

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:40PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Mayor Fyfe led the Pledge of Allegiance to the Flag, and roll call was taken.

OPEN PUBLIC MEETING STATEMENT

Adequate notice of this meeting was provided to The Bergen Record and The Ridgewood News, informing the public of the time and place according to the provisions of the Open Public Meeting Law (Chapter 231, P.L. 1975).

Also Present: Borough Attorney, Joe Voytus, Esq.; Borough Engineer, Andrew Hipolit; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

ROLL CALL:

Councilmember Cudequest - absent	Councilmember LaMonica
Councilmember Curry	Councilmember Lane
Councilmember Ghassali – via phone	Councilmember Talarico

PROCLAMATION

Supporting the Drive Sober or Get Pulled Over 2014 Year End Holiday Crackdown

ORDINANCES:

None.

MEETING OPEN TO PUBLIC:

Agenda Items Only

Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Talarico
- All ayes

NO PUBLIC COMMENT

Motion to close meeting to the public by Councilmember Lane; seconded by Councilmember Curry
- All ayes

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

November 25, 2014

A motion to accept the minutes by Councilmember Lane; seconded by Councilmember Curry
- all ayes

RESOLUTIONS:

157-2014 Transfer Of Appropriations

WHEREAS, certain transfer of funds for various 2014 budget appropriations are necessary to cover anticipated expenditures; and

WHEREAS, N.J.S.A. 40A:4-58 provides for transfers from appropriations with an excess over and above the amount deemed to be necessary to fulfill the purpose for such appropriations, to those appropriations deemed to be insufficient;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, that the transfers be made between the 2014 budget appropriations as follows:

	<u>FROM</u>	<u>TO</u>
<u>CURRENT FUND</u>		
General Appropriations		
Operations – Within “CAPS”		
Engineering Services and Costs:		
Other Expenses	\$10,000.00	
Maintenance of all Vehicles:		
Other Expenses		\$10,000.00
Engineering Services and Costs:		
Other Expenses	7,000.00	
Construction Code Officials:		
Salaries and Wages		7,000.00
	\$17,000.00	\$17,000.00
	=====	=====

Introduced by: Councilmember Lane; seconded by Councilmember Talarico - All ayes

158-2014 Cancellation of Tax and Excess Sewer Overpayments or Delinquent Amounts Less than \$10.00

WHEREAS, N.J.S.A. 40A:5-17 allows for the cancellation of property tax and excess sewer overpayments or delinquent amounts in the amount of less than \$10.00; and

WHEREAS, the Mayor and Council may authorize the Tax Collector to process, without further action on their part, any cancellation of property tax and excess sewer overpayments or delinquencies of less than \$10.00

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, hereby authorize the Tax Collector to cancel said property tax and excess sewer amounts as deemed necessary.

BE IT FURTHER RESOLVED, that a certified copy of the resolution be forwarded to the Tax Collector, Chief Finance Officer and the Municipal Auditor.

Introduced by: Councilmember Lane; seconded by Councilmember LaMonica - All ayes

159-20141 Resolution Authorizing the Settlement of Litigation Under the Condo Services Act Concerning Valley View at Montvale

WHEREAS, N.J.S.A. 40:67-23.2 et seq. (the “Condo Services Act”) provides for a phase-in schedule for municipal reimbursement payment at the municipal cost for certain enumerated municipal services or the providing of such services by a municipality in lieu of such reimbursement, and

WHEREAS, the municipal services covered under the Condo Services Act consist of the following:

- (1) Reimbursement for removal of snow, ice and other obstructions from the roads and streets; and
- (2) Reimbursement for lighting of the roads and streets, to the extent of payment for the electricity required, but not including the installation or maintenance of lamps, standards, wiring or other equipment; and
- (3) Collection, removal and disposal of leaves, recyclable materials and solid waste from the roads and streets; and

WHEREAS, in 2013 Valley View at Montvale Condominium Association (the “Association”) filed litigation in New Jersey Superior Court, Bergen County Vicinage, Docket No. BER-L-5113-13, captioned *Valley View at Montvale Condominium Association, Inc. v. Borough of Montvale, et al.*, concerning the Condo Services Act, and the Borough timely filed an Answer to the Association’s complaint, denying many of the allegations set forth in Plaintiff’s complaint; and

WHEREAS, in settlement of said litigation, the Borough and the Association have agreed upon a payment of \$5,000, without an admission of liability or payment of costs or fees to either party, in full satisfaction of all claims, payments or reimbursements of any kind concerning services required to be reimbursed, including but not limited to those set forth in the Condo Services Act, for the period prior to and including December 31, 2014; and

WHEREAS, in exchange for said payment, the Association has agreed to forever release and hold harmless the Borough for any and all claims, payments or reimbursements of any kind for the period prior to and including December 31, 2014; and

WHEREAS, the parties have agreed to execute all documents necessary to effectuate said payment and the dismissal of the above-captioned litigation with prejudice; and

WHEREAS, for the years 2015 through 2019, inclusive, the Borough and the Association have agreed upon provision for reimbursement to the Association by the Borough or, alternatively, the Borough providing services to the Association, all in full satisfaction of the Borough's obligations under the Condo Services Act; and

WHEREAS, the Borough is therefore desirous of authorizing the execution of all necessary settlement documents as set forth above.

NOW, THEREFORE, BE IT RESOLVED that the Borough Attorney, Mayor and Borough Clerk are hereby authorized and empowered to execute all documents necessary to effectuate settlement of the above-referenced litigation, on the terms and conditions set forth above.

Introduced by: Councilmember Lane; seconded by Councilmember Curry - All ayes

160-2014 A Resolution Expressing Support for the Tri-Boro Volunteer Ambulance Corps and Expressing the Council's Intent to Share Equally in the Purchase of a New Emergency Vehicle for use by the Tri-Boro Volunteer Ambulance Corps

WHEREAS, the Tri-Boro Volunteer Ambulance Corps ("Tri-Boro Ambulance") is a solely volunteer organization serving the municipalities of Montvale, Park Ridge and Woodcliff Lake; and

WHEREAS, Tri-Boro Ambulance is funded mainly through contributions and the support of the three municipalities it services; and

WHEREAS, Tri-Boro Ambulance provides its services to local residents free of charge; and

WHEREAS, Tri-Boro Ambulance is in need of a vehicle to assist the Corps in responding to various emergencies; and

WHEREAS, Tri-Boro Ambulance volunteers already spend a significant amount of time fundraising for the Corps in order to meet their annual funding needs; and

WHEREAS, the Borough Council have determined that it is in the best interests of the residents of Montvale and the surrounding municipalities to purchase a vehicle for the Tri-Boro Volunteer Ambulance Corps, provided that Park Ridge and Woodcliff Lake are willing to share equally in the cost of said vehicle.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Montvale do hereby express their support for and express their gratitude to the Tri-Boro Volunteer Ambulance Corps for the services that its volunteers provide to the residents of the tri-boro community.

BE IT FURTHER RESOLVED that the Mayor and Council do hereby express their intention to share in the purchase a vehicle for the Tri-Boro Volunteer Ambulance Corps, provided that the Boroughs of Park Ridge and Woodcliff Lake agree to share equally in the cost of said vehicle, with Montvale acting as the lead agency for the purchase.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to forward a copy of this Resolution to the Tri-Boro Volunteer Ambulance Corps and to the governing bodies of Park Ridge and Woodcliff Lake.

Introduced by: Councilmember Lane; seconded by Councilmember Curry - All ayes

BILLS: Municipal Clerk read the Bill Report.

Motion to pay bills by Councilmember Lane; seconded by Councilmember Talarico - All ayes
Councilmember Ghassali asked for clarification of a bill on page 2 for \$3,500 for fire vehicle repairs
The bill will be pulled for further information... a motion to pay the rest of the bills by Councilmember Lane; seconded by Councilmember Curry – all ayes

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue

COMMITTEE REPORTS:

Rich Campanelli / DPW Superintendent

Snow removal, sewer repairs, pot hole repairs, new recycle center hours, were among some of the topics discussed for a recap of the 2014 year. There were a total of 3,153 work orders processed, a total of 10,000 work hours which are the equivalent of 5 men; overall the Mayor and Councilmembers were very satisfied with the new DPW.

Councilmember Curry

Board of Health

Smoking Ordinance has been approved; Rabies clinic is scheduled for January 3rd from 10am-11:30am;

Recreation

Winter programs are listed on the website; the Tree lighting ceremony was Monday night;

Local BOE

Winter holiday break is scheduled for December 24 through January 4

Councilmember LaMonica

Chamber of Commerce

The Chamber's Holiday Party was held at Davy's Locker; Street Fair has been scheduled for June 7, 2015;

Tri-Boro Shuttle

Will be campaigning some of the corporations to increase rider ship

At the Fire Department's annual banquet, it was nice to see a lot of young adults that are now members of the department;

Councilmember Talarico

Police

Monthly report included in original minutes

Tri-Boro

36 calls; 507 miles; 39.5 hours; 21.5 crew hours all by Montvale

Thanked Bill Lagno for his services as TV Access station manager, he will be re-locating to South Carolina; Anyone that would like to donate dry goods, there is a bin located by library

Councilmember Lane

Fire Dept

Annual Event; new officers are in place for 2015; decorated center of town for the Holiday season

Councilmember Ghassali

Admin

Departmental budgets were distributed; employee annual evaluations are being conducted;

Mayor Fyfe

Library

10,858 circulation; 5,377 patron visits; 18 new cards issued;

Regional BOE

Pascack Valley Regional High School District Superintendent Erik Gundersen was one of more than 100 administrators from across the country who were recognized at the White House for their efforts in creating more technology opportunities for students in the classroom

Planning Board

School #2 will be developed into senior and special needs housing development

ENGINEER REPORT:

Andrew Hipolit

Report/Update

There are two active projects KHOV on Upper Saddle River Road and Woodland Heights (Bob Meyers site)

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

No Report

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Councilmember Talarico stated that the Police committee has chosen a candidate to be considered for hire; his name is John Guico; a motion to offer employment by Councilmember Lane; seconded by Councilmember LaMonica – all ayes

COMMUNICATION CORRESPONDENCE:

None

MEETING OPEN TO THE PUBLIC:

HEARING OF CITIZENS WHO WISH TO ADDRESS THE MAYOR AND COUNCIL:

Upon recognition by the Mayor, the person shall proceed to the floor and give his/her name and address in an audible tone of voice for the records. Unless further time is granted by the Council, he/she shall limit his/her statement to five (5) minutes. Statements shall be addressed to the Council as a body and not to any member thereof. No person, other than the person having the floor, shall be permitted to enter into any discussion, without recognition by the Mayor.

Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember LaMonica
- All ayes

NO PUBLIC COMMENT

Motion to close meeting to the public by Councilmember Lane; seconded by Councilmember Talarico
- All ayes

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT The next Meeting of the Mayor and Council will be held December 30, 2014 at 7:30 p.m.

Motion to adjourn Public Meeting by Councilmember Lane; seconded by Councilmember Talarico
- all ayes

Meeting was adjourned at 8:30pm

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk