

**SINE DIE MEETING
BOROUGH OF MONTVALE
MAYOR AND COUNCIL
MONDAY, JANUARY 1, 2019
7:00 P.M.**

SUNSHINE LAW STATEMENT

In accordance with the provisions of the Open Public Meetings Law, notification of this meeting was provided to the Bergen Record on December 14, 2017 informing the public of time and place according to the provisions of the Open Public Meeting Law (Chapter 231, P.L.1975) posted on the Montvale web site and on the Municipal Building bulletin board

MAYOR GHASSALI CALLS THE MEETING TO ORDER:

SALUTE TO THE FLAG:

ROLL CALL:

Councilmember Arendacs
Councilmember Curry
Councilmember Gloeggler
Councilmember Koelling
Councilmember Lane
Councilmember Weaver

UNFINISHED BUSINESS OF 2018:

None

ADJOURNMENT SINE DIE MEETING:

FOLLOWED BY REORGANIZATION MEETING FOR THE YEAR 2019:



**BOROUGH OF MONTVALE
Mayor and Borough Council
REORGANIZATION MEETING
Monday, January 1, 2019
7:00 p.m.**

OPEN PUBLIC MEETING STATEMENT

In compliance with the Open Public Meetings Law, notification of this meeting has been sent to our official newspapers of the Borough of Montvale, and notice posted on the municipal bulletin board at Borough Hall

SWEARING IN OF COUNCILMEMBERS (3 YEAR TERM)

Dieter Koelling

Annmarie Russo-Vogelsang

MEETING CALLED TO ORDER

ALL MEMBERS OF THE GOVERNING BODY SEATED ON THE DAIS

ROLL CALL:

Mayor Ghassali

Councilmember Arendacs

Councilmember Curry

Councilmember Gloeggler

Councilmember Koelling

Councilmember Lane

Councilmember Russo-Vogelsang

OPENING PRAYER:

Pastor Sam Goertz – Montvale Evangelical Free Church

ELECTION OF COUNCIL PRESIDENT:

(Council Appointment)

ELECTION OF PLANNING BOARD LIAISON:

(Council appointment)

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.

01-2019 THROUGH 16-2019, 19-2019, 20-2019 - List attached

NON-CONSENT RESOLUTIONS

00-2019 Temporary Budget

17-2019 Officers Fire Department

18-2019 Professional Service Contract Appointments 2019 / Non-Fair and Open Process

OATHS OF OFFICE ADMINISTERED TO OFFICERS OF MONTVALE FIRE DEPARTMENT:

APPOINTMENTS

2019 STAFF, BOARDS, COMMITTEES AND MAYORAL APPOINTMENTS

(see attached list)

COUNCILMEMBER ROLL CALL: CONFIRMATION OF APPOINTMENTS

ROLL CALL:

Councilmember Arendacs

Councilmember Curry

Councilmember Gloeggler

Councilmember Koelling

Councilmember Lane

Councilmember Russo- Vogelsang

PUBLIC OPPORTUNITY TO SPEAK

CLOSED TO PUBLIC SPEAKING

COUNCIL COMMENTS

MESSAGE FROM MAYOR GHASSALI

CLOSING PRAYER:

Pastor Sam Goertz – Montvale Evangelical Free Church

ADJOURNMENT

Swearing in of Police Chief Joseph Sanfilippo will be held January 7, 2019 at 7:30pm

Next scheduled Mayor and Council meeting will be held January 8, 2019 @ 7:30PM

**CONSENT AGENDA RESOLUTIONS
2019 ORGANIZATION MEETING**

- | | |
|---------|--|
| 01-2019 | Cash Management Plan |
| 02-2019 | Authorizing payment to the United States Postal Service to affect the use of a Postal Machine |
| 03-2019 | Establish 2019 Holiday Schedule For Administrative Non-Contractual Employees and Department of Public Works Contractual Employees |
| 04-2019 | Designating the Mayor, Municipal Clerk, Administrator, Chief Municipal Financial Officer and Treasurer as Official signatories on Borough Warrants and the Judge, Municipal Court Administrator and Deputy Court Administrator as Official signatories on Municipal Court Accounts |
| 05-2019 | Roll Call of the Council members to be called in alphabetical order |
| 06-2019 | Authorizing the Mayor, Clerk and Collector to issue warrants for certain items with ratification at the following meeting |
| 07-2019 | All bills to be presented in proper form to the Finance Department no later than the 25th of each month |
| 08-2019 | Change Fund in the amount of \$100.00 be provided for the Municipal Clerk, Collector/Treasurer; \$50.00 for the Dog/Cat License Registrar; \$100.00 for the Court Violations Clerk; and \$50.00 for the Police Department |
| 09-2019 | Designation of official newspapers for advertising for the Borough of Montvale |
| 10-2019 | Fixing the rate of interest to be charged for the nonpayment of taxes, assessments and excess sewer fees |
| 11-2019 | Order of business to be followed at all regular meetings of the Mayor and Council |
| 12-2019 | All monies collected by any Borough Official or Employee of the Borough shall be turned over the Borough Treasurer within 48 hours |
| 13-2019 | Establish Mayor & Council Meeting Schedule for the Year 2019 |
| 14-2019 | Procedure for the Periodic Release of Closed Session Minutes |
| 15-2019 | Open Public Meetings Act, Chapter 231 of Public Laws of the State of New Jersey/Closed Executive Sessions of the Montvale Governing Body |
| 16-2019 | Adoption of year 2019 By-Laws of the Mayor and Council of the Borough of Montvale |
| 19-2019 | Adoption Borough Policy & Procedures Manual / Administration |
| 20-2019 | Re-affirming the Borough's Existing Policy For Eligible Municipal Employee To Voluntarily Waive The Medical & Prescription Coverages Provided Through The Employee Benefits Program Calendar Year 2019 |

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 01-2019**

WHEREAS, P. L. 1983, Chapter 8, Local Fiscal Affairs Law; N.J.S. 40A:5-2, has been amended to require that each municipality designate a Cash Management Plan for the deposit of each local unit's monies,

NOW THEREFORE, BE IT RESOLVED, that the following Cash Management Plan of the Borough of Montvale be and hereby is adopted:

A. DESIGNATION OF OFFICIAL DEPOSITORIES:

The following financial institutions are designated official depositories:

Bank of America
Wells Fargo
N.J. Cash Management Fund
Valley National Bank
TD Bank

2. Designated Official depositories are required to submit to the Chief Financial Officer of the Borough of Montvale a copy of the State of New Jersey, Department of Banking, Governmental Unit Deposit Protection Act Notification of eligibility, which must be filed semiannually in the Department of Banking as of June 30th and December 31st of each year. Said Notices must be available for annual audit.
3. Designated official depositories are required to submit to the Chief Financial Officer a copy of institution's "Annual Report" on an annual basis.

B. DEPOSIT OF FUNDS

All funds shall be deposited within Forty-Eight (48) hours of receipt in accordance with State statute.

1. Operating funds shall be deposited into interest bearing accounts to maximize interest earnings.
2. Capital and Debt service funds may be deposited into interest bearing accounts. Non-Interest bearing accounts shall be regularly monitored for the availability of funds for investment.
3. Trust funds may be deposited into interest bearing accounts in accordance with the State statutes regulating the deposit of developer's escrow deposits. Non-Interest bearing accounts should be regularly monitored for availability of funds for investment except where either State or Federal laws prohibit the earning of interest on such funds.
4. Payroll and agency remittance funds shall be maintained in regular checking accounts, only insofar as they serve to compensate the bank for payroll data processing services.

C. DEFINITION OF ALLOWABLE INVESTMENT INSTRUMENTS:

The Borough may permit deposits and investments in such depositories as permitted in Section 4 of P.L. 1970, Chapter 236 (C.17:9-44) and other instruments specified below:

1. United States Treasury Bills (T-Bills)
2. Borough of Montvale Bonds or Notes
3. Commercial Bank Deposits and Certificates of Deposit (CD's)
4. Repurchase Agreements (Repo's)
5. Investments in Savings and Loan Association
6. United States Government Agency and Instrumentality Obligations
7. State of New Jersey Cash Management Fund
8. School District Obligations

D. DEFINITION OF ACCEPTABLE COLLATERAL AND PROTECTION OF BOROUGH ASSETS

1. All designated depositories must conform to all applicable State statutes concerning depositories of Public Funds.
2. All depositories shall obtain the highest amount possible F.D.I.C. and/or F.S.L.I.C. coverage of all Borough Assets (Demand and Certificate of Deposit)
3. Collateral will be required for all deposits and investments of the Borough, except for those in the State Cash Management Fund, collateral must have a market value of not less than 100 percent of all deposits and investments.
4. For pledges by depositories on Borough Funds, the following securities will be considered acceptable for pledges:
 - a. Any security backed by the U.S. Government
 - b. Any direct obligation of any taxing authority within the Borough of Montvale
 - c. Real Estate Mortgage Loans for Real Estate property located within the Montvale market area. Pledges of Real Estate Mortgage Loans shall be maintained at a market value of 115 percent of deposits
 - d. All pledges of collateral must be indicated on an advice copy of the investment instrument which shall be forwarded to the Chief Financial Officer or Treasurer

E. COMPENSATING BALANCE AGREEMENTS:

Where compensating balances are used to offset bank expenses, an agreement between the bank and the Borough shall be executed, specifying the charge for each service. Said agreement shall be reviewed annually.

F. REPORTING PROCEDURES:

The Chief Financial Officer shall prepare for the Mayor and Council of the Borough of Montvale the following investment reports:

1. MONTHLY REPORTING: A detailed listing of all investments purchased in the prior month, specifying the amount, interest percent per annum, number of days, period of investment and maturity date, interest amount at maturity and financial institutions with which investment is placed. This report shall be broken down by fund.
2. QUARTERLY REPORTING: A detailed summary analysis of all investments by fund, specifying the quarterly interest rate earned, quarterly interest earned on NOW and Savings Accounts and Year-To-Date total interest earnings.

3. The Treasurer shall prepare a schedule of outstanding investments for the independent auditors as of December 31st of each year and at other such times as required by the auditors.
4. The Treasurer shall also periodically provide analysis of average daily balances in interest bearing checking accounts vs. other investment vehicle potential.
5. All such reports may include a comparison of current investment income vs. forecast, prior year or market conditions.

G. DIVERSIFICATION REQUIREMENTS:

The Chief Financial Officer and Treasurer shall closely examine investments to guard against the effects of a financial institution going into default. This may be accomplished through the practice of spreading the investments around in various designated official depositories.

H. MAXIMUM MATURITY POLICY:

Investments shall be limited to a maturity not to exceed one year on all operating funds unless a longer maturity is permitted within the provision of regulation promulgated by either the Federal or State Governments.

I. INVESTMENT PROCEDURES:

Bids for Certificates of Deposit and Repurchase Agreements will be solicited of at least three (3) designated depositories only if the amount is \$100,000 or greater.

Telephone bids will be solicited of designated depositories by the Chief Financial Officer or Treasurer or designated staff member.

The depository shall specify the principal amount of the investment bid on, interest rate and number of days used to calculate the interest to be paid upon maturity.

Interest paid shall be from the date the bid was awarded to the date of maturity.

All bidders may request the results of the bid after the bid is formally awarded.

A check or wire transfer of funds will be made available to the winning bidder on the same business day the bid is awarded.

Each quotation shall be documented to record the date and time of quote, the parties in the discussion, the instrument(s), maturities and rates. A bid form of the Borough may be used.

J. RETURN ON INVESTMENT:

Where the return on a proposed investment does not exceed the cost of making said investment by a minimum amount the Chief Financial Officer and/or Treasurer will not make the investment. The Chief Financial Officer and/or Treasurer shall have the discretion to award an investment to the bank wherein the funds reside, should that bank's quoted rate be less than other quoted rates received in the event that the differential in interest rates is less than 25 basis points, and providing that the term of the investment is less than fifteen (15) days.

K. CONTROLS:

When possible, the internal controls should provide for a separation of the investment placement functions and the accounting activity. Controls must be designed for telephone orders, wire transfers and securities safekeeping. Only specifically designated

personnel shall be allowed to conduct this part of the transactions, and all activity should be subject to immediate written confirmation by the designated depository. The Treasurer shall review each day's activity.

L. BONDING:

The following officials shall be covered by surety bonds; said surety bonds to be examined by the independent auditor to insure their proper execution:

Tax Collector
Treasurer
Municipal Court Administrator
Deputy Municipal Court Administrator
Magistrate

Staff members of the Department of Finance not covered by separate surety bonds shall be covered by a Public Employee's Faithful Performance Bond in the minimum amount of \$50,000.00

M. COMPLIANCE:

The Cash Management Plan of the Borough of Montvale shall be subject to the annual audit conducted pursuant to N.J.S. 40A:5-4.

- N.** The official charged with the custody of the monies of the Borough of Montvale shall deposit them as designated by the Cash Management Plan and shall thereafter be
- O.** relieved of any liability or loss of such monies due to the insolvency or closing of any depository designated in the Cash Management Plan pursuant to N.J.S. 40A:5-2.
- P.** Where a conflict exists between this Cash Management Plan and State statute, the applicable State statute shall apply.
- Q.** The Cash Management Plan shall be subject to the approval of the Borough Attorney.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 02-2019**

BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, N.J., that the Administrator be authorized to issue payment through appropriate methods, to the United States Postal Service, not to exceed One Thousand Dollars (\$1,000.00) per month, to effect the use of a Postal Mailing System.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
REORGANIZATION MEETING
RESOLUTION NO. 03-2019**

RE: Establish 2019 Holiday Schedule For Administrative Non-Contractual Employees

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the following 2019 Holiday Schedule for eligible Administrative non-contractual employees be and is hereby established:

SECTION 1. Mandatory holidays during which Borough Hall Administrative Offices shall be closed:

<u>HOLIDAY</u>	<u>DAY OBSERVED</u>
New Year's Day	Tuesday, January 1
President's Day	Monday, February 18
Memorial Day	Monday, May 27
Independence Day	Thursday, July 4
Labor Day	Monday, September 2
Columbus Day	Monday, October 14
Veterans Day	Monday, November 11
Thanksgiving Day and the Day After	Thursday, November 28 Friday, November 29
Christmas Day	Wednesday, December 25

SECTION 2. Two Floating Holidays, one each to replace Martin Luther King Day and Good Friday to be taken any time during the year. If not used during the calendar year, they will be lost with no ability to be carried or receive pay.

SECTION 3. Two one-half (1/2) day holidays to replace Election Day: one-1/2 day to be taken immediately before the Christmas Day holiday is observed and one-1/2 day to be taken immediately before the day the New Year's Day Holiday is observed.

If July 4th and Veterans Day fall on Saturday, the holiday shall be observed on Friday. If July 4th and Veterans Day fall on Sunday, the holiday shall be observed on Monday.

If Christmas Day and New Year's Day fall on Saturday, these two holidays shall be observed on Friday. Therefore, the two-1/2 holidays shall be observed on the Thursday before the holidays.

If Christmas Day and New Year's Day fall on Sunday, these two holidays shall be observed on Monday. Therefore, the two-1/2 holidays shall be observed on the Friday before the holidays.

SECTION 4. Pursuant to the Personnel Policy, those employees classified as full-time employees (working 35 hours or more each week) shall be entitled to all days, as outlined above in Section 1 through Section 3. Pursuant to the Personnel Policy, all employees classified as part-time employees (working less than 35 hours per week) and eligible to receive holidays, shall only be entitled to the holidays listed in Section 1, and only when the holidays fall on their regularly scheduled days of work.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 04-2019**

BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, N.J., that the Mayor, Municipal Clerk, Treasurer, Borough Administrator, Certified Municipal Finance Officer are hereby designated as the official signatories on Borough Warrants.

BE IT FURTHER RESOLVED, that the Judge, Municipal Court Administrator and Deputy Court Administrator are hereby designated as the official signatories on all Municipal Court accounts.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 05-2019**

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale,
N.J. that a Roll Call of the Council Members at the Council meetings is to be taken in
alphabetical order.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 06-2019**

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that the Mayor, Clerk and Collector be authorized to issue warrants for the following purposes, with ratification at the following meeting, on due dates for the following items:

Board of Education, Montvale, NJ
Pascack Valley Regional Board of Education
County Tax
Bergen County Sewer Authority
Medical Insurance
Life Insurance
Bond and Note Payments
Interest on Bonds and Notes
Payrolls
Investments
Gasoline
Scavenger Service

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 06-2019**

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that the Mayor, Clerk and Collector be authorized to issue warrants for the following purposes, with ratification at the following meeting, on due dates for the following items:

Board of Education, Montvale, NJ
Pascack Valley Regional Board of Education
County Tax
Bergen County Sewer Authority
Medical Insurance
Life Insurance
Bond and Note Payments
Interest on Bonds and Notes
Payrolls
Investments
Gasoline
Scavenger Service

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 07-2019**

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that all bills must be presented in proper form to the Finance Department no later than the 25th of each month, and;

BE IT FURTHER RESOLVED that any bills received later than this date shall be held over for payment until the following month.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 08-2019**

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that a Change Fund in the amount of \$100.00 be provided for the Municipal Clerk, Collector, Treasurer; \$50.00 for the Dog/Cat License and Registrar; \$100.00 for the Court Violations Clerk; and \$50.00 for the Police Department.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 09-2019**

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J.,
that the following newspapers are hereby designated as the official newspapers for
advertising for the Borough of Montvale, NJ for the year 2018:

The Bergen Record – Hackensack, N.J.

The Ridgewood News – Hackensack, N.J.

The Star Ledger – Newark, NJ

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 10-2019**

WHEREAS, R.S. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for nonpayment of taxes, assessments and excess sewer fees subject to any abatement or discount for the late payment of taxes, assessments and excess sewer fees as provided by law; and

WHEREAS, R.S. 54:4-67 has been amended to permit the fixing of said rate of 8% per annum of the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00;

NOW THEREFORE, BE IT RESOLVED, by the Borough of Montvale, County of Bergen, State of New Jersey, as follows:

1. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes and excess sewer fees becoming delinquent after due date and 18% per annum on any amount of taxes and excess sewer fees in excess of \$1,500.00 becoming delinquent after due date, subject to any abatement or discount for the late payment of taxes and excess sewer fees as provided by law.
2. Re Chapter 72 laws of 94 CTC 94-3. If the new tax bills are not in the mail by June 14, interest will then be charged 25 calendar days after the bills were mailed. Interest shall be calculated from August 1.
3. No interest shall be charged if payment of any quarterly tax payment and bi-annual excess sewer fees is received within ten (10) days of the date upon which the same becomes payable.
4. In connection with any delinquency of taxes, assessments or municipal charges in excess of \$10,000 which has not been paid prior to the end of a calendar year, there shall be imposed a penalty in a sum equal to six (6%) percent of the delinquency in excess of \$10,000.
5. With respect to tax certificates in excess of the sum of \$200 the following additional penalties shall be charged: two (2%) percent on the amount due over \$200 up to \$5,000; four (4%) percent of the amount due over \$5,000 up to \$10,000; and six (6%) percent on the amount in excess of \$10,000; plus cost 2% and \$25.00 per Title 54.
6. Any payments not made in accordance with Paragraph Two of this resolution shall be charged interest from the due date, as set forth in Paragraph One of this resolution.
7. The Tax Collector is authorized to hold a tax sale for unpaid taxes and/or excess sewer charges.
8. This resolution shall be published in its entirety once in the newspaper.
9. A certified copy of this resolution shall be provided by the Office of the Municipal Clerk to each of the following officials: Tax Collector; Borough Attorney; Borough Auditor; Chief Financial Officer.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 11-2019**

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., the agenda to the extent known will be established and printed for each regular meeting of the Council.

BE IT FURTHER RESOLVED, the agenda is subject to amendments by a majority vote of the council and action may be taken on issues that are not listed on the agenda, as authorized by the Open Public Meetings Act.

BE IT FURTHER RESOLVED that the following order of business shall be followed at all public meetings of the Mayor and Council of the Borough of Montvale, N.J.

1. Roll Call
2. Reading and/or approval of all unapproved minutes
3. Second reading, public hearing and final passage of ordinances and introduction of ordinances
4. Presentation of resolutions/consent resolutions
5. Presentation of bills
6. Reports of committees, Mayor, Treasurer and Administrator
7. Old Business
8. New Business
9. Reading of all communications, petitions, etc.
10. Both Public and Workshop Meetings are opened to the public to speak
11. Adjournment

The Borough Council will conduct a meeting on the last Tuesday of each month, which will serve as workshop sessions. Action may be taken at this meeting.

The public is invited to attend all meetings and speak at all public and workshop sessions of the Mayor & Council.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 12-2019**

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that all monies collected by any Borough Official or Employee of the Borough of Montvale, N.J. shall be turned over to the Borough Treasurer, in full, within forty-eight (48) hours, without any fees being deducted; and

BE IT RESOLVED, the Tax Collector or Borough Treasurer shall deposit funds collected within forty-eight (48) hours, as required by law; and

BE IT RESOLVED, all cash receivables will be posted and recorded; and

BE IT FURTHER RESOLVED that any fees to which any Borough Official or Employee is entitled shall be set forth in detail on a regular Borough Voucher and presented for payment in the same manner as all bills are submitted.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 13-2019**

BE IT RESOLVED, the meetings of the Mayor and Borough Council shall be held on the following dates for the year 2019 at the location of Borough of Montvale, Municipal Complex, 12 Mercedes Drive, 2ND Floor, Montvale, New Jersey. All meetings will commence at 7:30 PM except where noted.

*January 1 (Tuesday)	Organization Meeting
January 8	Public Meeting
January 29	Workshop Session
February 12	Public Meeting
February 26	Workshop Session
March 12	Public Meeting
March 26	Workshop Session
April 9	Public Meeting
April 30	Workshop Session
May 14	Public Meeting
May 28	Workshop Session
June 11	Public Meeting
June 25	Workshop Session
July 9	Public Meeting
July 30	Workshop Session
August 13	Public Meeting
Cancelled	Workshop Session
September 10	Public Meeting
September 24	Workshop Session
*October 7(Monday)	Public Meeting
October 29	Workshop Session
November 12	Public Meeting
November 26	Workshop Session
December 10	Public Meeting
*December 30(Monday)	Workshop Session

Meeting dates are subject to change. 48 hour notification will be provided per N.J.S.A. 10:4-18.
ACTION MAY BE TAKEN AT BOTH PUBLIC AND WORKSHOP MEETINGS.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 14-2019**

WHEREAS, the Borough Council of the Borough of Montvale periodically conducts executive session meetings pursuant to N.J.S.A. 10:4-12; and

WHEREAS, the Borough Council is desirous of establishing a procedure for the periodic release of minutes of executive session meetings.

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

- Borough Council Minutes Review Committee. There shall be a minutes review committee (MRC) consisting of the Borough Administrator, the Borough Attorney and the Municipal Clerk, whose job shall be to periodically review the minutes of closed sessions of the Borough Council and make recommendations to the Borough Council which minutes should be made public. The MRC shall have no power and shall not be a "public body" within the meaning of the Open Public Meetings Act.
- Meetings of MRC. The MRC shall meet on an as-needed basis. Meetings of the MRC shall be as scheduled at the convenience of the MRC members by the Borough Administrator.
- Preparatory staff work. Prior to each meeting of the MRC, the Borough Attorney shall prepare a list of all closed sessions minutes which have been prepared by the Borough Attorney that have not been made public. The list and the minutes listed shall be made available to the MRC at their meetings.
- Basis for recommendation. Recommendations to make minutes public shall be on a case-by-case basis, taking into consideration both the interest in maintaining confidentiality set forth in N.J.S.A. 10:4-12 and the interest in prompt disclosure set forth in N.J.S.A. 10:4-14. The applicable guidelines set forth in paragraph 7 of this resolution may be considered as a general standard.
- Decision. The decision to make public the minutes of any closed session shall be made only by the Governing Body of the Borough of Montvale and shall be based on a finding that public disclosure of the matters discussed at such closed session will not be detrimental to the public interest. In making this finding, the public body shall take into consideration, but need not agree with, the recommendation of the MRC and the basis for the recommendation as set forth in paragraph 4 above. In cases where more than one matter was discussed in closed session, the public body may elect to make public only the minutes pertaining to certain of those matters, and to keep the remaining portion(s) of the minutes confidential. Should the minutes contain any material entitled to protection, the public body shall excise or redact such protected matter, provided, that all materials required to be contained in the minutes by N.J.S.A. 10:4-14 shall be set forth.
- Once public, always public. Minutes which are made public shall not thereafter be treated as confidential, but may be seen and copied by any person in the same manner as minutes of open meetings.

- Guidelines. The following general guidelines pertaining to the nine purposes for closed meetings set forth in N.J.S.A. 10:4-12.B, may be considered in recommending and deciding when to make public minutes of closed session;
 - (a) Matters required by law to be confidential. When the need to preserve the secrecy of the confidential information discussed no longer exists; provided, that material entitled to court protection shall not be disclosed.
 - (b) Matters affecting the right to receive federal funds. When disclosure would no longer impair the right to receive funds or cause funds already received to be forfeited.
 - (c) Matters involving individual privacy. Such matters shall not be disclosed except as ordered by a court of competent jurisdiction, or with the written consent of all of the individual(s) concerned.
 - (d) Matters relating to collective bargaining agreements. When the collective bargaining agreement has been made, executed, and ratified.
 - (e) Certain matters involving public funds. After the transaction involving the public funds has been made.
 - (f) Matters affecting public safety and property. When the disclosure would no longer impair the safety and property of the public or the conduct of any investigation.
 - (g) Litigation, contract negotiation and certain privileged matters. As to litigation, when a final decision has been rendered and all rights of appeal are exhausted; as to anticipated litigation, when the statute of limitations has been made as to contract negotiation, when either the contract has been made and is binding on all parties or if not made, when negotiation is terminated; as to matters falling within the attorney-client privilege, at such time, if ever, that disclosure would not violate the attorney's ethical duties.
 - (h) Employment matters. When the employment decision has been made and all rights to litigate or appeal are exhausted; provided, that material entitled to court protection shall not be disclosed.
 - (i) Deliberations after hearing in penalty matters. After the decision of whether to impose the penalty has been made and all rights to litigate or appeal are exhausted; provided, that material entitled to court protection shall not be disclosed.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 15-2019**

WHEREAS, it is necessary for the Mayor and Council of the Borough of Montvale to discuss matters relating to such matters and which matters are permitted by Section 7.b of the Open Public Meeting Act, Chapter 231 of the Public Laws of the State of New Jersey for 1975 to be discussed in closed session in the absence of the public from time to time:

- 1.) Any matter considered confidential by federal law, state statute, or court rule;
- 2.) Any matter in which the release of information would impair the receipt of federal funds;
- 3.) Any material which would constitute an unwarranted invasion of individual privacy if disclosed;
- 4.) Any collective bargaining agreements or other discussion of the terms and conditions of a collective bargaining agreement, including negotiations leading up to such an agreement.
- 5.) Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds where disclosure of such matter could adversely affect the public interest.
- 6.) Any tactics and techniques used in protecting the safety and property of the public and investigations of violations or possible violations of the law.
- 7.) Any pending or anticipated litigation or contract negotiations in which the public body is or may become a party, and any matter falling within the attorney-client privilege, to the extent that confidentiality is required to preserve the attorney-client relationship.
- 8.) Personnel matters related to the employment, appointment or termination of current or prospective employees, unless all individuals who could be adversely affected request, in writing, that the matter be discussed at a public meeting.
- 9.) Any deliberations of a public body occurring after a public hearing that may result in the imposition of a fine upon an individual or the suspension or the loss of license or permit belonging to an individual.

WHEREAS, the Mayor and Council of the Borough of Montvale have determined that it is necessary in the public interest that the matters in fact be discussed in closed session, and has estimated that as nearly as can now be ascertained, the results of the discussion can be disclosed to the public at the conclusion of such matters; and

WHEREAS, any motion to go into closed session will be deemed to include a motion that the matters discussed at such closed session will be disclosed to the public when such matters are finally determined and there is no further reason to prohibit the public disclosure of information relating to such matters; and

NOW, THEREFORE BE IT RESOLVED, that any motion to go into closed session shall have the same effect as this resolution being adopted; and

NOW, THEREFORE BE IT FURTHER RESOLVED that the public be excluded from said portions of the meetings, when said closed session is deemed necessary and the appropriate motion adopted.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 16-2019**

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that the By-laws of the Mayor and Council of the Borough of Montvale are hereby adopted.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BY-LAWS
OF THE COUNCIL OF THE BOROUGH OF MONTVALE
ADOPTED January 1, 2018**

**ARTICLE I
Rules of Order**

- § 1. Governing rules.**
- § 2. Questions and motion require second.**
- § 3. Speakers must be recognized.**
- § 4. Decorum while public speaks.**
- § 5. Reconsideration.**
- § 6. Limits on public participation.**

**ARTICLE II
General Provisions**

- § 1. Governing Body.**
- § 2. Re-organization.**
- § 3. Time and place of regular meetings.**
- § 4. Election of President.**
- § 5. Special Meetings.**
- § 6. Quorum.**
- § 7. Participation by telephone or other communication equipment permitted; requirements.**
- § 8. Adjournment of meetings.**
- § 9. Order of business.**
- § 10. Action by majority vote.**
- § 11. Roll-call vote.**
- § 12. Consent Resolutions.**
- § 13. Agenda.**

**ARTICLE III
Mayor**

- § 1. Presiding officer.**
- § 2. Preservation of order.**
- § 3. Conflicts over right to floor.**
- § 4. Questions of order.**
- § 5. Liaisons.**
- § 6. Absence of Mayor.**

ARTICLE IV
Borough Clerk

- § 1. General duties.**
- § 2. Additional responsibilities.**
- § 3. Record of ordinances.**

ARTICLE V
Borough Administrator

- § 1. General duties.**
- § 2. Additional responsibilities.**

ARTICLE VI
Appointments; Liaisons

- § 1. Appointments; Mayor's responsibilities.**
- § 2. Standing Committees.**
- § 3. Special Council Committees.**
- § 4. Liaisons.**
- § 5. Purpose of Liaisons.**
- § 6. Council Liaisons; Attendance at meetings.**
- § 7. Liaison reports.**

ARTICLE VII
Bills, Claims and Vouchers

- § 1. Preparation and submission.**
- § 2. Certification, checking, review and preliminary approval.**
- § 3. Authorization by Council.**
- § 4. Signing of checks.**
- § 5. Filing of bills, vouchers and paid checks.**

ARTICLE VIII
Press Releases

- § 1. Procedure for issuance.**

ARTICLE IX
Duties of Liaisons

- § 1. Administration**
- § 2. Board of Health**
- § 3. Chamber of Commerce**
- § 4. COAH**
- § 5. Construction**

- § 6. Economic Development Committee
- § 7. Engineer
- § 8. Environmental
- § 9. Finance
- § 10. Fire Department
- § 11. Fire Prevention
- § 12. Historic Preservation
- § 13. Insurance
- § 14. Joint Court
- § 15. Local Assistance Board
- § 16. Local Board of Education
- § 17. Mayor's Advisory Committee
- § 18. Municipal Alliance
- § 19. Office of Emergency Management
- § 20. Ordinances
- § 21. Pascack Valley Department of Public Works Joint Committee
- § 22. Planning Board
- § 23. Police
- § 24. Regional Board of Education
- § 25. Regional/Local School Funding
- § 26. Senior Club
- § 27. Special Events Committee
- § 28. TV Access
- § 29. Youth Guidance Council
- § 30. Website

ARTICLE X Amendments

- § 1. Proposal to amend; appointment of committee.
- § 2. Presentation of committee recommendations.
- § 3. Vote required.

ARTICLE XI Adoption and Term

- § 1. Adoption by resolution; when effective; expiration date

ARTICLE I
Rules of Order

§ 1. Governing rules.

Except as otherwise provided herein or as otherwise required by law, the deliberations of the Council shall be governed by "Robert's Rules of Order Newly Revised" ("Robert's Rules").

§ 2. Questions and motion require second.

No question or motion shall be put unless seconded, except referring to a report or a question put by the Mayor.

§ 3. Speakers must be recognized.

No member shall speak unless recognized by the Mayor and shall only speak on the pending subject matter or question. Every member, when speaking, shall address himself to the Mayor and shall not occupy more time that is deemed necessary by the Mayor.

§ 4. Decorum while public speaks.

While a member of the public is speaking, no member shall entertain any lengthy private discourse.

§ 5. Reconsideration.

When a question has been put and decided, it shall be in order for any member of the Council to move for reconsideration thereof, providing such motion for reconsideration shall be moved at the same, or at the next public meeting.

§ 6. Limits on public participation.

- a. No person not a member of the Governing Body shall be given the privileges of the floor except by permission of the Mayor or upon the request of a member of the Council if supported by the votes of a majority of the members of the Council present. However, during the portion of a meeting open for remarks from the public, all citizens of the Borough who conduct themselves with decorum shall be heard.
- b. The Mayor may limit each member of the audience to no more than five (5) minutes on the floor. Members of the audience who have not been heard on the floor are not permitted to grant their limit of (5) minutes to another individual on any given subject.
- c. When all members of the audience requesting the right to speak have been heard on any given subject, then the Mayor may permit members of the audience who have previously been heard to be heard on additional subjects.

- d. Members of the public may speak on any matter relevant to Borough business and affairs but the Governing Body may decline to hear comments on matters that are pending before other municipal bodies.
- e. It shall be appropriate for the Mayor or members of the Council to respond directly to questions from the public as they are asked through the Mayor.
- f. Personal attacks by a member of the Governing Body or a member of the public shall not be permitted, and personal attacks by a member of the public shall be grounds for removal from the meeting.

ARTICLE II General Provisions

§ 1. Governing Body.

The Mayor and Council of the Borough of Montvale shall constitute the Governing Body thereof.

§ 2. Re-organization.

- a. The Council shall hold an annual meeting during the first seven days of each year ("Re-organization") as prescribed by law. The date and time of the annual meeting will be determined by resolution of the Council at a regular meeting to be held in December of the year preceding the Re-organization meeting.
- b. The Mayor shall, at the annual meeting, assign the seating arrangement for Council members which shall be retained throughout the year. The roll shall be called in alphabetical order except that the Mayor's name is called last, and only when his or her vote will affect the result.

§ 3. Time and place of regular meetings.

The Council shall fix the time and place for holding regular meetings during the ensuing year, which time and place shall not be changed except by resolution adopted at a regular or special meeting. The public portion of all regularly scheduled and special meetings of the Mayor and Council shall be called to order at 7:30 P.M. for that portion of the meeting that is open to the public, and adjourned no later than midnight. Closed sessions of the Mayor and Council may begin before 7:30 P.M. in order to allow the public portion of the meeting to begin at 7:30 P.M. The time for commencement of closed session shall be posted on the agenda.

§ 4. Election of President.

At the Re-organization meeting, the Council shall elect one of its members as Council President to serve for the calendar year. The members of the Council must receive the names of those being proposed for Council President at least 10 days before the annual meeting.

§ 5. Special Meetings.

The Mayor shall, when necessary, call special meetings of the Council. In the case of his neglect or refusal, any four members of the Council may call such meeting at such time and place in the Borough as they may designate. In all cases of special meetings, reasonable advance notice, considered to be 48 hours except in case of emergency, shall be given in person to all members of the Council or left at their place of residence.

§ 6. Quorum.

A quorum shall be three Councilpersons and the Mayor, or in the absence of the Mayor, four Councilpersons.

§ 7. Participation by telephone or other communication equipment permitted; requirements.

Except as otherwise prohibited by law, members of the Governing Body who are unavailable to be physically present at any meeting of the Governing Body may attend and participate in such meeting by means of telephone or other communication equipment, to the same extent as if said member were physically present at such meeting, provided the following criteria are met:

- a. The member who is not physically present is on a speaker phone or similar device so that the absent member may hear everything said in the meeting room and everyone in the room, including the public, can hear everything the absent member says;
- b. The absent member actually hears and can participate in the entire discussion of the subject at hand; and
- c. The procedural aspects to the meeting as to notice, etc., are regular in every other respect.

If the above criteria are satisfied, the absent member shall be deemed to be present at the meeting, such presence shall be counted for purposes of establishing a quorum of the Governing Body, and said member shall be permitted to participate fully as if physically present.

Notwithstanding the foregoing, communication during public meetings between councilmembers by means of text message, email, or other similar electronic communication concerning public matters is not permissible. All communication between councilmembers during public meetings concerning public matters should be made verbally and should be audible to other councilmembers and members of the public.

§ 8. Adjournment of meetings.

If no quorum is present at any meeting, those assembled shall have the power and are hereby authorized to set a new meeting date and then adjourn.

§ 9. Order of business.

- a. The following order of business shall be observed:

Call to Order and Open Public Meetings Act Notice
Roll Call
Flag Salute (not during work session)
Closed/Executive Session
Special/Miscellaneous Reports or Appointments
Ordinances
Public Comment: Agenda Items Only (not during work session)
Reading and/or Approval of Minutes
Consent Resolutions
Resolutions
Bills
Liaison Reports (not during work session)
Engineer Reports
Attorney Reports
Unfinished Business
New Business
Communications and Correspondence
Public Comment: Items of Public Importance
Closed/Executive Session (if necessary)
Adjournment

- b. The aforesaid order of business at any meeting may be changed by a two-thirds (2/3) vote of the members of the Council present at such meeting.

§ 10. Action by majority vote.

Except as otherwise required by these Bylaws or by law, all actions of the Council may be by majority vote of those present, provided that a quorum of the Governing Body has been established.

§ 11. Roll-call vote.

Upon demand of one (1) member of the Council, or when ordered by the Mayor, or when provided by law, a roll call vote shall be taken and the yeas and nays entered in the Minutes of the meeting.

§ 12. Consent Resolutions.

- a. All resolutions previously sent to Council members prior to the meeting at which a vote on said resolution(s) is anticipated and upon which no discussion is anticipated may be included in a single resolution entitled "Consent Resolution."
- b. All resolutions included in the Consent Resolution shall be adopted by a single roll call vote and no discussion thereon shall be entertained at the time the Consent Resolution is moved for adoption.
- c. Any Council member, for any reason whatsoever, and said reasons need not be disclosed, may remove any items included in the Consent Resolution at any time prior to the adoption of the Consent Resolution.
- d. In order to provide an orderly method of preparing the Consent resolution, Council members should notify the Municipal Clerk by 11:00 A.M. on the date on which the Council meeting is to be held at which the Consent Resolution is to be adopted, of the matter to be removed from the Consent Resolution. Notwithstanding the aforesaid, each Council Member shall still have the right to remove any matter from the Consent Resolution prior to the adoption of the Consent Resolution.
- e. The Consent Resolution shall not be utilized with respect to the adoption of ordinances or other matters as required by law.

§13. Agenda.

- a. The Mayor shall set the agenda for all Meetings of the Mayor and Council, in consultation with the Municipal Clerk and Borough Administrator, and subject to additions requested by the Council President.
- b. All items that Council members would like placed on the agenda shall be requested no later than 12:00 Noon on the Thursday prior to the Council Meeting, and such requests shall be directed to either the Mayor or the Municipal Clerk. The Municipal Clerk shall then provide a draft agenda to the Mayor and Council President. Subsequent additions to the agenda prior to the agenda being finalized may be made by either the Mayor or the Council President. The agenda may also include additions or deletions at the meeting.
- c. Notwithstanding the foregoing, the Council may amend the agenda at a Council Meeting by a vote of a majority of those present, the Mayor having no vote except in the case of a tie.

ARTICLE III
Mayor

§ 1. Presiding officer.

The Mayor shall preside over the deliberations of the Council and shall conduct the meetings thereof. He or she shall also participate in the determination of Borough affairs to the extent permitted by law and may vote to break a tie.

§ 2. Preservation of order.

The Mayor shall on all occasions preserve the strictest order and decorum, and he or she shall cause the removal of all persons who interrupt the orderly proceedings of the Council.

§ 3. Conflicts over right to floor.

When two or more Councilpersons shall rise at the same time, the Mayor shall name the one entitled to the floor.

§ 4. Questions of order.

The Mayor shall decide all questions of order without debate, and he or she may call upon the Clerk or the Borough Attorney for an opinion upon any question of order.

§ 5. Liaisons.

