

MINUTES WORK SESSION

The Public Meeting of the Mayor and Council was held virtually by Zoom and also held in the Council Chambers and called to order at 7:31PM. Adequate notice was published in the official newspaper of the Borough of Montvale.

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 Arendacs
Councilmember Curry - absent
Councilmember Koelling

Councilmember Lane
Councilmember Roche
Councilmember Russo-Vogelsang

Also Present: Mayor Mike Ghassali; Borough Attorney, Joe Voytus; Borough Engineer, Chris Doer; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

ORDINANCES:

PUBLIC HEARING ORDINANCE NO. 2021-1498 AN ORDINANCE TO AMEND SALARY ORDINANCE NO. 2020-1492 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 AND STATE OF NEW JERSEY FOR THE YEAR 2021

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

SECTION 1. Each of the offices and positions of employment hereinafter named that are not established or created by virtue of any statutes or of any ordinance, resolution, or other lawful authority heretofore exercised by the Borough of Montvale, is hereby established, created, ratified and confirmed.

SECTION 2. The rate of compensation of the persons holding any of the hereinafter named offices and positions of employment whose compensation shall be on an annual basis and shall be payable semi-monthly is hereby fixed and determined to be as set opposite the title of each of the hereinafter named offices and positions of employment.

Title		2021 Salary Range	
1.	Borough Administrator (PT)	\$48,000 -	58,000
2.	Safety Coordinator	\$3,000 -	7,000
3.	Chief Financial Officer (PT)	\$20,000 -	30,000
4.	Municipal Clerk (PT)	\$80,000 -	105,000
5.	Deputy Municipal Clerk (PT)	\$45,000 -	55,000
6.	Floater/ Admin. Assistant to Administrator	\$40,000 -	55,000
7.	Tax Collector (PT)	\$60,000 -	80,000
8.	Tax Assessor	\$35,000 -	45,000

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9.	Treasurer/Purchasing Agent	\$75,000	-	90,000
10.	Deputy Treasurer	\$55,000	-	65,000
11.	Accounts Payable Clerk	\$40,000	-	50,000
Title		2021 Salary Range		
12.	Secretary, Planning Board/Land Use Admin. (PT)	\$80,000		95,000
13.	Planning Board Secretary Special Meetings	\$45	-	\$60/hour
14.	Board Secretary, Clerical/Recording	\$130	-	\$160
15.	Office Manager (PT)	\$4,000	-	7,000
16.	Registrar Vital Statistics	\$800	-	1,200
17.	Deputy Registrar Vital Statistics	\$250	-	500
18.	Construction Code Official	\$35,000	-	50,000
19.	Building Sub Code Official	\$35,000	-	50,000
20.	Building Inspector	\$60,000	-	65,000
21.	Zoning Officer	\$5,000	-	11,000
22.	Property Maintenance Officer	\$3000	-	8,000
23.	Construction Dept. Control Person	\$50,000	-	70,000
24.	Plumbing Sub Code Official	\$ 25,000	-	35,000
25.	Plumbing Inspector	\$25	-	\$50/hour
26.	Fire Sub Code Official	\$15,000	-	19,000
27.	Fire Sub Code Official special inspections	\$25	-	\$50/hour
28.	Electrical Sub Code Official	\$40,000	-	50,000
29.	Electrical Sub Code Official special inspections	\$25	-	\$50/hour
30.	Fire Prevention Official	\$60,000	-	72,000
31.	Fire Inspector/ Senior/Deputy Fire Official	\$7,600	-	25,000
32.	Municipal Court Administrator	\$70,000	-	80,000
33.	Deputy Municipal Court Administrator	\$50,000	-	60,000
34.	Court Security	\$20	-	\$27/hour
35.	Violations Clerk	\$40,000	-	50,000
36.	Police Secretary	\$42,000	-	49,000
37.	Administrative Assistant for Police Chief	\$55,000	-	65,000
38.	Emergency Mgmt. Coordinator	\$5,000	-	7,000
39.	Deputy Emergency Mgmt. Coordinator	\$3,000	-	6,000
40.	Library Director	\$80,000		97,000
41.	Library – Library Adult Services	\$50,000	-	61,000
42.	Library (PT)	\$13	-	\$50/hour
43.	Library (PT) meetings	\$120	-	\$225/mtg

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44.	Facilities Building & Property Inspector	\$20,000	-	30,000
45.	Director, Public Assistance	\$5,000	-	8,000
46.	Director of Recreation	\$50,000	-	\$62,000
47.	Van Drivers (PT)	\$20	-	\$25/hour
48.	Station Technicians (PT)	\$15	-	\$20/hour
49.	Booker Cable Access TV	2,000	-	5,000
50.	Archivist Records Manager/D.A.R.M.	\$25	-	\$28/hour
51.	Deputy Construction Code Official	\$75,000	-	85,000

SECTION 3. The rate of compensation of the persons holding any of the hereinafter named offices, whose compensation shall be on an annual basis and payable semi-monthly, is hereby fixed and determined as follows:

Title		2021 Salary Range	
A.	Municipal Judge	\$38,000	- 45,000
B.	Mayor	\$8,000	- 10,000
C.	Councilpersons (each)	\$6,000	- 8,000

SECTION 4: The rate of compensation of persons holding any of the hereinafter named offices in the Police Department, whose compensation shall be on an annual basis, and payable semi-monthly, is hereby fixed and determined as follows:

Title		2021 Salary Range	
A.	Chief	\$225,000	- 240,000
B.	Captain	\$204,000	- 215,000
C.	Lieutenant (Base Wage)	\$159,152	- 166,132
D.	Sergeants (Base Wage)	\$148,100	- 151,804
E.	Detective – Additional per year	\$2,000	- 4,000
F.	Juvenile Officer – Addt'l per year	\$400	-
G.	Asst. Juvenile Officer – Addt'l per year	\$350	-
H.	Special Police Officer Class III (SLEO)	\$47,000	- 55,000
I.	Special/Auxiliary Police	\$22/hour	- \$26/hour
J.	School Cross Guard/Police Matrons	\$22/hour	- \$26/hour

SECTION 4A: The rate of compensation of persons holding any of the hereinafter named offices in the Police Department whose compensation shall be on an annual basis, and payable semi-monthly, is fixed and determined as follows:

Police Officers Schedule (Base Wage Each)		
0-6 months	\$45,236	- 46,250

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6 months – 1 year	\$51,678 - 52,970
1 – 2 years	\$58,233 - 59,689
2 – 3 years	\$71,343 - 73,126
3 – 4 years	\$84,453 - 86,564
4 – 5 years	\$97,562 - 100,001
5 – 6 years	\$110,672 - 113,438
6 – 7 years	\$123,783 - 126,878
7 – 8 years	\$136,892 - 140,315

SECTION 4B: In addition to the compensation stated above, Full Time Employees in Section 4 and Section 4A, shall be paid an annual longevity increment pursuant to the following schedule:

Years of Service	Officers Hired BEFORE January 1, 2006	Officers Hired AFTER January 1, 2006
After five (5) years	1%	-
After seven (7) years	2%	-
After nine (9) years	3%	1%
After eleven (11) years	4%	2%
After thirteen (13) years	5%	3%
After fifteen (15) years	6%	4%
After seventeen (17) years	7%	5%
After nineteen (19) years	8%	6%
After twenty-one (21) years	-	7%
After twenty-two (22) years	-	8%
After twenty-four (24) years	9%	9%

SECTION 5. The Borough Treasurer shall present semi-monthly or as established by Resolution to the Governing Body for approval warrants drawn to the order of the Borough of Montvale Payroll Account and the Borough of Montvale Salary Account.

At the first meeting of the Governing Body in January of each year, there shall be approved accounts to be designated "The Borough of Montvale Payroll Account" and "The Borough of Montvale Salary Account" and from time to time the Borough Treasurer upon receipt of a warrant for the amount due each Payroll, shall deposit the same to the credit of these accounts, charging the appropriate budgetary accounts therewith. The Borough Treasurer shall thereafter draw checks on said accounts to the employees entitled to payment therefrom.

Any employee hired under the terms of a Special Library Grants; salary will be determined by the Authority making such grant.

The Mayor and Borough Council may by adoption of a resolution and by approved payroll advice, increase compensation (base wage adjustment or one-time merit/bonus increase) of any salaried employee in the above schedule, who has reached their maximum, up to 10% above the pay range maximum.

At each regular meeting of the Governing Body of the Borough of Montvale, the Treasurer shall submit for the approval or ratification as the case may be, the necessary payroll amounts due to the several officers and employees for compensation.

Such officers as may be determined by the Governing Body, as established by resolution, shall be authorized to sign warrants drawn in favor of the Payroll Account, upon due notice that the payrolls have been approved by the proper certifying authorities.

SECTION 6. This ordinance shall be operative as of January 1, 2020, and salaries paid shall be adjusted in accordance with the terms of this ordinance.

SECTION 7. All other ordinances and parts of ordinances inconsistent herewith are hereby appealed.

SECTION 8. This ordinance shall take effect immediately upon publication in the manner provided by Law

A motion Introduced for second reading **Ordinance No. 2021-1498** by Councilmember Koelling; seconded by Councilmember Arendacs; Clerk read by title only.

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

No Public Comment

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

PUBLIC HEARING ORDINANCE NO. 2021-1499 AN ORDINANCE OF THE BOROUGH OF MONTVALE REPEALING AND READOPTING CHAPTER 292, "PARKS AND RECREATION," ARTICLE IV, "BASKETBALL COURTS," TO REVISE CERTAIN PROVISIONS CONCERNING THE USE OF PUBLIC BASKETBALL COURTS IN THE BOROUGH

WHEREAS, the Borough of Montvale has encountered difficulties in the administration of the use of its public basketball courts, which has resulted in confrontations and the inability of taxpaying Montvale residents and teams to utilize the courts; and

WHEREAS, in order to ensure that playing time on the courts is more equitably apportioned, the Mayor and Council have determined that it is necessary to amend the regulations concerning the use of public basketball courts in the manner set forth in this Ordinance.

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

Section 1. Chapter 292, "Parks and Recreation," Article IV, "Basketball Courts," is hereby repealed and re-adopted, as follows:

**Chapter 292 – Parks and Recreation
Article IV
Basketball Courts**

§ 292-37. Definitions.

A. Certain words in this Article are defined for the purpose thereof as follows:

BASKETBALL COURTS – The two basketball courts located at the Memorial Field Complex, 1 Memorial Drive, Montvale, New Jersey. The Basketball Courts shall be designated Court 1 and Court 2.

NON-MEMBER — Any person, other than a Member.

MEMBER — Any person who shall have paid an annual fee and received identification evidencing such payment for the use of the Basketball Courts. There shall be both Resident Members and Non-Resident Members.

NON-RESIDENT — Any person who shall reside and maintain his or her permanent residence outside the territorial limits of the Borough of Montvale.

PERMIT-HOLDER – A team or organization that has obtained from the Borough of Montvale a permit entitling said team or organization to exclusive use of Court 2 for the period of time set forth in the permit.

RESIDENT — Any person who shall reside and maintain his or her permanent residence within the territorial limits of the Borough of Montvale.

- B. Word usage. Words used in the present tense include the future; the singular number includes the plural, and the plural the singular.

§ 292-38. Use of facilities.

- A. Membership identification required. It shall be unlawful for any person to use at any time the Basketball Courts located at the Memorial Field Complex in the Borough of Montvale unless and until such person shall have first secured from the Borough of Montvale an identification badge, in a form and displayed in a manner prescribed in regulations established by the Borough, evidencing such person's membership.
- B. Application and payment for membership. Application and payment for membership shall be made to the Montvale Borough Clerk at the municipal offices or at such other place as shall be prescribed in rules and regulations approved by the Borough of Montvale.
- C. Display of membership badge. Evidence of membership shall be in a manner prescribed by the rules and regulations promulgated by the Borough of Montvale. Any person who shall fail upon request by a Police Officer, Recreation Director, or other Borough official, officer or employee, to produce a valid badge (or permit, where applicable) shall immediately leave the court. Failure to immediately leave the court under such circumstances shall be deemed a violation of this Article.
- D. Non-Members prohibited. In order to better regulate the use of the Basketball Courts and to prevent confusion by the individuals charged with enforcing the provisions of this Article, Non-Members shall not be permitted to use the Basketball Courts at any time. All individuals using the Basketball Courts are required to have a valid membership or be part of a team or organization holding a valid permit.

§ 292-39. Time of play.

- A. Limit of play. On-court play shall be limited to 60 consecutive minutes; provided, however, that should no person or persons be awaiting court time, play may continue until others appear to exercise their playing privileges, in which event such players then on the court shall immediately retreat therefrom. Replay shall be allowed upon a player's positioning his or herself last in consecutive order of those waiting to play upon expiration of a player's court time.
- B. Aggregating court time. A player's permitted court time shall not be aggregated by the number of players participating at a given time.
- C. This section shall not apply to Permit Holders, who shall be allowed to play for the duration of the time period stated on the permit.

§ 292-40. Term of membership.

- A. Membership. Resident membership shall be lifetime and shall not expire as long as the member resides in Montvale. Non-resident membership shall be based on a calendar year commencing January 1 through December 31.
- B. Apportionment of fee. Membership fees shall not be apportioned or refunded based on expired or unexpired portions of the year.

§ 292-41. Permits; resident-only court.

1. The Basketball Courts shall be designated as Court 1 and Court 2. The following rules shall apply to play on these courts:
 - a. Court 1 shall be reserved for play by Montvale Resident Members. Under no circumstances shall Non-Resident Members play on Court 1 at any time.
 - b. Court 2 shall be an "open" court, which may be utilized by both Resident Members and Non-Resident Members. However, at certain times Court 2 may be reserved by Permit Holders as set forth in this section and therefore unavailable to all Members.
2. Permits for Court 2
 - a. During certain times approved by the Borough of Montvale, Court 2 may be reserved for exclusive use by a team or organization.
 - b. In order to reserve Court 2 during the times allowed, the team or organization must apply for and be granted a permit from the Field Use Coordinator.
 - c. During the time period set forth on the applicable permit, the Permit Holder shall have exclusive use of the Court 2. All individuals, including Members, who may be on Court 2 during the time period set forth in a permit shall, upon presentation of the permit by the Permit Holder, immediately leave the court.
 - d. Individual players on the team or organization holding a valid permit may utilize Court 2 during the time period set forth on the permit, notwithstanding that such players may not be members.

§ 292-42. Fees.

Fees for use of the Basketball Courts shall be established by resolution of the Governing Body, with due consideration being given to recommendations of the Recreation Department with respect thereto. To the extent possible, said fees shall be substantially based upon the cost of providing the Basketball Courts; it being further provided that the refund or apportionment of any fee, based upon an expired or unexpired portion of the term of the program, service or season for which any such fee has been paid or is otherwise due, shall be specifically prohibited. It shall be expressly permitted to establish different rates for residents and non-residents, recognizing that residents already contribute through local taxes to the establishment and maintenance of the Basketball Courts.

§ 292-43. Right to promulgate rules and regulations; posting.

The Governing Body reserves the right to promulgate from time to time, by resolution, rules and regulations pertaining to the maintenance and operation of the Basketball Courts and the conduct of players, which rules and regulations, as the same may from time to time be amended and supplemented, shall be posted at the Basketball Courts. In addition, at the time of the submission of application for membership, the applicant shall be provided a copy of the rules and regulations and shall sign an acknowledgment of his or her agreement to abide by such rules and regulations.

§ 292-44. Violations and penalties.

- A. Penalties. Any person who shall violate the provisions of this Article shall be subject to a fine of not more than \$100 for the first offense and \$200 for each succeeding offense or violation.
- B. In addition, any person who shall violate any provision of this Article or the rules and regulations promulgated hereunder shall be subject to suspension of membership or permit privileges for a period of one year from the date of conviction of a violation thereof.

§ 292-45. Jurisdiction.

The Municipal Court shall have jurisdiction to impose sanctions for violations of this Article.

Section 2. 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 3. 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 4. 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 5. Effective Date.

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

A motion Introduced for second reading **Ordinance No. 2021-1499** by Councilmember Koelling; seconded by Councilmember Lane; Clerk read by title only.

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

Ryan (Last name and address where inaudible)

He read a few articles regarding banning non-New Jersey residents from playing on basketball courts.

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

Motion to adopt on Second and Final Reading in The Bergen Record by Councilmember Lane; seconded by Councilmember Koelling; Clerk read by title only. - All ayes on a roll call vote with the exception of Councilmember Lane voting No.

PUBLIC HEARING ORDINANCE NO. 2021-1500 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 292 OF THE BOROUGH CODE TO CLARIFY CERTAIN PROCEDURES RELATED TO PERMIT REQUIREMENTS FOR THE USE OF BOROUGH-OWNED FIELDS AND PARKS

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

Section 1. Chapter 292, "Parks and Recreation," Section 14, "Permits," of the Borough Code is hereby amended and supplemented by adding the underlined text and deleting the bracketed text, as follows:

§ 292-14 Permits.

- A. A permit [may] shall be obtained from the governing body for use of a part or portion thereof, prior to any person or persons entering into or upon park premises for the purpose of conducting any group function.
- B. All sporting activities conducted by leagues, organizations, teams, trainers or coaches are permitted only in areas specifically marked or designated for that sport. All such sporting activities require a permit for the use of said fields as set forth in Article II of this Chapter. It shall be a violation of this section for a league, organization, team, trainer or coach to conduct sporting activities outside of designated, permitted areas and pursuant to a permit issued to said league, organization, team, trainer or coach. In the event of a violation of this section, the Recreation Director is authorized to cancel any existing permits for the offending league, organization, team, trainer or coach and to refuse to issue any new permits to said league, organization, team, trainer or coach for a period of one (1) year.

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. 2021-1500** by Councilmember Koelling; seconded by Councilmember Roche; Clerk read by title only.

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

No Public Comment

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

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

INTRODUCTION ORDINANCE NO. 2021-1501 AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, REPEALING AND REPLACING CHAPTER 274 ENTITLED "NOISE" TO READOPT CERTAIN EXISTING NOISE RESTRICTIONS

(Public Hearing 5-11-21)

A motion to Introduce Ordinance **2021-1501** for first reading was made by Councilmember Koelling; 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 Bergen Record; seconded by Councilmember Koelling - a roll call was taken – all ayes

INTRODUCTION ORDINANCE NO. 2021-1502 AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, ADOPTING A NEW CHAPTER 275 ENTITLED "NOISE CONTROL ACT" TO ADOPT A MUNICIPAL NOISE ORDINANCE PURSUANT TO THE NOISE CONTROL ACT OF 1971
(Public Hearing 5-11-21)

A motion to Introduce Ordinance **2021-1502** for first reading was made by Councilmember Koelling; 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 Bergen Record; seconded by Councilmember Koelling - a roll call was taken – all ayes

INTRODUCTION ORDINANCE NO. 2021-1503 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING THE BOROUGH CODE TO ADD A NEW CHAPTER 250 ENTITLED "LIGHTING" TO REGULATE OUTDOOR LIGHTING IN THE BOROUGH OF MONTVALE
(Public Hearing 5-11-21)

A motion to WITHDRAW Ordinance **2021-1503** for first reading was made by Councilmember Koelling; seconded by Councilmember Roche; - all ayes

PUBLIC HEARING: 2021 Bergen County Trust Fund Grant Application Park Development Municipal Program Park Improvement Application Huff Park Playground Improvements/ADA Access Improvements

Kelsey Howard, Colliers Engineering

This program provides matching grants for the development and redevelopment of municipal parkland. This includes improvements to the playground at Huff Park, including addition of a tot lot (ages 2-5 years) new rubberized surfacing and ADA access improvements. The proposed project includes replacing the existing playground surface, installing rubberized safety surfacing, installing rubber surfacing between sidewalk and playground, edging and landscaping and installing ADA access improvements. Total cost \$284,000. The grant request is (50%) \$142,000 the borough will pay the remainder.

Mayor Ghassali ask councilmembers for comments. Councilmember Roche asked when will the funds be available; the funds will be available for next year.

MEETING OPEN TO PUBLIC MUNICIPAL PARK APPLICATION:

A motion to open the meeting to the public by Councilmember Lane; seconded by Councilmember Roche - all ayes

Carolee Adams

Suggested on the basketball courts can the nets be lowered for younger players and can the chess tables be refurbished.

MEETING CLOSED TO PUBLIC MUNICIPAL PARK APPLICATION:

A motion to close the meeting to the public by Councilmember Lane; seconded by Councilmember Roche - all ayes

84A-2021 Municipal Endorsing Resolution Trust Fund Application

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

WHEREAS, the Borough of Montvale desires to further the public interest by obtaining a matching grant of **\$142,000.00** from the County Trust Fund to fund the following project: **Huff Park Playground Improvements Project**; and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body/board received held the required Public Hearing to receive public comments on the proposed park improvements in the application on **April 27, 2021**; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above-named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Montvale:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of MAY 14th, 2021, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Borough of Montvale has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the Borough of Montvale is committed to providing a dollar-for-dollar cash match for the project; and,
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the Borough of Montvale agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
6. That this resolution shall take effect immediately.

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

MINUTES:**March 3, 2021 – Special Meeting Traffic Study – Chestnut Ridge Development**

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Roche
– all ayes

April 13, 2021

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Roche
– all ayes

April 15, 2021 – Special Town Hall Meeting – Cannabis Legislation Discussion

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

CLOSED/EXECUTIVE MINUTES:**April 13, 2021**

A motion to accept closed session minutes by Councilmember Lane; seconded by Councilmember Koelling – all ayes

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.

85-2021 Authorize Refund of Recreation Program / Golf Lessons

BE IT RESOLVED, the below individual is hereby granted a refund for Golf Lessons for online registration to Ann Marie Stout, 21 Raymond St., Harrington Park, NJ 07640 in the amount of \$239.65

86-2021 Resolution Authorizing The Borough Administrator To Sign The NJDEP WQM-003 Statement Of Consent Form For Metropolitan Home Development At Werimus, LLC, For Property Located At 91 Spring Valley Road - Treatment Works Approval (TWA) Application.

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires Consent of the Governing Body and Certification by the Wastewater Conveyance System Owner;

WHEREAS, the Borough of Montvale owns and operates their wastewater conveyance system that the property owner METROPOLITAN HOME DEVELOPMENT AT WERIMUS, LLC, (**for property located at 91 Spring Valley Road**) is proposing to connect for sanitary sewerage disposal;

WHEREAS, the Borough Engineer has reviewed the NJDEP WQM-003 Form and has determined that the Borough's sanitary sewer system has adequate capacity;

WHEREAS, the Borough Engineer has reviewed the NJDEP WQM-003 Form and recommends that the Borough's Mayor and Council authorize the Borough Administrator to execute the WQM-003 Form Section A-1 and Section A-3B;

WHEREAS, the Borough's Mayor and Council has considered this recommendation;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Montvale, formally approves the Borough Administrator to execute the above stated Application.

BE IT FURTHER RESOLVED that the Borough Administrator is hereby authorized to execute the NJDEP WQM-003 Form on behalf of the Borough of Montvale for the application by the owner, **METROPOLITAN HOME DEVELOPMENT AT WERIMUS, LLC, FOR PROPERTY LOCATED AT 91 SPRING VALLEY ROAD.**

87-2021 Resolution Authorizing The Borough Administrator To Sign The NJDEP WQM-003 Statement Of Consent Form For Metropolitan Home Development At Werimus, LLC, For Property Located At 55-61 Magnolia Avenue - Treatment Works Approval (TWA) Application.

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires Consent of the Governing Body and Certification by the Wastewater Conveyance System Owner;

WHEREAS, the Borough of Montvale owns and operates their wastewater conveyance system that the property owner METROPOLITAN HOME DEVELOPMENT AT WERIMUS, LLC, (**for property located at 55-61 Magnolia Avenue**) is proposing to connect for sanitary sewerage disposal;

WHEREAS, the Borough Engineer has reviewed the NJDEP WQM-003 Form and has determined that the Borough's sanitary sewer system has adequate capacity;

WHEREAS, the Borough Engineer has reviewed the NJDEP WQM-003 Form and recommends that the Borough's Mayor and Council authorize the Borough Administrator to execute the WQM-003 Form Section A-1 and Section A-3B;

WHEREAS, the Borough's Mayor and Council has considered this recommendation;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Montvale, formally approves the Borough Administrator to execute the above stated Application.

BE IT FURTHER RESOLVED that the Borough Administrator is hereby authorized to execute the NJDEP WQM-003 Form on behalf of the Borough of Montvale for the application by the owner,

METROPOLITAN HOME DEVELOPMENT AT WERIMUS, LLC, FOR PROPERTY LOCATED AT 55-61 Magnolia Avenue, Montvale, New Jersey.

88-2021 Authorize Hiring / Part Time on Call / Crossing Guard / Gail Eastlake

WHEREAS, the Montvale Police Department desires to hire a part-time on call crossing guard in the Borough of Montvale; and,

WHEREAS, Gail Eastlake has met the qualifications for this position, agrees to the terms and conditions of employment; 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 Part-time on Call Crossing Guard, effective April 28, 2021.

89-2021 Authorize Release of Escrow / Wilf Law Firm, LLP / Apple Hill Estates/Block 402, Lot 19.02

WHEREAS, Wilf Law Firm, Apple Hill Estates with offices located at 820 Morris Turnpike, Suite 201, Short Hill, NJ 07078 have requested release of escrow posted for Block 402, Lot 19.02; and

WHEREAS, the Borough Engineer and other Borough professionals take no exception to the release; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale hereby release to Wilf Law Firm in the amount of \$78.50; and

BE IT FURTHER RESOLVED, the Treasurer shall receive a copy of this resolution for processing.

90-2021 Award Professional Service Contract /Engineering Services /2021 NJDCA Local Recreation Improvement Grant Application/Restroom Trailer Facility Fieldstone Fields

WHEREAS, the Borough of Montvale has deemed it necessary to engage the professional services of an Engineer to provide professional services to prepared a declaration of Intent To apply and all other related requirements for the submission of the 2021 NJDCA Local Recreation Improvement (LRIG) for the purposes of a proposed restroom facility at Fieldstone Fields, 47 Spring Valley Road, Montvale, NJ; and

WHEREAS, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq.) exempts such professional services from competitive bidding; and

WHEREAS, Colliers Engineering & Design, 400 Valley Road, Mt. Arlington, NJ 07856 has submitted a proposal dated April 22, 2021 to provide the engineering services for services which are detailed and attached to the original of this resolution, and

WHEREAS, the Certified Municipal Finance Officer has certified funds are available certification hereto attached to the original of this resolution.

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

- 1) That the proposal for the scope of engineering services is attached to this resolution which is made part of this resolution shall be awarded to Colliers Engineering & Design.

- 2) That the following be provided: Preparation of the grant application to the NJDCA Local Recreation Improvement Grant
- 3) The cost not to exceed shall be \$5,000.00 The Engineer shall be required to submit itemized bills and payment shall be made based upon services rendered. The rates for this work are in accordance with the hourly contractual agreement with the Borough of Montvale.

BE IT FURTHER RESOLVED, that a copy of this resolution be published an official newspaper of the Borough of Montvale, be on file, available for public inspection, in the office of the Municipal Clerk, Municipal Complex, 12 Mercedes Drive, Montvale, NJ 07645.

91-2021 A Resolution Amending Resolution No. 95-2020 Awarding a Contract to Media Consultants, LLC, as an Extraordinary Unspecifiable Service for MontVale Studio Management, Content Production and Related Services

WHEREAS, the Borough of Montvale on May 12, 2020 awarded a contract to Media Consultants, LLC to engage the services of a professional and reputable company to manage, create content and provide related services concerning the MontVale Studio in order to better serve Borough officials and residents; and

WHEREAS, such services are exempt from public bidding requirements pursuant to *N.J.S.A. 40A:11-5(a)(ii)* and *N.J.A.C. 5:34-2.1* as "extraordinary unspecifiable services"; and

WHEREAS, the Borough has received these services and the scope of the work has changed due to the need to have additional meeting coverage from Media Consultants, LLC (the "MC Proposal") on Zoom for the workshop session held the last Tuesday of each month. This Mayor & Council meeting was not included in the original contract proposal and scope of work with Media Consultants. Media Consultants demonstrates the expertise and proven reputation in the specialty of television studio management, content production and related services which is essential during this time of the global pandemic; and

WHEREAS, the Council is therefore desirous in amending the contract to Media Consultants, LLC to perform the additional related services for an additional amount of \$4,000; and

WHEREAS, because the value of this contract exceeds the Borough's applicable pay-to-play threshold, it shall be awarded pursuant to the "alternative" provisions of *N.J.S.A. 19:44A-20.4*, et seq., and Media Consultants has provided a Business Entity Disclosure Certification and all other appropriate documentation pertaining to same.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Montvale that a contract is hereby awarded to Media Consultants, LLC for of television studio management, consent production and related services, for the prices and on the terms set forth in the Proposal submitted by Media Consultants, LLC entitled "Borough of MontVale Studio Management Proposal" for the Borough of Montvale which is hereto attached to the original of his resolution.

BE IT FURTHER RESOLVED that the pricing for this contract shall be for a total increase of \$4,000 for a total contract amount of \$46,328.00 the term of one (1) year to commence April 27th 2021 for one year.

BE IT FURTHER RESOLVED that pursuant to *N.J.S.A. 40A:11-5(1)(a)(ii)*, a brief notice stating the nature, duration, service and amount of this amended contract shall be printed once in the official newspaper of Borough of Montvale, and said notice shall also advise the public that a copy of the final contract shall be on file and available for public inspection at the office of the Borough Clerk.

92-2021 A Resolution of the Borough of Montvale Re-Affirming the Official Policy of the Borough Concerning the Placement of Lighting on Utility Poles Within the Public Right-Of-Way

WHEREAS, the governing body of the Borough of Montvale does herein find that regulation of street lighting and private lighting mounted on utility poles in the Borough is necessary to prevent misdirected or excessive artificial light, caused by inappropriate or misaligned light fixtures that produce glare, light trespass (nuisance light) and/or unnecessary sky glow; and

WHEREAS, such regulation is also necessary to protect and maintain the residential character of our neighborhoods and to ensure that Montvale residents are not disturbed by the presence of offensive or nuisance-causing lighting that is injurious to the health, safety and welfare of the public; and

WHEREAS, such regulation is also necessary to discourage the waste of electricity and to ensure that the Borough controls the level of lighting present on Borough-owned or Borough-controlled streets.

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

1. It is and shall remain the official policy of the Borough of Montvale that all street lighting and private lighting on public streets in the Borough (excepting those under the jurisdiction of the State of New Jersey, the County of Bergen, or another Federal, State or County agency) shall be approved by the Borough of Montvale prior to same being placed on a utility pole or in such other location in the public right-of-way.
2. No individual, corporation, or other entity, including but not limited to public utility companies, shall install street lighting on utility poles or such other location in the public right-of-way within the Borough of Montvale without first receiving approval from the Borough of Montvale concerning the placement of same.
3. No individual, corporation or public entity, including but not limited to public utility companies, shall install any private lighting (including floodlights intended for property illumination) on utility poles or on such other location in the public right-of-way within the Borough of Montvale without first receiving approval from the Borough of Montvale concerning the placement of same.

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

BILLS: *Municipal Clerk read the Bill Report*

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

ENGINEER'S REPORT:

Chris Doer

Report/Update

a. Proposed List of Road Improvements 2021 Road Program

The list right now consists of 35 roads which does include a lot of roads that PSEG will be paying for; still working out which streets PSEG will be paving

b. Bocce Ball Courts / Update

Bids will be received, Thursday, May 6

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

No Report

UNFINISHED BUSINESS:

COVID numbers we have 27 active cases in town; year to date 190 positives; 244 cases in 2020

NEW BUSINESS:

None

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 Roche – all ayes

Ryan, 21 Murray Road

Asked for clarification on the basketball courts regarding if a non-resident is using the courts without a badge, what happens; Mayor Ghassali stated that there will be someone patrolling the courts, and the people using the courts might be asked to leave but also will be instructed on how to obtain a badge.

Carolee Adams

Still hoping that Montvale will sponsor bicycle safety month; in addition to bicycle safety but also to show how to fix your bike as well. Seeing as how with the COVID changes will it be possible if we can bring back the fireworks for this year.

Steve Frischer

Regarding Ordinance 2021-1500, which parks will require permits, does it include pickle ball; there is a league from Glen Rock that uses our courts; question regarding the basketball courts, how will it be enforced;

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

ADJOURNMENT:

Motion to adjourn by Councilmember Lane; seconded by Councilmember Arendacs - all ayes

Meeting adjourned at 8:18pm

The next Meeting of the Mayor and Council will be held May 11, 2021 at 7:30 p.m.
Municipal Budget Public Hearing to be held on May 11, 2021/Budget Presentation

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk