

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:39 PM. 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, Phil Boggia, Esq.; Borough Engineer, Phil Niehoff; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

ROLL CALL:

Councilmember Cudequest	Councilmember LaMonica
Councilmember Curry	Councilmember Lane
Councilmember Ghassali	Councilmember Talarico

PROCLAMATIONS:

Recognition of 30 Years of Service: Kathie Bowen

Eagle Scout Recognition: Arslan Kevin Gungil

Housing Authority of Bergen County/Charlotte Vandervalk

Ms. Vandervalk spoke about how the Housing Authority works with new affordable housing projects;

Richard Priess, Borough Planner

Stated the Spending plan needs to be updated to reflect the funding of School #2 to show COAH the borough is committed to certain projects.

ORDINANCES:

INTRODUCTION ORDINANCE NO. 2013-1377 AN ORDINANCE AUTHORIZING THE ACQUISITION OF REAL PROPERTY LOCATED AT 11 EAST GRAND AVENUE IN THE BOROUGH OF MONTVALE

A motion to Introduce Ordinance **2012-1377** for first reading was made by Councilmember Curry; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Ridgewood News; seconded by Councilmember Cudequest - A roll call was taken – all ayes

PUBLIC HEARING ORDINANCE NO. 2013-1376 AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, SUPPLEMENTING THE BOROUGH CODE TO ADD A NEW CHAPTER 90B ENTITLED, "RECREATION"

BE IT ORDAINED by the Mayor and Council of the Borough of Montvale as follows:

Section 1. The Code of the Borough of Montvale is hereby supplemented by adding a new Chapter 90B, "Recreation," as follows:

Article I – Recreation Director

§90B-1. Creation of position.

§90B-2. Appointment; term; removal from office.

§90B-3. Compensation.

§90B-4. Qualifications; residence.

§90B-5. Powers, duties and responsibilities.

§90B-1. Creation of position.

The position of Recreation Director in the Borough of Montvale is hereby created.

§90B-2. Appointment; term; removal from office.

- A. The Recreation Director shall be appointed annually by the Mayor and Council.
- B. Unless removed in accordance with this section, the term of the Recreation Director shall be one year.
- C. Notwithstanding the foregoing, the Recreation Director shall serve at the pleasure of the Mayor and Council.

§90B-3. Compensation.

The salary of the Recreation Director shall be as set forth in the Borough's salary ordinance.

§90B-4. Qualifications; residence.

The Director of Recreation shall be trained thoroughly versed in modern recreation theory and practice. The Recreation Director need not be a resident of the Borough.

§90B-5. Powers, duties and responsibilities.

The Recreation Director shall be under the direct supervision and control of the Borough Administrator, subject to the oversight of the Mayor and Council. The Recreation Director shall have such powers and responsibilities, and shall perform such duties as, but not limited to, the following:

- A. Administering, planning, supervising and conducting programs and activities of the Borough's public playgrounds, athletic fields, recreation centers and other recreational facilities and any of the properties owned and controlled by the Borough, including, but not limited to, recreational programs, cultural activities, youth programs and the summer camp, in conjunction with the Recreation Committee, subject to formal approval by the Mayor and Council.
- B. The Recreation Director will be an alternate to the Field Coordinator for purposes of coordination and scheduling all Borough owned athletic fields.
- C. Planning and promoting the immediate and long-term recreational needs of the Borough.
- D. Recommending in writing to the Mayor & Council for approval the hiring of such counselors, supervisors, play leaders, instructors and other personnel as the Council may from time to time deem appropriate.
- E. Attend all meetings of the Recreation Committee.
- F. Provide monthly reports in writing to the Borough Administrator and Council Liaison detailing such information, including but not limited to revenues, expenditures, program attendance, upcoming programs, and any staffing recommendations for upcoming programs.

- G. Attending meetings of the Mayor and Council upon request.
- H. In conjunction with the Recreation Committee, providing an annual report to the Mayor and Council, no later than December 31 of each year, containing a comprehensive and detailed report covering operations, receipts, disbursements and expenditures for the full year, including a short- and long-term plan for the Recreation Department.

Article II – Recreation Committee

- §90B-6. Creation.**
- §90B-7. Composition; terms of office.**
- §90B-8. Organization.**
- §90B-9. Purpose; duties; responsibilities.**
- §90B-10. Studies; recommendations and reports.**
- §90B-11. Submission of annual report to Mayor and Council; contents.**
- §90B-6. Creation.**

There is hereby created in the Borough of Montvale a Recreation Committee.

§90B-7. Composition; terms of office.

The Recreation Committee shall consist of such members as shall be appointed by the Mayor, along with the Recreation Director. However, the Recreation Committee shall consist of no fewer than five (5) members, exclusive of the Recreation Director. Each member of the Recreation Committee shall be an annual appointment. A member of the Borough Council shall serve as liaison to the Recreation Committee but shall not be a member of said Committee.

§90B-8. Organization.

- a. The Recreation Committee shall select from among its members one individual to serve as Chairperson of the Board. The Chairperson in the absence of the Recreation Director shall preside over all meetings of the Recreation Committee.
- b. The Recreation Committee may also appoint a Vice-Chairperson in his/her absence.

§90B-9. Purpose; duties; responsibilities.

- a. The purpose of the Recreation Committee is to assist the Recreation Director and the Mayor and Council in administering, planning, supervising and conducting programs and activities of the Borough's public playgrounds, athletic fields, recreation centers and other recreational facilities and any of the properties owned and controlled by the Borough, including, but not limited to, recreational programs, cultural activities, youth programs and the summer camp, subject to formal approval by the Mayor and Council.
- b. The Recreation Committee shall make recommendations to the Mayor and Council regarding recreational programs, personnel and facilities, the development of new initiatives, and the management of existing programs in the Borough of Montvale.

- c. The Recreation Committee shall advise the Recreation Director in the preparation of the annual budget for the Recreation Department.
- d. The Recreation Committee shall maintain communication including but not limited to recreational quasi-municipal organizations in order to coordinate the use of facilities and establish consistent policies and cooperation among the various groups.
- e. The Recreation Committee shall advise the Mayor and Council of any opportunities or needs that should be addressed in the area of recreation.
- f. The Recreation Committee shall maintain communication with other municipal bodies, such as the library and the schools, to minimize duplication of efforts and to foster joint programs.
- g. The members of the Recreation Committee are to maintain the ethical standards of the position of trust to which they have been appointed. Any ethical breach or conduct unbecoming of a member of the Board shall be reported immediately to the Mayor and Council for appropriate action, including, but not limited to, removal from the Recreation Committee as permitted by law.
- h. All decisions and/or recommendations made by the Recreation Committee, including whether to offer particular programs, program fees and personnel decisions are subject to approval by the Mayor and Council.
- i. All individuals over the age of 18 working directly with children are subject to a background check.

§90B-10. Studies; recommendations and reports.

- A. The Recreation Committee may make recommendations to the Mayor and Council as to the establishment of any new staff positions it deems necessary for the successful operation of the Borough's recreational programs. The responsibility for the hiring of such employees shall be vested with the Mayor and Borough Council and any such employees shall be under the immediate supervision of the Recreation Director, who in turn shall be under the supervision of the Borough Administrator.
- B. On or before January 15 of each year, the Recreation Committee, in cooperation with the Recreation Director shall prepare and submit to the Borough Administrator a proposed budget for the Borough's recreation program. Prior thereto, the Recreation Committee shall obtain and review budget requests from each of the various recreational programs which shall be used in the budget preparation process. The budgetary requests shall also be submitted to the Borough Administrator for the purpose of substantiating the Recreation Committee's suggested budget.

- C. The Recreation Committee shall also study such matters as may be referred to it by the Mayor and Council and shall report its findings and conclusions thereon, in writing, to the Mayor and Council as soon as reasonably possible.

Section 2. Effect of invalidation. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 3. Repeal of inconsistent ordinances. All ordinances or parts of ordinances of the Borough of Montvale which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. Effective date. This ordinance shall take effect immediately upon its passage and publication as required by law.

Ordinance No. **2013- 1376** was introduced for second reading by Councilmember Curry; seconded by Councilmember Cudequest; Clerk read by title only
 Motion to open meeting to the public by Councilmember Cudequest; seconded by Councilmember Lane - all ayes

NO PUBLIC COMMENT

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

Motion to adopt on Second and Final Reading in the Ridgewood News by Councilmember Lane; seconded by Councilmember Curry; Clerk read by title only ----- A roll call vote was taken --- all ayes

Councilmember Curry stated that Jim Freeman, Recreation Director accepts the ordinance

MEETING OPEN TO PUBLIC:

Agenda Items Only

A motion to open the meeting on agenda items only by Councilmember Lane; seconded by Councilmember Cudequest - all ayes

NO PUBLIC COMMENT

A motion to close the meeting on agenda items only by Councilmember Cudequest; seconded by Councilmember Lane - all ayes

MEETING CLOSED TO PUBLIC

Agenda Items Only

MINUTES:

May 28, 2013

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

RESOLUTIONS:

101-2013 Authorize the Hiring of William Lagno/Station Manager/Montvale Cable TV Access Group

WHEREAS, the Borough of Montvale wishes to hire a station manager in the Borough of Montvale; and **WHEREAS**, William Lagno meets the qualifications for this position, agrees to the terms and conditions of employment; and

WHEREAS, the terms and conditions of this employment shall be outlined in a separate letter of

employment as determined by the Mayor and Council; and
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey that William Lagno is hereby appointed Station Manager effective June 1, 2013.

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

102-2013 Authorize Release of Escrow/Block 104/Lot 3/R. Steiner

WHEREAS, the Borough Treasurer, recommends the release and takes no exception to the release of the remaining escrow funds posted Block 104/Lot 3, 21 Valley View Terrace as the project has been deemed complete; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale the escrow in the amount of \$75.00 is hereby released to Robin Steiner, 21 Valley View Terrace, Montvale, NJ 07645; and

BE IT FURTHER RESOLVED, the Borough Treasurer hereby receives a copy of this resolution for processing.

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

103-2013 Authorize Refunds Montvale Tennis Program

BE IT RESOLVED, the below listed individuals are hereby granted a refund for tennis lessons as they will not be able to participate in the program.

Melanie Meisner	\$80.00 (1 participant)
Jill Haberfield	\$160.00 (2 participants)

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

Councilmember Cudequest asked why the refunds; the administrator explained that due to rain cancellations the participants could not attend the re-scheduled sessions, therefore requesting a refund.

104-2013 Authorizing Execution of Agreement/Four Seasons At Ridgemont/Municipal Service Agreement

WHEREAS, 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 the municipality in lieu of such reimbursement; and

WHEREAS, an renewal agreement has been negotiated between the Borough of Montvale and Ridgemont Condominium Association, Inc. Association to satisfy the obligation of the Borough as provided by the Condo Service Act, which agreement is attached and made part of this resolution; and

WHEREAS, this agreement shall remain in effect for a five year period to commence on May 28, 2013 and terminating on May 28, 2017; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Montvale hereby authorize the execution of the attached Agreement on behalf of the municipality by the appropriate municipal officials.

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

105-2013 Special Item Of Revenue And Appropriation - Chapter 159

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item appropriation for an equal amount, and

WHEREAS, the Borough of Montvale has been awarded \$15,976.06 from the State of New Jersey – Solid Waste Administration and wishes to amend its 2013 Budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Montvale hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$15,976.06 which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with
Prior Written Consent of the Director of Local Government
Services:

Public and Private Revenues Off-Set with Appropriations:

State of New Jersey – Solid Waste Administration:

Clean Communities Program, and

BE IT FURTHER RESOLVED that a like sum of \$15,976.06 be and hereby appropriated under the caption of:

General Appropriations

(a) Operations - Excluded from "CAPS"

Public and Private Programs Off-Set by Revenues:

State of New Jersey – Solid Waste Administration:

Clean Communities Program

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

BILLS: Municipal Clerk read the Bill Report.

Motion to pay bills by Councilmember Cudequest; seconded by Councilmember Lane - All ayes

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue

COMMITTEE REPORTS:

Councilmember LaMonica

Chamber of Commerce

15,000-20,000 attended the Montvale Street Fair;

Triboro Shuttle

Constant flow of riders; 201-368-5955 to schedule

Seniors

Spring luncheon is scheduled for June 20th at Florentine Gardens

Councilmember Curry

Local BOE

70 students were recognize for various participation in after school activities

Recreation

June 29th Day in the Park; camp registration is now at 150 and registration is still open;

Board of Health

September 28th is the tentative date for the flu clinic; next scheduled meeting will be in September

Construction

Permits have increase; resumes for electrical inspector have been coming in;

Councilmember Ghassali

DPW

Handled flooding conditions due to the recent heavy rains; set up and cleaned up for parades; various projects around town.

Councilmember Lane

Fire Dept

Hosted NY/NJ Volunteer Fireman's Association Parade; 18 calls; 2 drills; 3 chief calls;

Councilmember Talarico

Police

Monthly report included in original minutes

Tri-Boro

28 calls; 489 miles; 29.5 hours; 99 crew hours all by Montvale

Councilmember Cudequest

Regional High School Board

Students from Valley and Hills came together to see if solar panels can be used at the schools;

Pascack Hills HS inducted 66 students in the National Honor Society; the robotics team competed in its first robotic world championship in St. Louis, they came in 4th place out of 100 schools

Planning Board

Hearings for DePiero's will be scheduled at Pascack Hills High School in the auditorium; check website for dates;

Mayor Fyfe

Library

13,028 total circulation for May; 6,373 patron visits; 21 new cards issued; conducting a survey on hours of operation for Saturday and Sunday, forms are available at the library; Annual book sale is scheduled for October 5th and 6th.

Commended the Fire Department on their efforts with the parade. Mayor Fyfe thanked Mercedes Benz for their generous deal for the car that was raffled off; plus allowing the borough to borrow 8 convertibles each car was worth approximately \$130,000;

15 Grand Bistro will be opening soon

ENGINEER'S REPORT:

Paul Niehoff
Report/Update

a. Valley View Pump Station/Flow Monitoring

Due to the heavy rains, it has been causing an overflow issue. It was recommended to install meters; The cost proposal is \$5,936.00; After a brief discussion by councilmembers a motion by Councilmember Lane; seconded by Councilmember Talarico to install meters on the pump station;

b. ORU Application/Tower Modification

This application has been forwarded to borough attorney for further review;

c. Bid Opening / Tennis and Basketball Courts / Repairs

Under review and will consult with borough attorney and will provide a recommendation for next meeting;

ATTORNEY REPORT:

Philip Boggia, Esq.
Report/Update

Regarding the Orange/Rockland application there seems to be some deed restrictions which the borough attorney will look into; also will review the bids received for the repairs of the tennis and basketball courts

UNFINISHED BUSINESS:

a. Re-submission Night-Mares Haunted Attraction/Depiero's Farm

A motion by Councilmember Lane; seconded by Councilmember Curry to grant permission - all ayes

NEW BUSINESS:

a. Request Installation of Sign/Grand Ave & Memorial Dr./Greater Pascack Valley Woman's Club

After a brief discussion a motion by Councilmember Talarico; seconded by Councilmember LaMonica to allow the sign but first it has to go to the Planning Board for further approval.

b. Boy Scouts / Requests Permission / Storage of Equipment

Troop 334 would like to store their trailer on borough property; Mayor Fyfe explained as long as they understand that the borough is not responsible for it; a motion to grant permission by Councilmember Lane; seconded by Councilmember LaMonica - all ayes

c. Recreation Dept / Requests approval additional classes

Recreation is requesting permission to have an additional yoga and tai kwon do classes; a motion by Councilmember Lane; seconded by Councilmember Ghassali to approve additional classes – all ayes

Councilmember Ghassali asked for clarification regarding the sign ordinance for small business owners; Mayor Fyfe suggested to talk to the Chamber of Commerce first and maybe form a committee to further discuss amending the sign ordinance;

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 Cudequest
- All ayes

George Zeller, 105 E Grand Ave

Wanted to commend the council for their decision on the zone change for the DePiero property

Dick Voorhees

Wanted to repeat the comments that Mr. Zeller stated about the positive effects of the zone change to the DePiero's property; also Mr. Voorhees asked for clarification about the affordable housing discussion earlier;

John DePinto

Suggested to Councilmember Ghassali to have the small business owners come before the Planning Board for new signs;

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT The next Meeting of the Mayor and Council will be held June 25, 2013 at 7:30 p.m.
Motion to adjourn Public Meeting by Councilmember Lane; seconded by Councilmember Cudequest
- all ayes

Meeting was adjourned at 9:15pm

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk