

**MINUTES  
WORK SESSION**

The Work Session Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:33pm. 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 Star Ledger, 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 Arendacs  
Councilmember Curry  
Councilmember Koelling

Councilmember Lane  
Councilmember Roche  
Councilmember Russo-Vogelsang

Also present: Mayor Michael Ghassali; Borough Attorney, Joe Voytus; Borough Engineer, Andrew Hipolit; Administrator/Municipal Clerk, Maureen Iarossi-Alwan and Deputy Municipal Clerk, Fran Scordo

***This is meeting was broadcast by Zoom Tele-Conference***

**ORDINANCES:**

**PUBLIC HEARING ORDINANCE NO. 2020-1488**

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF MONTVALE BY ADDING A NEW CHAPTER 296 ENTITLED "PEACE AND GOOD ORDER"

**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 amended and supplemented by adding a new Chapter 296 entitled, "Peace and Good Order," as follows:

**§296-1. Purpose; statutory authority, construal of provisions.**

- A. The purpose of this chapter is to act as a supplement to the New Jersey Code of Criminal Justice (N.J.S.A. 2C:1-1 et seq.) and to fill the interstices therein, and all provisions hereof shall be construed accordingly.
- B. The provisions of this Chapter shall be construed so as to protect the peace, order, health, safety, general welfare and good order of the Borough of Montvale and the inhabitants thereof.
- C. The provisions of this Chapter are adopted pursuant to the powers granted to the Borough of Montvale by N.J.S.A. 40:48-1 and 40:48-2 and other statutes granting police power to the Borough of Montvale and shall be construed accordingly.
- D. Except to the extent specifically set forth herein, neither specific intent nor knowledge shall be construed as elements of any offense defined under the provisions of this Chapter.
- E. In the event that any activity or condition proscribed herein shall be the subject of any other regulation elsewhere in the Borough Code of the Borough of Montvale, the two

sections shall be construed together, and the provisions of this Chapter shall be deemed to be in addition to the regulations otherwise provided and as providing an additional remedy, unless another construction is clearly indicated.

**§296-2 Definitions.**

For the purposes of this Chapter, the following terms, phrases, words and their derivations shall have the meanings given herein:

**ACT OF GRAFFITI**

The drawing, painting or making of any inscription on a bridge, building, public transportation vehicle, rock, wall, sidewalk, street or other exposed surface on public or private property without the permission of the owner.

**BOROUGH**

The Borough of Montvale.

**PERSON**

Any person, firm, partnership, association, corporation, company or organization of any kind.

**PUBLIC**

Affecting or likely to affect persons in a place to which the public or a substantial group has access; among the places included are highways, transport facilities, schools, apartment houses, places of business or any neighborhood.

**§296-3 Prohibited acts; fighting; endangering the public.**

- A. No person shall, with a purpose to cause public inconvenience, annoyance or alarm or recklessly creating a risk thereof:
  - 1) Engage in fighting or threatening, violent or tumultuous behavior; or
  - 2) Create a hazardous or physically dangerous condition by an act which serves no legitimate purpose of the actor.
- B. No person shall commit any act which tends to endanger the public peace.
- C. No person shall, by conduct, either unlawful in itself or unreasonable under all circumstances, knowingly or recklessly creates or maintains a condition which endangers the safety or health of a considerable number of persons.
- D. No person shall knowingly conduct or maintain any premises, place or resort where persons gather for purposes of engaging in unlawful conduct.
- E. No person shall interrupt or disturb any religious services or any meeting, congregation or assembly.
- F. No person shall take part in or aid, abet or assist a riot or disorderly assemblage.

**§296-4 Prohibited acts; offenses against property; trespassing; graffiti.**

- A. No person shall destroy, injure, deface or tarnish any public building, fence, tree, light post or standard, telephone, telegraph or electric power pole, fire hydrant, monument, statue, flagpole or other public work or improvement or affix thereon any signs, bills or advertisements of any kind or nature whatsoever; provided, however, that this section shall not apply to the posting of such notices as may be required by law.

- B. No person shall break or destroy the windows or doors or other parts of any dwelling house or building.
- C. No person shall enter a building or go upon the lands of any school and break, damage or deface such building or any part thereof or the fences or other property belonging to or connected with such building or lands, and no person shall disturb the exercise of any school or molest or give annoyance to the children attending such school or any teacher therein, either while on the school property or while going to or coming from said school.
- D. No person shall enter a store or any other business with the intent to commit an offense therein.
- E. No person shall commit any acts of graffiti upon any public property or private property by any means.
- F. No person shall interfere with, deface or mutilate any fire alarm box or fire alarm system or any part thereof or any apparatus connected therewith.
- G. No person shall knowingly give or send or cause to be given or sent a false fire alarm.
- H. No person other than the person in charge of the operation of an elevator shall handle, operate or manipulate any rope, shifting rod lever or other apparatus or thing attached to or used to start or stop any elevator, unless requested by the person in charge of such elevator so to do.

**§296-5 Prohibited acts; nudity; public urination.**

- A. No person shall appear in any street or public place in a state of nudity or make any indecent exposure of his or her person or commit or cause to be committed or participate in the commission of any lewd or indecent act or behavior.
- B. No person shall urinate or defecate upon any street, highway, road, alley, sidewalk, the neighborhood of any store, restaurant, tavern or other place of business, or in any other public place or in any other place open to and used by the public or outdoors upon any private property except in enclosed facilities or structures intended for the carrying out of such excretory acts.
- C. No person shall expectorate upon any sidewalk or upon the sides, walls, floors or platform of any building, car, cab, bus or other public vehicle.

**§296-6 Prohibited acts; interference with public officers; obstruction.**

- A. No person shall obstruct access to any public building or any part thereof, or obstruct passage through or upon any public street, park or public place.
- B. No person shall interfere with the proceedings of any Municipal Court, or use any offensive or abusive language to any Judge while holding any Municipal Court.
- C. No person shall hinder or obstruct any Borough officer in the performance of his or her duties, nor shall any person willfully refuse or neglect to assist any Borough officer when lawfully called upon by said officer so to do in the execution of any process or in the suppression of any breach of the peace or disorderly conduct or in case of an escape or when such officer is resisted in the discharge of his or her duty, nor shall any person

knowingly resist or oppose any officer or person authorized by law in serving or attempting to serve any writ, bill, order or process or when making any arrest, with or without a warrant.

- D. No person shall forcibly interfere with any member of the Police Department or the Fire Department or any officer of the municipality in the performance of his duties, or prevent or attempt to prevent any member of the Police Department or the Fire Department or any officer of the municipality from performing his duty.

**§296-7 Violations and penalties.**

Any person found to have violated any of the terms or provisions of this Chapter shall, upon conviction thereof, be subject to the penalties set forth in Chapter 1, Article I, "General Penalty."

**Section 2. Severability.**

If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated and shall remain in full force and effect.

**Section 3. Effective date.**

This Ordinance shall take effect immediately upon adoption and publication as required by law.

**Section 4. Repeal of inconsistent ordinances.**

All ordinances and parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency

A motion Introduced for second reading **Ordinance No. 2020-1488** by Councilmember Russo-Vogelsang; seconded by Councilmember Lane; Clerk read by title only.

Motion to open meeting to public by Councilmember Curry; seconded by Councilmember Roche  
- All ayes

Carolee Adams

In section 296, the wording "considerable number of persons", what does that mean? the borough attorney responded by saying this is considered "disturbing the peace" in that context, you would need more than one person; in section 296-4C, why only mention teachers and children, why not include, staff members, etc., Mr. Voytus responded that is just how it was written.

Jarrett Schumacher

Question about 295-C, did anyone get any data regarding it? The borough attorney stated that this ordinance was reviewed by the Police Chief; Mr. Schumacher suggested that this section be removed and added that it is a bit extreme to have jail time up to 90 days for someone spitting on the street; Mr. Voytus stated it would be determined by the Municipal Court Judge, also it would be at the discretion of the police officers;

Carolee Adams

Is noise separate from this ordinance, for disturbing the peace, the attorney stated yes, there is a separate ordinance for noise.

Motion to close meeting to the public by Councilmember Curry; seconded by Councilmember Roche - all ayes

Motion to adopt on Second and Final Reading in The Bergen Record by Councilmember Lane; seconded by Councilmember Curry; Clerk read by title only. - All ayes on a roll call vote

**PUBLIC HEARING ORDINANCE NO. 2020-1489**

AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 341, "STORM SEWERS," BY ADDING A NEW ARTICLE III, ENTITLED "IMPROPER DISPOSAL OF WASTE"

**AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 341, "STORM SEWERS," BY ADDING A NEW ARTICLE III, ENTITLED "IMPROPER DISPOSAL OF WASTE"**

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

**Section 1.** Chapter 341 of the Borough of Montvale Code is hereby amended and supplemented by adding a new Article III, entitled "Improper Disposal of Waste," as follows:

**Article III**

**Improper Disposal of Waste**

**§341-11 Purpose.**

The purpose of this Article is to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the Borough of Montvale, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**§341-12 Definitions.**

For the purpose of this Article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Article 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.

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)**

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Montvale or other public body, and is designed and used for collecting and conveying stormwater.

**PERSON**

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**STORMWATER**

Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

**§341-13 Prohibited Conduct.**

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Borough of Montvale is prohibited. The spilling, dumping, or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

**§341-14 Exceptions to Prohibition.**

The following are exceptions to the prohibitions in subsection 13, above:

- A. Water line flushing and discharges from potable water sources

- B. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters)
- C. Air conditioning condensate (excluding contact and non-contact cooling water)
- D. Irrigation water (including landscape and lawn watering runoff)
- E. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows
- F. Residential car washing water, and residential swimming pool discharges
- G. Sidewalk, driveway and street wash water
- H. Flows from fire-fighting activities
- I. Flows from rinsing of the following equipment with clean water; provided, however, that such rinsing of equipment is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.
  - 1. Beach maintenance equipment immediately following their use for their intended purposes; and
  - 2. Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.

**§341-15 Enforcement.**

This ordinance shall be enforced by the Police Department of the Borough of Montvale.

**§341-16 Penalties.**

Any person(s) who continues to be in violation of the provisions of this ordinance, after being duly notified, shall be subject to a fine set forth in Chapter 1, Article 1, General Penalty.

**Section 2. Severability.**

If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated and shall remain in full force and effect.

**Section 3. Effective date.**

This Ordinance shall take effect immediately upon adoption and publication as required by law.

**Section 4. Repeal of inconsistent ordinances.**

All ordinances and parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

A motion Introduced for second reading **Ordinance No. 2020-1489** by Councilmember Russo-Vogelsang; seconded by Councilmember Lane; Clerk read by title only.

Motion to open meeting to public by Councilmember Lane; seconded by Councilmember Roche

- All ayes

Carolee Adams

Regarding pool water into the storm sewer, isn't pool water toxic? The borough engineers stated no.

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

Motion to adopt on Second and Final Reading in The Bergen Record by Councilmember Lane; seconded by Councilmember Roche; Clerk read by title only. - All ayes on a roll call vote  
Councilmember Curry asked for clarification regarding sump pump water

**MINUTES:**

October 27, 2020

A motion to accept the minutes by Councilmember Lane; seconded by Councilmember Arendacs - all ayes with the exception of Councilmember Curry abstaining

November 10, 2020

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

**CLOSED/EXECUTIVE MINUTES:**

October 27, 2020

A motion to accept the closed session minutes by Councilmember Lane; seconded by Councilmember Roche - all ayes with the exception of Councilmember Curry abstaining

**RESOLUTIONS: (CONSENT AGENDA\*)**

\*All items listed on a consent agenda are considered to be routine and non-controversial by the Borough Council and will be approved by a motion, seconded and a roll call vote. There will be no separate discussion on these items unless a Council member(s) so request it, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

**186-2020 Awarding a Contract to Key Tech Laboratories for Core Sampling and Testing NJDOT State Aid 2020 Program Road Improvements Program**

**WHEREAS**, the Borough of Montvale’s was required to conduct asphalt core testing services for the 2020 NJDOT Road Program Philips Parkway & Paragon Dive as required by the NJDOT in order to ensure the pavement has been properly installed prior to the release of final payment; and

**WHEREAS**, the Borough Engineer has recommended that the Borough award this contract to conduct these services to Key Tech Laboratories, consistent with the November 15, 2020 Proposal, a copy of which is attached hereto and made a part hereof; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds have been appropriated and are available for this purpose.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Montvale hereby accepts the Key Tech Proposal, 210 Maple Place, Keyport, NJ 07735 and authorizes the appropriate officials to execute an agreement and/or purchase order for this work.

**187-2020 Transfer of Appropriations**

**WHEREAS**, certain transfer of funds for various 2020 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 2020 budget appropriations as follows:

**FROM** **TO**

**BOROUGH OF MONTVALE**

**NOVEMBER 24, 2020**

**CURRENT FUND**

General Appropriations		
Operations – Within “CAPS”		
Administrative and Executive:		
Other Expenses	\$2,500.00	
Financial Administration:		
Salaries and Wages		\$2,500.00
Planning Board:		
Other Expenses	10,000.00	
Engineering Services and Costs:		
Other Expenses		10,000.00
Planning Board:		
Other Expenses	3,000.00	
Planning Board:		
Salaries and Wages		3,000.00
Planning Board:		
Other Expenses	1,000.00	
Zoning Official:		
Salaries and Wages		1,000.00
Planning Board:		
Other Expenses	500.00	
Property Maintenance:		
Salaries and Wages		500.00
Planning Board:		
Other Expenses	6,000.00	
Uniform Fire Safety Act:		
Salaries and Wages		6,000.00
Fire:		
Fire Hydrant Service	10,000.00	
Garbage and Trash Removal:		
Other Expenses		10,000.00
Sewer System:		
Other Expenses	15,000.00	
Garbage and Trash Removal:		
Other Expenses		15,000.00
Public Buildings and Grounds:		
Other Expenses	10,000.00	
Garbage and Trash Removal:		
Other Expenses		10,000.00
Public Buildings and Grounds:		
Other Expenses	2,750.00	
Public Buildings and Grounds:		
Salaries and Wages		2,750.00
Public Health Services		
Other Expenses	1,000.00	
Public Health Services		
Salaries and Wages		1,000.00
Planning Board:		
Other Expenses	15,000.00	
Construction Official:		
Salaries and Wages		15,000.00
Planning Board:		
Other Expenses	5,000.00	
Building Subcode Official:		
Salaries and Wages		5,000.00
Gasoline	1,500.00	
Telephone		<u>1,500.00</u>
	<u>\$83,250.00</u>	<u>\$83,250.00</u>
	=====	=====

**188-2020 Resolution Approving the Borough of Montvale Policy Concerning Remote Meetings**

**WHEREAS**, The Division of Local Government Services recently issued Emergency New Rules which provide for Remote Meeting Protocols for Local Public Bodies under N.J.A.C. 5:39-1, et. seq.; and

**WHEREAS**, the Borough of Montvale is desirous of formally adopting this policy to implement the requirements of the New Jersey Department of Community Affairs, Division of Local Government Services to memorialize the Borough's policy concerning remote meeting protocol for local public bodies which are intended to be adopted by as New Permanent Rules applicable to remote meetings (the "DCA Rules") and;

**WHEREAS**, the Borough Administrator in consultation with the Borough Attorney have developed the attached policy and

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Montvale does hereby endorse and approve the Borough of Montvale Policy Concerning Remote Meetings. **BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**190-2020 Refund Tax Overpayments Various Parcels**

**WHEREAS**, a resolution authorizing the Borough of Montvale to refund an overpayment of taxes for the fourth quarter installment; and

**WHEREAS**, duplicate payments were made by the mortgage company; 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 the following:

Grace Line, 8 Wildwood Court, Montvale, NJ in the amount of \$5,971.35

1<sup>st</sup> Constitution Bank, 2650 route 130 & Dey Road, Cranbury, NJ 08512 in the amount of \$5,766.99

**191-2020 A Resolution Establishing an Appeals Panel for the Purpose of Adjudicating Appeals by Individuals Whose Background Checks are Potentially Disqualifying and Who Wish to Serve as Coaches or Instructors with the Montvale Athletic League**

**WHEREAS**, the Borough of Montvale has implemented mandatory background checks for all Recreation Department and Montvale Athletic League ("MAL") coaches and instructors; and

**WHEREAS**, the Borough is desirous of establishing an appeals panel to adjudicate appeals by individuals whose background checks reveal potentially-disqualifying information and who wish to serve as a coach or instructor with the MAL; and

**WHEREAS**, the conditions under which a person would be recommended for disqualification in serving their respective organization in any capacity is set forth by the State of New Jersey:

*A person may be disqualified from serving as an employee or volunteer of a nonprofit youth serving organization if that person's criminal history background check reveals a record of conviction of any of the following crimes and offenses:*

- *Homicide (N.J.S.A. 2C:11)*
- *Assault, reckless endangerment, threats, stalking (N.J.S.A. 2C:12)*
- *Kidnapping (N.J.S.A. 2C:13)*
- *Sexual Offenses (N.J.S.A. 2C:14)*
- *Offenses Against the Family, Children and Incompetents (N.J.S.A. 2C:24)*
- *Controlled Dangerous Substances (N.J.S.A. 2C:35 except for 2C:35-10(a)4)*
- *Robbery (N.J.S.A. 2C:15)*
- *Theft (N.J.S.A. 2C:20); and*

**WHEREAS**, disqualification from any position will be based only on a conviction for one or more of the above disqualifying crimes and offenses; and

**WHEREAS**, an acquittal, a dismissal, successful completion of Pre-Trial Intervention (PTI), or an expungement of a criminal offense, including a disqualifying criminal offense, is not a disqualifying conviction; and

**WHEREAS**, an individual that receives a recommendation of disqualification after a background check has been conducted has the ability to appeal so long as they notify the Recreation Director in writing within 14 days of notification and file a *Request for Criminal History Record* with the New Jersey State Police SBI/VRO Department; and

**WHEREAS**, once the notice of appeal and criminal history records are received by the Recreation Director, the Appeals Panel will review the aforementioned documents, **with any identifying information redacted**, and make a decision as to whether the individual will be allowed to volunteer within the Montvale Athletic League based upon the following:

1. The nature and responsibility of the position which the convicted individual would hold, has held, or currently holds, as the case may be.
2. The nature and seriousness of the crime or offense.
3. The circumstances under which the crime or offense occurred.
4. The date of the crime or offense.
5. The age of the individual when the crime or offense was committed.
6. Whether the crime or offense was an isolated or a repeated incident.
7. Any social conditions which may have contributed to the commission of the crime or offense.
8. Any evidence of rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received.
9. Acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs, or the recommendation of those who have had the individual under their supervision; and

**WHEREAS**, the Appeals Panel will subsequently issue a written determination on the appeal of the disqualifying conviction, setting forth the reasons for the determination; and

**WHEREAS**, it is necessary for the Governing Body to establish the members of the Appeals Panel.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Montvale, as follows:

1. The recitals above are incorporated fully as if set forth herein at length.
2. An Appeals Panel is hereby established with the authority to adjudicate appeals by individuals with potentially-disqualifying information revealed during their background checks who wish to serve as coaches or instructors with the Montvale Athletic League.
3. The Appeals Panel shall consist of the following individuals for appeals made by volunteers within the Montvale Athletic League:

**Panel Member-** Borough Risk Manager

**Panel Member-** Montvale Athletic League Board Member (selected by MAL)

**Panel Member-** Borough Administrator

**Consulting Member** (No Vote Capacity)- Police Chief or Designee

**Informational Member** (No Vote Capacity)- Recreation Director

4. The Appeals Panel shall consist of the following individuals for appeals made by volunteers or employees within the Recreation Department:
  - Panel Member**- Borough Risk Manager
  - Panel Member**- Recreation Director Designee
  - Panel Member**- Borough Administrator
  - Consulting Member** (No Vote Capacity)- Police Chief or Designee
  - Informational Member** (No Vote Capacity)- Recreation Director
5. Any decision by the Appeals Panel to allow an individual with potentially-disqualifying information to serve as a coach or instructor with the MAL must be unanimous among the voting members.

Introduced by: Councilmember Lane; seconded by Councilmember Russo-Vogelsang - a roll call was taken - all ayes

Lisa Dent, Recreation Director, gave a brief explanation stating that this resolution allows certain members of the Appeals panel to review and approve an applicant.

**189-2020 Refund 4<sup>th</sup> Quarter 2020 Taxes and The Cancellation Of All Future Taxes Due To Granting Of Totally Disabled Veteran Status By Department Of Veterans Affairs**

**WHEREAS**, this resolution authorizes the municipality to refund 4<sup>th</sup> quarter 2020 taxes and cancel all future taxes due to the granting of totally disabled veteran status by the Department of Veterans Affairs per the Department’s letter dated November 5, 2020 for Ronald Waldt. Mr. Waldt is the owner of 7 Wayne Street, Block 2405, Lot 24.

**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 Mr. Waldt \$1,920.27 and to cancel all future taxes as per the above.

Introduced by: Councilmember Russo-Vogelsang; seconded by Councilmember Roche - a roll call was taken - all ayes with the exception of Councilmember Koelling abstaining

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

Motion to pay bills by Councilmember Lane; seconded by Councilmember Russo-Vogelsang - all ayes

**ENGINEER’S REPORT:**

Andrew Hipolit

Report/Update

The Mercedes Drive and Grand Ave intersection striping will be revised and hopefully it will be done next week or so; the developer will re-pave the portion of Philips Parkway and Grand Ave that they will disturb; received a grant for NJDOT in the amount of \$210,000 which will be used to pave Craig Road.

**ATTORNEY REPORT:**

Joe Voytus, Esq.

Report/Update

- a. Status/Summit Avenue Affordable Project

Mr. Voytus asked for a motion to have his office prepare an ordinance for a PILOT agreement for the Montvale Family Apartments Project which is located on Summit Ave; a motion by Councilmember Lane; seconded by Councilmember Russo-Vogelsang – all ayes

Mr. Voytus added that Governor Murphy signed legislation making body cameras mandatory for police officers to wear starting the middle of next year.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

Councilmember Russo-Vogelsang announced the winners of the Rangoli contest; 1<sup>st</sup> place – Prasanna & Kiran Family; 2<sup>nd</sup> place – Romano Family

Mayor Ghassali mentioned that at the next meeting the borough will be swearing in two new police officers, the ceremony will be held outside at borough hall. He added at the next meeting the borough will be honoring Dick Voorhees with the first annual Service Award. Mayor Ghassali added we have 20 new cases of COVID.

**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 Lane; seconded by Councilmember Russo-Vogelsang – all ayes

Carolee Adams

In regards to the leaves, years ago the borough used to give out bags, suggested to consider doing it again; also suggested having a leave program, similar to the snow angel program, where teens would come and help bag the leaves. Mayor Ghassali responded by saying in the past the cost of the leaf bags were approximately \$50,000, this year is a bad budget year, plus, it is late in the season. As far as the leaf program, we do not have the resources in administration to handle it. If someone wants to step up to do it, the Mayor will support it.

Steve Frischer

There has been discussions with the BOE, regarding installing bathrooms at Fieldstone; mentioned that we only have one portable bathroom that really is it not sanitary. One cannot handle the amount of people that are at the field. Mayor Ghassali stated that he is in discussions with the BOE, their engineers and our borough engineers to find a solution.

Jarret Schumacher

MAL finished their soccer season, thanked organizers for a successful season; about the leaves, suggested leaving them in the street and ask Park Ridge to come and pick them up, understanding of a fee cost involved; Councilmember Lane stated that he is opposed to putting leaves on the street, it is dangerous especially on narrow streets. He added that it is a money issue as well. The engineer added that the State of NJ Stormwater Regulations state you cannot put leaves on the street.

Carolee Adams

Added once again, the borough should provide the bags; also should consider the teens to help bag the leaves.

A motion to close meeting to the public by Councilmember Lane; seconded by Councilmember Curry  
– all ayes

**ADJOURNMENT:**

Motion to adjourn by Councilmember Roche; seconded by Councilmember Russo-Vogelsang  
– all ayes

Meeting adjourned at 8:26pm

**ADJOURNMENT:**

The next Regular Meeting of the Mayor and Council will be held December 8, 2020.

ZOOM information is as follows:

Topic: M&C Meeting

<https://us02web.zoom.us/j/88491084325?pwd=L2U5RVpYMGIMeFdaNzdGcFFWUTd3UT09>

Passcode: 222775

By phone

1 929 436 2866

Webinar ID: 884 9108 4325

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