

**MINUTES
WORK SESSION**

The Work Session Meeting of the Mayor and Council was in the Council Chambers and called to order at 7:35pm. Adequate notification was published in the official newspaper of the Borough of Montvale. Roll call was taken.

OPEN PUBLIC MEETING STATEMENT

Adequate notice of this meeting was provided to The Bergen Record and The Ridgewood News, informing the public of the time and place according to the provisions of the Open Public Meeting Law (Chapter 231, P.L. 1975).

ROLL CALL:

Councilmember Arendacs	Councilmember Lane
Councilmember Cudequest	Councilmember Roche - absent
Councilmember Koelling	Councilmember Russo-Vogelsang – via telephone

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

SWEARING IN MONTVALE POLICE OFFICERS:

Daniel Wynohradnyk	Badge #147
Joshua Garran	Badge #148
Diego Salazar	Badge #149
Glenn Maron	Badge #150

During closed session there was a discussion to promote Brian Lamendola to Sergeant, a motion by Councilmember Koelling to promote police officer Lamendola to Sergeant; seconded by Councilmember Lane – a roll call vote was taken – all ayes

ORDINANCES:

None.

MINUTES:

June 14, 2022

A motion to accept the minutes by Councilmember Koelling; seconded by Councilmember Lane - all ayes with the exception of Councilmembers Arendacs and Cudequest abstaining

CLOSED/EXECUTIVE MINUTES:

June 14, 2022

A motion to accept the closed session minutes by Councilmember Lane; seconded by Councilmember Koelling - all ayes with the exception of Councilmembers Arendacs and Cudequest 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.

105-2022 Authorize Hiring / Full Time / Accounts Payable/Receivable Clerk / Natalie Dickon

WHEREAS, Natalie Dickon meets the qualifications for the position of Accounts Payable/Receivable Clerk and agrees to the terms and conditions of employment, and has previously 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 full-time Accounts Payable/Receivable Clerk, effective April 18, 2022.

106-2022 A Resolution Re-Appointing Raymond Tighe as Tax Assessor for the Borough of Montvale and Granting Tenure Rights

WHEREAS, Raymond Tighe was appointed as the Tax Assessor by the Borough of Montvale effective July 1, 2018; and

WHEREAS, pursuant to N.J.S.A. 54:1-35.31, an individual who completes a four-year term as tax assessor for a municipality and is thereafter reappointed shall be granted tenure; and

WHEREAS, the Borough Council has reviewed the performance and qualifications of Raymond Tighe and is satisfied that it is in the best interests of the Borough that he should be reappointed as the Tax Assessor for the Borough of Montvale; and

WHEREAS, pursuant to N.J.S.A. N.J.S.A. 54:1-35.31, Raymond Tighe shall be granted tenure and shall continue to hold the office of Tax Assessor during good behavior and may not be removed except for good cause shown after a fair and impartial hearing.

NOW, THEREFORE, BE IT RESOLVED that Raymond Tighe is hereby re-appointed as Tax Assessor for the Borough of Montvale, effective July 1, 2022.

107-2022 Resolution Opposing A-1294/S-2103 and Urging That Such Legislation Not Advance Further

WHEREAS, local officials, because of their peculiar knowledge of local conditions, are in the best position to determine land use and zoning regulations; and

WHEREAS, this peculiar knowledge is used to develop a Municipal Master Plan, which is adopted with the goal of promoting the health, safety, and welfare of the public, and only after careful and thoughtful consideration by local officials for its compatibility and consistency with other state, county and regional plans, such as the State Development and Redevelopment Plan, the Coastal Area Facility Review Act, the Highlands Water Protection and Planning Act, the Pinelands Protection Act, the County Solid Waste Management Plan and Water Quality Management Plan; and

WHEREAS, the Municipal Master Plan guides the determination to designate land use and zoning districts, which help effectuate the careful development plans and goals outlined within the Master Plan; and

WHEREAS, the Municipal Land Use Law lays out a comprehensive system allowing for and detailing the process in which applicants for development may seek to deviate from these careful and deliberate land use and zoning regulations through the municipal

Planning board's review of a variance; and

WHEREAS, consideration of a land use variance is done by local officials, taking into account the variety of circumstances including the proposed deviation's impacts on the goals of the Master Plan; and

WHEREAS, the Local Redevelopment and Housing Law provides municipalities with substantial tools to support the redevelopment of blighted sites, including the creation of site specific redevelopment plans and numerous financial incentives; and

WHEREAS, legislation, A-1294/S-2103, has been introduced that would preempt local control over land use and zoning regulations, allowing certain qualifying office park and retail center properties to be permitted, as of right, to redevelop as a mixed-use development, not requiring a use variance; and

WHEREAS, A-1294/S-2103 requires a planning board approve an application for development to convert and eligible property to a mixed-used development unless the application causes "substantial detriment to the public good" and "substantially impair[s] the intent and purposes of the zone plan and zoning ordinance". a vague standard that may be difficult if not impossible to overcome; and

WHEREAS, A-1294/S-2103 may interfere with municipalities implementing alternative visions for the redevelopment of office park and retail center properties, including as industrial sites, parkland, or sites for needed infrastructure; and

WHEREAS, A-1294/S-2103 would interfere with existing and potential Redevelopment Plans that were specifically developed to address office park and retail center properties; and

WHEREAS, A-1294/S-2103 does not take into account conditions such as flooding and future climate risk that may impact the suitability of a site for mixed-use development; and

WHEREAS, this top-down approach, eliminating local land use planning regulations undermines the recognized benefits of municipal land use regulation, without providing the appropriate review for deviation as outlined within the Municipal Land Use Law.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the *Borough of Montvale* in the County of *Bergen* opposes this legislation, and urges our representatives to not advance further A-1294/S-2103; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to Senator Holly T. Schepisi and Senators Bob Menendez and Cory Booker, Senate President Scutari, Assembly Speaker Coughlin, Governor Murphy, and the League of Municipalities

108-2022 Approving Liquor License Renewals for The July 1, 2022 – June 30, 2023 Term

WHEREAS, the following liquor license holder has submitted their renewal application through the POSSE ABC portal and paid the required fee as directed by the Division of Alcoholic Beverage Control; and

WHEREAS, the following liquor license holder has paid the municipal fee and a Tax Clearance Certificate has been received; and

WHEREAS, the applicant is qualified to be licensed per the standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, and pertinent Borough Ordinances.

NOW THEREFORE BE IT RESOLVED that the Mayor & Council of the Borough of Montvale hereby authorizes the renewal of the following liquor license for the July 1, 2022 through June 30, 2023 term.

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby authorized to issue a liquor license as follows:

0236-33-004-009 ERA Hospitality, LLC (This Plenary Retail Consumption License is currently approved to be a "Pocket License")

0236-33-005-008 The Waterfall, Inc., t/a Hearth & Tap for the premises at 125 Kinderkamack Road, Montvale, New Jersey.

0236-33-006-003 Montvale Recreation, Inc., t/a Montvale Recreation Inc. for premises at 14 West Grand Avenue, Montvale, New Jersey.

0236-33-007-004 TPC, Inc., t/a Davey's Locker, for premises at 5 Park Street, Montvale, New Jersey.

0236-31-009-001 Montvale Engine Co. #1, Inc., t/a Montvale Fire Department, for premises at 35 West Grand Avenue, Montvale, New Jersey.

0236-44-001-006 Mo & Sy Corp. t/a Montvale Wine & Spirits, Inc. for premises at 18 South Kinderkamack Road, Montvale, New Jersey

0236-44-002-011 BPO Wine Corporation, t/a Wegmans, 100 Farm View, Montvale, New Jersey

0236-36-012-003 South City Prime Montvale, LLC t/a Fire & Oak for premises at 100 Chestnut Ridge Road, Montale, New Jersey

109-2022 Special Item Of Revenue And Appropriation - Chapter 159

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

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

WHEREAS, the Borough of Montvale has been awarded \$19,016.77 from the State of New Jersey – Solid Waste Administration and wishes to amend its 2022 Budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Montvale hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$19,016.77 which is now available as a revenue from:

Miscellaneous Revenues:

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

Public and Private Revenues Off-Set with Appropriations:

State of New Jersey – Solid Waste Administration:

Clean Communities Program, and

BE IT FURTHER RESOLVED that a like sum of \$19,016.77 be and hereby appropriated under the caption of:

General Appropriations

(a) Operations - Excluded from "CAPS"

Public and Private Programs Off-Set by Revenues:

State of New Jersey – Solid Waste Administration:

Clean Communities Program

110-2022 Special Item Of Revenue And Appropriation - Chapter 159

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

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

WHEREAS, the Borough of Montvale has been awarded \$1,105.53 from the Administrative Office of the Courts and wishes to amend its 2022 Budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Montvale hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$1,105.53 which is now available as a revenue from:

Miscellaneous Revenues:

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

Services:

Public and Private Revenues Off-Set with Appropriations:

Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund, and

BE IT FURTHER RESOLVED that a like sum of \$1,105.53 be and hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Programs Off-Set by Revenues:

Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund

111-2022 Special Item Of Revenue And Appropriation - Chapter 159

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

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

WHEREAS, the Borough of Montvale has been awarded \$15,144.46 from the State of New Jersey – Hazardous Waste and wishes to amend its 2022 budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Montvale hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$15,144.46 which is now available as a revenue from:

Miscellaneous Revenues:

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

Services:

Public and Private Revenues Off-Set with Appropriations:

State of New Jersey – Hazardous Waste:

Recycling Tonnage Grant, and

BE IT FURTHER RESOLVED that a like sum of \$15,144.46 be and hereby appropriated under the caption of:

General Appropriations

- (a) Operations Excluded from "CAPS"
- Public and Private Programs Off-Set by Revenues:
- State of New Jersey – Hazardous Waste:
- Recycling Tonnage Grant

112-2022 Special Item Of Revenue And Appropriation - Chapter 159

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

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

WHEREAS, the Borough of Montvale has been awarded \$10,000.00 from the Estate of Barbara Ziccarelli and wishes to amend its 2022 Budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Montvale hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$10,000.00 which is now available as a revenue from:

Miscellaneous Revenues:

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

Public and Private Revenues Off-Set with Appropriations:

Donation: Police – Other Expenses, and

BE IT FURTHER RESOLVED that a like sum of \$10,000.00 be and hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Programs Off-Set by Revenues:

Donation: Police – Other Expenses

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

104-2022 A Resolution Approving a Contract with Captain of Police Douglas McDowell

WHEREAS, Captain of Police Douglas McDowell has requested that the Borough provide him with a contract concerning his employment with the Borough of Montvale for the years 2022 through 2023; and

WHEREAS, the Police Committee has engaged in negotiations with the Captain and has recommended execution of a contract that has been provided to the Mayor and Council.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk are hereby authorized and empowered to execute the contract with the Captain of Police, subject to approval as to form by the Borough Attorney.

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

Councilmember Koelling stated there is an amendment, to remove the wrist watch and to extend the Chief pay from 1 month to 6 months. All councilmembers agreed.

113-2022 Amending Resolution #98-2022 / Awarding a Contract to American Asphalt & Trucking for the LaTrenta Parking Lot Improvements Project in the Borough of Montvale

WHEREAS, the Borough of Montvale has a need to procure construction services for the LaTrenta Parking Lot Improvements Project in the Borough; and

WHEREAS, the Borough of Montvale, in accordance with the laws of the State of New Jersey, publicly advertised for the receipt of bids under specifications for the LaTrenta Parking Lot Improvements Project; and

WHEREAS, the bid provided for a Base Bid plus Alternates A and B; and

WHEREAS, nine (9) were received on May 12, 2022; and

WHEREAS, after receipt and review of the three lowest (3) bids received, the Borough of Montvale has determined that American Asphalt and Trucking is the lowest responsible bidder for this contract, for either the Base Bid only, or the Base Bid plus either or both Alternates; and

WHEREAS, the Chief Financial Officer of the Borough has certified that funds have been appropriated and are available for this purpose, a copy of said certification attached to the original copy of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that a contract is hereby awarded as follows:

Contractor

American Asphalt & Trucking
818 Summer Avenue
Newark, New Jersey 07104

Contract Amount

Base:	\$289,918.46
Alternate A:	\$ 25,882.50
Alternate B:	\$ 20,000.00
Total:	\$335,800.96

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby directed, authorized and empowered to execute all documents necessary to effectuate the purposes of this Resolution, consistent with the Borough's bid specifications and applicable law, subject to approval as to form by the Borough Attorney.

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

BILLS: Municipal Clerk read the Bill Report

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

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

a. Update

Craig Road and LaTrenta Field parking lot will start within the next few weeks. NJDOT grant application for the year 2023, Mr. Hipolit has recommended Terkuile Road. Performed a video test at Valley View pump station and it showed multiple breaks, will be meeting with the contractor for a proposal on the repairs. Councilmember Koelling reported a possible water main break on Akers Ave., it was inspected and confirmed it is a water main break and contacted Veolia(Suez) it will be repaired. The flashing light at Hillcrest and Grand Ave fell down during Hurricane Sandy, spoke with the County and they will allow us the replace the flashing light. In order to make the temporary light at Woodland and Grand permanent, you need a resolution from Park Ridge and Montvale requesting the County to install a light permanently.

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

No Report

UNFINISHED BUSINESS:

None

NEW BUSINESS:

a. Approval Montvale Summer Camp Hires/Stipends

A motion to approve summer camp hires and stipends by Councilmember Cudequest; seconded by Councilmember Lane – 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.

A motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Koelling – all ayes

Rich Maniscalco, 8 June Lane

Excellent job with the road paving on his street

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

ADJOURNMENT:

Motion to adjourn by Councilmember Lane; seconded by Councilmember Cudequest – all ayes

Meeting adjourned at 8:15pm

The next Regular Meeting of the Mayor & Council will be held on July 12, 2022 at 7:30 p.m. in person.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk