

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:31 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, Joe Voytus, Esq.; Borough Engineer, Andy Hipolit; 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

ORDINANCES:

PUBLIC HEARING ORDINANCE NO. 2014-1385 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 84 AND CHAPTER 85 OF THE CODE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, IN ORDER TO DESIGNATE THE ‘APPROPRIATE AUTHORITY’ UNDER NEW JERSEY LAW AND ESTABLISH PROCEDURES FOR SUSPENSIONS

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

Section 1. Chapter 84 of the Code of the Borough of Montvale is hereby amended by adding the underlined text as follows:

§ 84-1. Creation and composition.

D. The Mayor and Council of the Borough of Montvale shall be deemed to be the “appropriate authority” for purposes of the Borough Code and N.J.S.A. 40A:14-118.

Section 2. Chapter 85 of the Code of the Borough of Montvale is hereby amended by adding the underlined text as follows:

§ 85-2. Definitions.

GOVERNING BODY/ APPROPRIATE AUTHORITY

The Mayor and Council of the Borough of Montvale, as established and otherwise defined in the Code of the Borough of Montvale, County of Bergen, State of New Jersey.

Section 3. Chapter 85 of the Code of the Borough of Montvale is hereby amended by adding the underlined text as follows:

§ 85-9. Summary suspension.

Notwithstanding anything herein to the contrary, the Chief of Police may suspend summarily any police officer, upon the service of a complaint and pending hearing, who has been charged with a violation as aforesaid under such circumstances, as in the reasonable judgment of the Chief of

Police, the continuance of said police officer in the performance of his duty may result in endangerment to himself or to members of the public. The suspension shall be deemed to be “with pay” unless the governing body shall determine, in accordance with N.J.S.A. 40A:14-149.1, that the suspension should be “without pay.”

Section 4. Repeal of Inconsistent Ordinances.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 5. Savings Clause.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 6. Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 7. Effective Date.

This ordinance shall become effective upon adoption and publication as required by law.

Ordinance No. **2014- 1385** 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 Cudequest; seconded by Councilmember Lane
- all ayes
Motion to adopt on Second and Final Reading in the Ridgewood News by Councilmember Lane; seconded by Councilmember Ghassali; Clerk read by title only ----- A roll call vote was taken --- all ayes

INTRODUCTION OF ORDINANCE NO. 2014-1387 CALENDAR YEAR 2014 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

A motion to Introduce Ordinance **2014-1387** for first reading was made by Councilmember Curry; seconded by Councilmember Ghassali; 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 Ghassali - A roll call was taken – all ayes

INTRODUCTION 2014 MUNICIPAL BUDGET: Resolution No. 51A-2014

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Borough of Montvale, Bergen County, New Jersey for the year 2014.
BE IT FURTHER RESOLVED, that the said budget be published in The Bergen Record in the issue of March 25th, 2014, and that a hearing on the Budget will be held at the Borough Hall Council Chambers on April 8th, 2014 at 7:30 o'clock (P.M.) or as soon thereafter as the matter may be reached.

Introduced by: Councilmember Cudequest; seconded by Councilmember Lane - A roll call was taken - All ayes

MEETING OPEN TO PUBLIC:

Agenda Items 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 Cudequest; seconded by Councilmember Lane - All ayes

MEETING CLOSED TO PUBLIC:

Agenda Items Only

Pascack Valley Department of Public Work Status Report: Superintendent Rich Campanelli

a. Township of RiverVale Appointments To Public Works Advisory Committee

The Superintendent gave an overview of plowing of the snow, pot holes, salt supply, and general town maintenance.

MINUTES:

February 25, 2014

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

RESOLUTIONS:

51-2014 Award Professional Service Contract Administrative Agent for the Borough consistent to coordinate the affirmative marketing, review and approval of the sale and rental of affordable units in the Borough of Montvale/Piazza & Associates, Inc.

WHEREAS, the Borough of Montvale requires the services of an experienced, qualified agency to serve as Administrative Agent for the Borough consistent with N.J.A.C. 5:80-26.14 and to coordinate the affirmative marketing, review and approval of the sale and rental of affordable units in the Borough of Montvale, and the income qualification of the applicants who seek to reside in such units; and

WHEREAS, such services have previously been provided to the Borough by the Bergen County Housing Authority, which has advised the Borough that it will no longer be providing such services in connection with affordable rental units in the Borough and future sale units; and

WHEREAS, the Borough is in receipt of a proposal from Piazza & Associates, Inc., 216 Rockingham Row, Princeton Forrestal Village, Princeton, New Jersey 08540 to perform such services as is more particularly detailed in a document entitled, "Proposal Submitted To The Borough of Montvale, Bergen County, New Jersey, December 27, 2012; and

WHEREAS, said services constitute a professional service under the Local Public Contracts Law; and

WHEREAS, the Chief Financial Officer of the Borough has certified that funding is available for such services.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that it does hereby approve the aforesaid proposal with Piazza & Associates, Inc. for a one (1) year period in accordance with the draft Contract, provided that Piazza & Associates, Inc. submits documentation consistent with N.J.S.A. 19:44A-8 and 16 that it has not made a reportable contribution to any candidate for local office in Montvale or any political committee in the Borough; and

BE IT FURTHER RESOLVED that Mayor Roger A. Fyfe and Borough Clerk/Administrator Maureen Iarossi-Alwan be and are hereby authorized to execute the Contract on behalf of the Borough.

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

52-2014 Appointment Part Time Technical Assistant/Construction Dept. / Christina Rotolo

WHEREAS, the Construction Department is in need of a Technical Assistant; and
WHEREAS, Christina Rotolo has met the qualifications for this position, agrees to the terms and conditions of employment, and has completed a satisfactory background investigation; and
NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey that the above named individual is hereby appointed to the position of a part-time Technical Assistant, effective January 27, 2014.

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

53-2014 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 \$814,011.63

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 \$346,000.00

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”

Administrative and Executive:

Salaries and Wages \$10,000.00

Mayor and Council:

Salaries and Wages 2,000.00

Borough Clerk:

Salaries and Wages 10,000.00

Financial Administration:

Salaries and Wages 9,500.00

Tax Assessment Administration (Assessment of Taxes):

Salaries and Wages 1,500.00

Revenue Administration (Collection of Taxes):

Salaries and Wages 2,000.00

Planning Board:

Salaries and Wages 5,500.00

Police:

Salaries and Wages 95,000.00

Uniform Fire Safety:

Salaries and Wages 1,000.00

Public Buildings and Grounds:

Salaries and Wages 500.00

Recreation:

Salaries and Wages 2,000.00

BOROUGH OF MONTVALE

MARCH 11, 2014

Plumbing Sub-Code Official:	
Salaries and Wages	500.00
Electrical Sub-Code Official:	
Salaries and Wages	500.00
Elevator Sub-Code Official:	
Other Expenses	<u>6,000.00</u>

146,000.00

General Appropriations
 Operations – Excluded from “CAPS”
 Inter-local Municipal Service Agreements
 Department of Public Works Services:
 Township of River Vale - Other Expenses

200,000.00

\$346,000.00

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

BILLS: Municipal Clerk read the Bill Report.

Motion to pay bills by Councilmember Lane; seconded by Councilmember Talarico - All ayes
 Councilmember Cudequest abstained on bill # 00502;

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue

COMMITTEE REPORTS:

Councilmember Ghassali

Administration

The meet the councilmembers started; it will continue every second Tuesday of the month at 5:30;

Finance Committee

Will meet this week to discuss the bonding issue of the Firehouse;

Councilmember Curry

Local BOE

90 Students registered for kindergarten; last day of school is June 25;

Recreation

Spring Sessions will begin March 24; tennis sign-ups will be March 26 and 29th;

Board of Health

One confirmed case of the mumps at Fieldstone

Councilmember LaMonica

Chamber of Commerce

June 1st – Street fair ; April 24 – Taste of Pascack; Courtyard by Marriott will be undergoing renovations.

Seniors

Membership has been steady; changing some of their programs;

Keeping it Green

Bergen County Clean Communities clean-up day will be held on April 26th

Tree Ordinance

Moving along – another meeting is scheduled this week

Councilmember Cudequest

Environmental Commission

KHOV property located on Upper Saddle River Road, their landscaping plans have been approved;

Next meeting is scheduled for March 17; the Shoppes at DePiero's are on the agenda;

Regional High School Board

First virtual school day – HS – waiting for approval from State; April 16 and 17th – has been added back due to the snow days.

Councilmember Talarico

Police

Monthly report included in original minutes

Tri-Boro

40 calls; 585 miles; 37.5 hours; 92 crew hours all by Montvale

TV Access

Dr. Dan Bernstein passed away

Councilmember Lane

Fire Dept

24 fire calls; 2 drills; 4 extra credits; 520 man hours; the firefighters were out a few night shoveling out many hydrants – they are urging residents to clear fire hydrants near their homes. The state department Of PEOSHA inspected the entire firehouse and found some safety issues. The borough will have to comply to the summons.

Mayor Fyfe

11,357 circulation; 5,040 patron visits; 25 library cards issued; March 20 @ 7pm , Sgt. Jason Szabo and Officer Jeff Hanna will cover safety tips on how to avoid being a victim of crime.

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

- a. United Water/Main Extension/Montvale Commons

Trying to coordinate when it will be started

- b. Update Chestnut Ridge Road Widening Improvements

Met with the county, possible start time Spring 2015

- c. Authorization Preparation of Bid Specification Valley View Pump Station/Improvements To The Sanitary Sewer Line #2

A motion to grant authorization by Councilmember Ghassali; seconded Councilmember LaMonica – all ayes

d. Authorization Preparation of Bid Specifications 2014 Road Improvement Program
Will add mirco-paving of Philips Parkway to bid specs; a motion to grant authorization by Councilmember Cudequest; seconded by Councilmember LaMonica – all ayes

ATTORNEY REPORT:

Joe Voytus, Esq.
Report/Update
No Report

UNFINISHED BUSINESS:

- a. Proposed Resolution 2004 Highlands Water Protection and Planning Act
After a brief discussion, it was decided to put resolution on the next agenda;
- b. Pistol Range Improvement Contribution Agreement/The Borough of Park Ridge
After a brief discussion, it was decided to put resolution on the next agenda;

NEW BUSINESS:

- a. Appointment / Recreation Committee
Mayor Fyfe appointed Rob Geerlof to the recreation committee, a motion by Councilmember Lane; seconded by Councilmember LaMonica - all ayes
- b. Appointment / Advisory Committee Pascack Valley Dept of Public Works
Mayor Fyfe appointed Councilmembers Talarico and Lane with Cudequest as an alternate; a motion to accept appointments by Councilmember Ghassali; seconded by Councilmember LaMonica – all ayes
- c. Proposal Montvale Fire Station/Robbie Conley Architects, LLC/Removal & Replacement
A motion to grant permission by councilmember Lane; seconded by Councilmember LaMonica – all ayes
- d. Request from KHovnanian / Four Seasons Lane / Work on Sundays
KHov is asking for permission to work on Sundays to make up for time lost due to the snow; it would be for 6 weeks excluding holidays – after a brief discussion, a motion 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 Ghassali; seconded by Councilmember LaMonica - All ayes

Clint Miller, Fire Chief

Commend Rich Campanelli and his crew; 18 volunteer firefighters went out a few very cold nights and shoveled over 100 hydrants;

Chuck Taut

He noticed on trash days that recycle items are included with trash and Waste Management is picking it all up; suggested if the recycle center can have evening hours, the administrator added by saying that RiverVale's recycle center is open 24 hours; Mr. Taut mentioned if Montvale would consider getting involved with banning plastic bags from being used by the local establishments and to have patrons purchase canvas bags; Mr. Taut also mentioned about the state law of no idling; he asked if the borough can purchase some inexpensive signs that can be found on the State's website;

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT The next Meeting of the Mayor and Council will be held March 25, 2014 at 7:30 p.m.

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

Meeting was adjourned at 9:27pm

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk