

**MINUTES  
WORK SESSION**

The Work Session Meeting of the Mayor and Council was held in the Council Chambers and called to order at \_\_\_\_\_ pm. Adequate notification was published in the official newspaper of the Borough of Montvale. 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).

**ROLL CALL:**

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

Also present: Mayor Roger Fyfe; Borough Attorney, Phil Boggia; Borough Engineer, Andy Hipolit; Administrator/Clerk, Maureen Iarossi-Alwan and Deputy Municipal Clerk, Fran Scordo

**ORDINANCES:**

**PUBLIC HEARING: ORDINANCE NO. 2014-1383 AN ORDINANCE OF THE BOROUGH OF MONTVALE REPEALING CHAPTER 30 OF THE BOROUGH CODE IN ITS ENTIRETY AND DISSOLVING THE MONTVALE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) provides that local units of government may enter into a contract for the joint provision of any service which either party to said agreement is empowered to render or perform within its own jurisdiction; and

**WHEREAS**, the Borough of Montvale is permitted by N.J.S.A. 40:48-1 “to provide for the employment and compensation of such officials and employees, in addition to those provided for by statute, as may be deemed necessary for the efficient conduct of the affairs of the municipality.”; and

**WHEREAS**, under the provisions of the *Uniform Shared Services and Consolidation Act*, and specifically N.J.S.A. 40A:65-4, the Borough is further authorized and empowered to “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**, it has long been the law of this State that “a municipality may in appropriate circumstances abolish positions of public employment when no longer needed, when government is being reorganized, or when economies or greater efficiency in service are to be effected” and further that such actions “are deemed to further the public interest”; and

**WHEREAS**, the Borough of Montvale is constantly exploring options available to the Borough to obtain cost savings for Borough residents in the performance of various services, while still maintaining quality of performance and a high level of professionalism; and

**WHEREAS**, the Borough has entered into a Shared Services Agreement with the Township of River Vale for the performance of public works services; and

**WHEREAS**, all employees of the Montvale Department of Public Works have been terminated; and

**WHEREAS**, in order to update the Borough Code to reflect these changed circumstances, the Borough deems it appropriate to repeal Chapter 30 of the Borough Code.

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

**Section 1.** Chapter 30 of the Montvale Borough Code is hereby repealed and deleted in its entirety.

**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 passage and publication as required by law.

Ordinance No. **2014- 1383** was introduced for second reading by Councilmember Curry; seconded by Councilmember \_\_\_\_\_ ; Clerk read by title only

Motion to open meeting to the public by Councilmember \_\_\_\_\_ ; seconded by Councilmember \_\_\_\_\_  
- all ayes

**NO PUBLIC COMMENT**

Motion to close meeting to the public by Councilmember \_\_\_\_\_ ; seconded by Councilmember \_\_\_\_\_  
- all ayes

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

**INTRODUCTION: ORDINANCE NO. 2014-1384** AN ORDINANCE TO AMEND ORDINANCE NO. 2013-1369 TO PROVIDE FOR AND DETERMINE THE RATE, AMOUNT AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF MONTVALE, COUNTY OF BERGEN , STATE OF NEW JERSEY

(public hearing 2/11/2014)

A motion to Introduce Ordinance **2014-1384** for first reading was made by Councilmember Curry; seconded by Councilmember \_\_\_\_\_ ; 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 \_\_\_\_\_ - A roll call was taken – all ayes

**MINUTES:**

January 28, 2014

A motion to accept the minutes by Councilmember \_\_\_\_\_ ; seconded by Councilmember \_\_\_\_\_  
- all ayes

**RESOLUTIONS:**

**37-2014 Refund Tax Overpayment / Block 702; Lot 37.06 C118C / Alex Kotlyar**

**WHEREAS**, a resolution authorizing this municipality to refund overpayment of taxes for 118C N. Kinderkamack Road in the Borough of Montvale, and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey, that the Tax Collector be and is hereby authorized to refund overpayment of taxes in the amount of \$112.86 to Alex Kotlyar, 118C N. Kinderkamack Road, Montvale, NJ

Introduced by: Councilmember ; seconded by Councilmember - All ayes

**38-2014 Recycling Tonnage Grant Submission/R.Campanelli/PV-DPW**

The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, A resolution authorizing this municipality to apply for such tonnage grants for 2014 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor & Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW THEREFORE BE IT RESOLVED** by the Mayor & Council of the Borough of Montvale that the Borough of Montvale hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Richard Campanelli, Pascack Valley Department of Public Works Superintendent to ensure that the application is properly filed; an

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Introduced by: Councilmember ; seconded by Councilmember - All ayes

**39-2014 Authorize Release of Escrow/Block 2402/Lot 788/Davey’s Irish Pub**

**WHEREAS**, the Borough Engineer, recommends the release and takes no exception to the release of the escrow funds posted for Block 2402/Lot 788 as all inspections have been conducted; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale the inspection escrow in the amount of \$10,053.33 is hereby released to Peter & Catherine Davey, LLC, Davey’s Irish Pub, Park Street & Kinderkamack Road, Montvale NJ 07645; and **BE IT FURTHER RESOLVED**, the Borough Treasurer hereby receives a copy of this resolution for processing.

Introduced by: Councilmember ; seconded by Councilmember - All ayes

**40-2014 Emergency Temporary Appropriations**

**WHEREAS**, an emergent condition has arisen with respect to certain budget appropriations and no adequate provision has been made in the 2014 temporary budget, and N.J.S.A. 40A:4-20 provides for the creation of emergency temporary appropriations for said purpose; and

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2014 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951) including this resolution total:

Current Fund \$213,011.63

**NOW, THEREFORE, BE IT RESOLVED** (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

- 1. An emergency temporary appropriation be and the same is hereby made in the total amount of:

Current Fund \$13,011.63

- 2. That said emergency temporary appropriation (will be) provided in the 2014 budget;
- 3. That one certified copy of this resolution be filed with the Director of Local Government Services.

**CURRENT FUND**

General Appropriations

Operations – Within “CAPS”

Public Buildings and Grounds:

Salaries and Wages \$6,500.00

Elevator Sub-Code Official:

Other Expenses 3,500.00

General Appropriations

Operations – Excluded from “CAPS”

Public and Private Programs Offset by Revenues

Body Armor 3,011.63

\$13,011.63

Introduced by: Councilmember ; seconded by Councilmember - All ayes

**BILLS:** *Municipal Clerk read the Bill Report*

Motion to pay bills by Councilmember ; seconded by Councilmember - All ayes  
Councilmember Cudequest abstained on bill #

**ENGINEER'S REPORT:**

Andy Hipolit  
Report/Update

**ATTORNEY'S REPORT:**

Phil Boggia, Esq.  
Report/Update

**UNFINISHED BUSINESS:**

- a. Park Ridge Pistol Range/Request Capital Improvements

**NEW BUSINESS:**

- a. Request Permission/Use of Band/13 Lewis Rd./Fraiman-Siegel

**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.

A motion to open meeting to the public by Councilmember \_\_\_\_\_ ; seconded by Councilmember \_\_\_\_\_ – all ayes

A motion to close meeting to the public by Councilmember \_\_\_\_\_ ; seconded by Councilmember \_\_\_\_\_ – all ayes

Motion to adjourn by Councilmember \_\_\_\_\_ ; seconded by Councilmember \_\_\_\_\_ – all ayes

**ADJOURNMENT**

Meeting adjourned at \_\_\_\_\_ pm

The next Meeting of the Mayor and Council will be held February 11, 2014 at 7:30 p.m.

**Respectfully submitted, Fran Scordo, Deputy Municipal Clerk**