shade, Soil Moisture - Medium moisture, Soil Type organically rich, well-drained soils
<u>Platanus x Acerifolia</u> London Planetree		Spring / Fall	Full Sun to Part Shade, Soil Moisture - average to wet, Soil Type wide range (clay to sandy loam)
<u>Prunus Cistena</u> Purple-leaf Sand Cherry		Early Spring	Full Sun, Soil Moisture - average, Soil Type - organically rich, well-drained loams
<u>Prunus Sargentii</u> Sargent Cherry		Early Spring	Full Sun, Soil Moisture - Medium moisture, Soil Type organically rich, well-drained soils
<u>Prunus Virginiana</u> Chokecherry		Spring / Early Summer	Full Sun to Part Shade, Soil Moisture - average to dry, Soil Type wide range (clay to sandy loam)
<u>Quercus Bicolor</u> Swamp White Oak	Hightower	Spring	Full Sun, Soil Moisture - average to wet, Soil Type wide range (clay to sandy loam) Prefers acidic soil
<u>Quercus Coccinea</u> Scarlet Oak	Kindred Spirit, Fastigiata, Skyrocket	Spring	Full Sun, Soil Moisture - average to dry, Soil Type wide range (clay to sandy loam)
<u>Quercus Macrocarpa</u> Bur Oak		Spring	Full Sun, Soil Moisture - average to dry, Soil Type wide range (clay to sandy loam) Prefers moist well-drained loams
<u>Quercus Muehlenbergii</u> Chinkapin Oak		Spring	Full Sun, Soil Moisture - average to dry, Soil Type wide range (clay to sandy loam) Prefer moist fertile loams
<u>Quercus Michauxii</u> Chestnut Oak		Spring	Full Sun, Soil Moisture - average to wet, Soil Type wide range (clay to sandy loam) Prefer moist fertile loams
<u>Quercus Palustris</u> Pin Oak		Spring	Full Sun, Soil Moisture - average to wet, Soil Type wide



			range (clay to sandy loam) Prefer moist fertile loams
<u>Quercus Phellos</u> Willow Oak		Spring	Full Sun, Soil Moisture - average to medium moisture, Soil Type wide range (clay to sandy loam) Prefer moist well-drained loams
<u>Quercus Rubra</u> Northern Red Oak		Spring	Full Sun, Soil Moisture - average to medium moisture, Soil Type wide range (clay to sandy loam) Prefer moist well-drained loams
<u>Quercus Velutina</u> Black Oak		Spring	Full Sun, Soil Moisture - average to medium moisture, Soil Type wide range (clay to sandy loam) Prefers acidic soil
<u>Tilia Americana</u> American Linden		Spring / Fall	Full Sun to Part Shade, Soil Moisture - average to medium moisture, Soil Type wide range (clay to sandy loam) Prefers moist, fertile, well-drained loams
<u>Tilia cordata</u> Little Leaf Linden		Spring / Fall	Full Sun to Part Shade, Soil Moisture - average to medium moisture, Soil Type wide range (clay to sandy loam) Prefers moist, fertile, well-drained loams
<u>Ulmus Americana</u> American Elm	Accolade, Frontier	Spring / Fall	Full Sun to Part Shade, Soil Moisture - average to medium moisture, Soil Type - Prefers moist, fertile, well-drained loams
<u>Zelkova Serrata</u> Zelkova		Spring	Full Sun, Soil Moisture - average to medium moisture, Soil Type - Prefers rich, moist loams

ON THE QUESTION - Councilman Sokoloski stated that a single family home with a tree 6” in diameter would have to replace that tree but not with the same size tree. The Borough does not require a permit now to take down a tree so we will have to educate the residents. This would be a code enforcement issue. Mr. Ferraro stated that every municipality has to create an ordinance. The tree removal companies will know about these changes. There are exemptions. In order to get an exemption, you have to have a qualified arborist to say the tree is dying.

Mayor McGuire asked for a roll call vote:

Councilman Bakalian	Yes	Council President McMorrow	Yes
Councilwoman Fernandez	Yes	Councilman Menafra	Yes
Councilman Mattessich	Yes	Councilman Sokoloski	Yes

Mayor McGuire asked for a motion and second for the 1st Reading of Ordinance #1085-2024. Motion made by Councilman Mattessich, seconded by Council President McMorrow.

Mayor McGuire explained that the state has mandated specific software for electronic permitting software in the Building Department. We also have to purchase a large screen monitor. The cost is \$15,000 and we are permitted to place a surcharge on permit fees to recover this cost over a



period of up to 3 years. We decided on 3% surcharge. This ordinance does not include the 3% surcharge.

ORDINANCE #1085-2024

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

WHEREAS, the New Jersey State Legislature has mandated that municipalities utilize an electronic permitting system to process building permits; and

WHEREAS, Municipalities are authorized to charge a 3% surcharge on permit fees for a three year period to defray the cost of the electronic system.

NOW, THEREFORE BE IT ORDAINED, that Chapter 84 of the Borough Code is hereby amended to add Section 84-3 as set forth herein.

Section 1.

§ 84-1 Enforcement Agency; subcode officials.

A.

There is hereby established in the Borough of Northvale a State Uniform Construction Code enforcing agency to be known as the "Borough of Northvale Code Enforcement Agency," consisting of a Construction Official, Building Subcode Official, Plumbing Subcode Official, Electrical Subcode Official, Fire Protection Subcode Official and such other subcode officials for such additional subcodes as the Commissioner of the Department of Community Affairs, State of New Jersey, shall hereafter adopt as part of the State Uniform Construction Code. The Construction Official shall be the chief administrator of the enforcing agency.

B.

Each official position created in Subsection A hereof shall be filled by a person qualified for such position pursuant to P.L. 1975, c. 217, as amended,^[1] and N.J.A.C. 5:23, provided that, in lieu of any particular subcode official, an on-site inspection agency may be retained by contract pursuant to N.J.A.C. 5:23. More than one such official position may be held by the same person, provided that such person is qualified pursuant to P.L. 1975, c. 217, and N.J.A.C. 5:23 to hold each such position.

[1]

Editor's Note: See N.J.S.A. 52:27D-119 et seq.

C.

The public shall have the right to do business with the enforcing agency at 116 Paris Avenue, Northvale, Bergen County, New Jersey, except for emergencies and unforeseen or unavoidable circumstances.

§ 84-2 Fees.

[Last amended 3-16-2022 by Ord. No. 1048-2022]

Fees shall be as follows:

A.

New construction (based on cubic footage): \$0.09 per cubic foot.

B.

State fees: \$0.00371 per cubic foot; \$1.90 per \$1,000 of value of construction.

C.

Renovations, alterations, repairs, and minor work:

(1)



Twenty-five dollars per \$1,000 of cost (or fraction thereof).

D.

Certificates of occupancy fees:

(1)

Residential: \$200.

(2)

Nonresidential: \$250.

(3)

Change of use: \$250.

(4)

Certificate of continued occupancy: \$200.

(5)

TCO: \$100 for the first 30 days; \$150 for each additional 30 days.

(6)

Admin Fee: \$25 each permit.

E.

Variations:

(1)

Residential: \$250.

(2)

Nonresidential: \$250.

F.

Swimming pools:

(1)

Aboveground: \$100.

(2)

In-ground: \$250.

G.

Demolition:

(1)

Residential: \$250.

(2)

Nonresidential: \$500.

(3)

Structural tower: \$200.

(4)

Accessory to R-3: \$40.

H.

Signs: \$100 each.

I.

Asbestos and/or lead abatement:

(1)

Asbestos abatement: \$150.



(2)

Lead abatement: \$250.

(3)

Asbestos certificate: \$100.

(4)

Lead ccl: \$75.

J.

Plan review: 20% of the permit fee, nonrefundable, included in the permit fee.

K.

Plumbing fees:

(1)

Fixtures and appliances connected to the plumbing system:

(a)

Water closet/bidet/urinals: \$25 each.

(b)

Bathtubs: \$25 each.

(c)

Lavatory/sink: \$25 each.

(d)

Shower/floor drain: \$25 each.

(e)

Washing machine: \$25 each.

(f)

Dishwashers:

[1]

Residential: \$100 each.

[2]

Commercial: \$100 each.

(g)

Hot-water heater: \$100 each.

(h)

Hose bibs: \$30 each.

(i)

Water cooler: \$30 each.

(j)

Garbage disposal: \$30 each.

(k)

Indirect connection: \$30 each.

(l)

Vent stack: \$40.

(m)

Drinking fountains: \$25 each.

(2)



Special devices:

(a)

Grease traps: \$150.

(b)

Oil separators: \$150.

(c)

Water-cooled air conditioners: \$100 each.

(d)

Refrigeration units: \$100 each.

(e)

Water utility connection: \$100 each.

(f)

Sewer utility connection: \$100 each.

(g)

Backflow preventors: \$75 each.

(h)

Backflow preventors (commercial): \$150, with ports.

(i)

Steam boilers: \$75 each.

(j)

Hot-water boilers: \$175.

(k)

Gas connection: \$100.

(l)

(Repealed)

(m)

Sewer pumps: \$75 each.

(n)

Interceptors: \$75 each.

(o)

Fuel oil piping: \$100.

(p)

Medical gas piping: \$100 per station.

(q)

Condensate lines: \$25 each.

(3)

Minimum fee: \$80.

L.

Electrical fees:

(1)

Electrical fixtures and devices:

(a)



Switching outlets, lighting outlets:

[1]

Receptacles one to 25: \$65 each.

[2]

Each additional 25 outlets: \$50 each.

(2)

Electrical devices/generators/transformers:

(a)

Two kilowatts to 10 kilowatts: \$30 each.

(b)

Over 10 kilowatts and less than or equal to 45 kilowatts: \$90 each.

(c)

Over 45 kilowatts and less than or equal to 112.5 kilowatts: \$250 each.

(d)

Over 112.5 kilowatts: \$500 each.

(3)

Motors:

(a)

Two horsepower up to 10 horsepower: \$25 each.

(b)

Over 10 horsepower and less than or equal to 50 horsepower: \$75 each.

(c)

Over 50 horsepower and less than or equal to 100 horsepower: \$100 each.

(d)

Over 100 horsepower: \$500 each.

(4)

Service panels/service entrance subpanels:

(a)

Less than or equal to 200 amps: \$150.

(b)

Greater than 200 amps and less than or equal to 1,000 amps: \$250.

(c)

Greater than 1,000 amps: \$750.

(5)

Swimming pool bonding: \$100.

(6)

Swimming pool lights: \$50.

M.

Fire protection fees:

(1)

Sprinklers:

Number of Heads	Fee
1 to 20	\$150
21 to 100	\$250



Number of Heads	Fee
101 to 200	\$350
201 to 400	\$700
401 to 1,000	\$850
Over 1,000	\$950

(2)

Heat/smoke detectors:

Number of Detectors	Fee
1 to 12	\$125
Each additional 10	\$50
Panel	\$125

(3)

Each standpipe: \$300.

(4)

Each independent pre-engineered system: \$150.

(5)

Each kitchen exhaust system: \$100.

(6)

Each gas- or oil-fired appliance which is not connected to the plumbing system: \$75.

(7)

Hot tar kettle roof: \$75.

(8)

Gas connections: \$50.

(9)

Fire pumps \$250 each.

(10)

Single devices \$30 each.

(11)

Exit and emergency \$25 each.

N.

Elevator plan review fee for elevator devices shall be \$365 for each device.

N1.

An administrative surcharge of 20% shall be applied to all above-listed fees.

O.

Storage tanks/installation/removal:

(1)

Capacity up to 2,000 gallons: \$100.

(2)

Two thousand gallons and over: \$500.

P.

Items not covered. Any items not covered in the above fee schedule shall be charged as per N.J.A.C. 5:28-4.20 of the New Jersey Uniform Construction Code.



Q.

Non-UCC fees.

(1)

Residential Occupancy Approval fees for resale and rentals:

(a)

Single- and two-family residence: \$100.

(b)

Multiple-family residence (three families and above): \$50 for each apt.

(c)

Garage sales: \$10.

R.

Mechanical subcode fees.

(1)

R3/R4/R5 structures/Use Group.

(a)

Water heater: \$100 each.

(b)

Steam boiler: \$150 each.

(c)

Hot-water boiler: \$150 each.

(d)

Hot-air furnace: \$150 each.

(e)

Oil tank: \$100 each.

(f)

LPG: \$150.

(g)

Gas fireplace/log: \$100.

(h)

Hydronic piping: \$28 each.

(i)

Generator: \$125.

(j)

A/C unit: \$125.

(k)

HVAC: \$125.

(l)

Chimney liner, one- or two-family: \$100.

(m)

Pool heater: \$100.

(n)

Fuel-oil piping: \$75 each.



(0)

Gas piping connection: \$75 each.

(2)

Mechanical work on other than an R3/R5 structure/Use Group shall be calculated based upon \$25 per \$1,000 of estimated cost.

§ 84-3 Permit Fee Surcharge. For a three year period beginning May 8, 2024, there shall be a 3 % surcharge on all permit fees required under this Chapter.

Section 2. This ordinance will take effect immediately upon passage.

Section 3. All prior ordinances that are inconsistent with this ordinance are repealed.

ON THE QUESTION – Councilman Menafrá asked if these include the 3% surcharge. These fees will be added to the fees listed.

Mayor McGuire asked for a roll call vote:

Councilman Bakalian	Yes	Council President McMorrow	Yes
Councilwoman Fernandez	Yes	Councilman Menafrá	Yes
Councilman Mattessich	Yes	Councilman Sokoloski	Yes

OLD BUSINESS

Council President McMorrow asked if there was an update on the community garden. Mayor McGuire said there is no update, just waiting for the contribution to come in from Veolia Water. Councilman Mattessich asked if there was any update on the DPW building. No update on that grant as yet. Hopefully in the next couple of months.

NEW BUSINESS

Mayor McGuire asked the council to let him know of any groups that want to volunteer for a town clean up.

MAYOR & COUNCIL REPORTS

Council President McMorrow – Preschool is having parent/teacher conferences this week. Next week is spring break. On April 24th they will be having Dine and Donate fundraiser at Cassie’s. Preschool graduation is June 13th. The Ambulance Corps new power load stretcher was installed in 226. Thank you to the Ambulance Corps. for participating in the egg hunt and also thank you to Iris Fallon and Kevin Trainor. The Ambulance Corps. will be at Recreation opening day on April 27th. EMT summer classes are opened. The Ambulance Corps. had 15 total calls for the month of March. Ten were to Northvale, 1 Rockleigh Jewish Home, 1 Norwood, 2 Closter, and 1 Alpine. The Police had 538 total events for the month of March. There were 83 traffic stops, 80 selective traffic enforcement details, 22 burglar alarms, 33 medical assist calls, 24 civilian assist calls, 8 motor vehicle crashes, 1 shoplifting arrest, and 1 criminal mischief arrest.

Councilman Bakalian – there have been no Planning Board Meetings since there have not been any applications. For the month of March, the Building Department collected \$14,123 in permits. They are up a couple hundred dollars from 2023 which was \$13,907. If we include the CCO and zoning fees, the total collected goes up to \$15,524. Next Planning Board meeting is May 1st.

Councilman Menafrá – Fire Department had 10 emergency calls and 14 non-emergency calls for the month of March. Fire Prevention did 18 inspections and 8 reinspections for March. Northvale Board of Education had a meeting on March 14. They have gone out for an RFP for a summer construction manager. Mr. Pinajian and Mr. Tevis handled it last summer. This is included in the budget already. There were two items mentioned for the 2024/2025 budget increase which are salaries at 3% and cleaning services at 6%. They want to stay under the 2% gap by using \$295,000 state aid. At the next meeting in closed session, they will discuss a school resource officer. On March 22nd and 23rd James and the Giant Peach was performed. Spring break will be next week. PTO Trivia night is May 4th at 7:30 at St. Anthony’s. Next



meeting is April 25th at 6:30 in the Media Center. The talent show was very good. There were 37 performances. There were no meetings or updates for Northern Valley High School.

Councilman Sokoloski – Board of Health met on March 21st, nothing unusual to report. Northern Valley Greenway – attended the zoom meeting regarding the Palisades Shared Use Path Study. This will be a long ongoing process. On behalf of Mayor McGuire, attended the Mayor’s meeting presented by Rep. Josh Gottheimer. Approximately every dollar sent to Washington, New Jersey gets back .67 cents. Meanwhile, some states like Mississippi get back \$4.38 for every dollar sent. There are many grants available from the federal government. The federal government also has surplus property to give away such as furniture, conference room tables. There are nonprofit security grants available. They have funded churches and synagogues. I instructed the grantwriter and Neglia to begin an application to continue the streetscape program on Paris Avenue heading east towards Rockleigh. Reminded everyone to take the cybersecurity class by June.

Councilwoman Fernandez – this week is Library week. Check out the Library website for a list of all their activities. The Friends will be hosting a trivia night on April 27th.

Councilman Mattessich – DPW is continuing cleanup of the parks, chipper is out picking up brush, pothole repair, removed stump behind gazebo, sewer back up in Boro Hall basement and everything else they do every month. Senior Center had a Valley Health System presentation. April 16th is the breakfast at 10 am and on April 25th a social security specialist will be doing a presentation on social security benefits. Golden Age Club membership has grown from 130 to 160 members. Today they are on a trip to Windcreek Casino. On May 2nd, they are going to Westchester Performing Arts Center. Recreation had a meeting last night and I was unable to attend. Spoke to Sarah a couple weeks ago and there are full squads for sign ups. Opening day is April 27th, parade starts at 8:30 with speeches to follow at 8:45, festivities will be 9-2. Mayor McGuire will be throwing out the first pitch.

Mayor McGuire – the Eggstravaganza was held on March 23rd at the NJ Fieldhouse due to inclement weather. Huge thank you to the NJ Fieldhouse and to Iris Fallon, Kevin Trainor, Ambulance Corps, Fire Department and everyone that helped out. Events schedule coming up - May 3rd at dusk, the movie Star Wars will be shown, May 22nd will be concert in the park with a band from NVOT, May 27th is the Memorial Day Parade. Thank you to the DPW for constructing a new wall at the Boro Hall offices to create a hallway so the Clerk has her own separate office so you do not walk thru her office as a pass through room. This is long overdue and creates a better flow. Also thank you to the DPW for rehabilitating the trailer at Hogan Park for recreation. They sealed the roof on top to stop the leaks, new canopy above the entrance, and electricity was put in. The walkway is last to be done and shelving. On March 28th, Councilwoman Fernandez, Councilman Menafrá and myself attended a ShopRite event to honor two employees for the funds they raised during their annual drive to stop hunger. Larry Inserra was present. Shoprite continues to be a great partner with the Borough and organizations. Whenever asked to donate, they are always there. Spoke at Norwood/Northvale Cub Scouts annual blue gold dinner on March 16th. The newsletter was mailed at the end of March. The dog park is being constructed at Veterans Park. Congratulations to our DPW Superintendent Briant Bodrato on becoming a grandfather.

BOROUGH ATTORNEY REPORT

Mr. Ferraro had nothing further to report at this time.

BOROUGH ENGINEER REPORT

Mr. Loverich – Riverside Coop - waiting for the breakdown for the paving program. Veterans Drive – Orange & Rockland will begin in April, duration 1 month and be completed sometime in May. Paving should be in June. Will be preparing the Livingston Street Streetscape contract and have a preconstruction meeting next week. Senior Center doors – submitted reimbursement to county. Senior Center bathroom going out to bid with bid opening on April 16th. Architect will review bids and recommend who lowest bidder is and award to.

OPEN MEETING TO THE PUBLIC

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



ADJOURNMENT

Mayor McGuire asked for a motion and second to adjourn the meeting at 8:14 PM. Motion was made by Councilman Bakalian, seconded by Councilman Menafra.

Mayor McGuire asked for a roll call vote:

Councilman Bakalian	Yes	Council President McMorrow	Yes
Councilwoman Fernandez	Yes	Councilman Menafra	Yes
Councilman Mattessich	Yes	Councilman Sokoloski	Yes

Joseph E. McGuire

Mayor

ATTEST:

Frances M. Weston

Frances M. Weston
Municipal Clerk

Approved: May 8, 2024