The Mayor shall be an *ex officio* Liaison to all departments, boards, committees, agencies or organizations, both standing and special. Notwithstanding the foregoing, the Mayor may assign any Councilperson to act as Liaison to any such department, board, committee, agency or organization, as he may deem necessary and proper, and the Mayor and Borough Administrator shall be informed in advance of all meetings between the assigned Liaison and said department, board, committee, agency or organization. Any such Liaison shall serve at the pleasure of the Mayor, and such Liaison may be replaced or removed in the sole discretion of the Mayor.

§ 6. Absence of Mayor.

In the absence of the Mayor, or if the Mayor is unable to perform his or her duties, the Council President, or, in the event the Council President is unable to act, the Council member having the longest tenure as such, shall act as Mayor. The Council President or Councilperson acting as Mayor shall retain his or her right to vote.

ARTICLE IV Municipal Clerk

§ 1. General duties.

The Municipal Clerk shall perform such duties as set forth in the Revised Statutes of New Jersey, the Borough Code, and these Bylaws.

§ 2. Additional responsibilities.

The Clerk shall keep the minutes and ordinance books properly and fully indexed and shall perform all the duties usually devolving upon such officer and, in addition, such other duties or services as the Mayor or Council may direct.

§ 3. Record of ordinances.

Upon final passage of an ordinance, the same shall be properly numbered and recorded at length by the Borough Clerk in the ordinance book.

ARTICLE V Borough Administrator

§ 1. General duties.

The Administrator shall perform such duties as set forth in the Revised Statutes of New Jersey, the Borough Code, and these Bylaws.

§ 2. Additional responsibilities.

The Administrator shall provide periodic reports at public meetings and shall keep the Mayor and Council informed of all matters that require the attention or action of the Mayor and Council.

ARTICLE VI Appointments; Liaisons

§ 1. Appointments; Mayor's responsibilities.

- a. The Mayor shall nominate and, with the advice and consent of the Council, appoint all subordinate officers of the Borough, unless otherwise provided by the Borough Code or State law. The Mayor shall make his or her nomination to any such office within 30 days of that office becoming vacant.

- b. The members of the Council shall receive the names of those being proposed for appointment at least 5 days before the meeting when the appointment will take place. The Council shall submit any comments, suggestions or recommendations regarding the proposed appointments to the Mayor at least 2 days before the meeting when the appointment will take place.
- c. The Council, whenever it fails to confirm the nomination by the Mayor of any official to a subordinate office in the Borough within 30 days of being presented such nomination, shall make the appointment to that office, provided that at least three affirmative votes shall be required for such purposes, the Mayor to have no vote thereon except in the case of a tie.
- d. Special Mayoral appointments. Notwithstanding anything in these bylaws to the contrary, the following appointments shall be made by the Mayor. All such appointees shall serve at the pleasure of the Mayor, and such appointees may be replaced or removed in the sole discretion of the Mayor. No Council approval shall be required for any such appointment or removal/replacement.

Chamber of Commerce
 COAH Committee
 Council Liaisons
 Economic Development
 Environmental Commission
 Historian
 Historic Preservation Commission
 Insurance Committee
 Bergen Joint Insurance Fund Commissioner
 Joint Court Committee
 Mayor's Advisory Committee
 Montvale Seniors Club
 Planning Board – Class I, II, and IV
 Police Commissioner/Deputy Police Commissioner

§ 2. Standing Committees.

- a. The Mayor shall appoint all committee members at his or her sole discretion.
- b. The following Standing Committees of the Council, consisting of at least two Council Members each (other than the Mayor, *ex officio*) shall be appointed at the annual re-organization meeting:

COAH Committee
 Finance Committee
 Joint Court Committee
 Pascack Valley Department of Public Works Committee

- c. Each councilmember shall be a member of at least one Standing Committee.
- d. The Standing Committees are appointed to expedite and facilitate the work of the Council, but only within the limits prescribed by law. A Standing Committee shall:
 - i. Meet when requested by the Chairperson, or a majority of the committee, and all members shall participate actively in committee deliberations, the performance of its duties and the formulation of its recommendation(s) to the Council.
 - ii. Perform such acts as may be assigned to it by the Council.
- e. Except as provided above, a Standing Committee shall not:
 - i. Make promises or commitments to anyone which directly or by inference binds the Council.
 - ii. Act in such a manner or make decisions which set a precedent, or violate established Council policy.
- f. Notwithstanding the foregoing, all Councilpersons appointed to Standing Committees shall serve at the pleasure of the Mayor, and such Councilpersons may be replaced or removed in the sole discretion of the Mayor.
- g. In the event of an individual's death, resignation, removal from office or incapacity to serve on a Standing Committee, the Mayor shall name a successor member.

§ 3. Special Council Committees.

Special Council Committees may be appointed for purposes other than those included in the duties of the Standing Committees listed in Section 2 of this Article.

§ 4. Liaisons.

- a. At the Re-organization meeting, each Councilperson shall be appointed by the Mayor to serve as Liaison to at least one of the following departments, boards, committees, agencies or organizations:

- Administration
- Board of Health
- Chamber of Commerce
- COAH Committee
- Construction
- Corporate Residents
- Economic Development
- Engineer
- Environmental Commission
- Finance Committee

Fire Department
Fire Prevention
Historic Preservation Commission
Insurance
Bergen Joint Insurance Fund Commissioner
Joint Court Committee
Local Assistance Board
Local Board of Education
Mayor's Advisory Committee
Municipal Alliance
Ordinances
Office of Emergency Management
Pascack Valley Department of Public Works Joint Committee
Planning Board
Police
Regional Board of Education
Regional/Local School Funding
Senior Club
Special Events Committee
TV Access
Youth Guidance Council
Website

- b. Nothing herein shall prevent the Mayor from appointing an additional Liaison(s) for any of the above issues, or from appointing a Special Liaison(s) for special issues or projects. The appointment(s) of a Special Liaison shall be for the duration of said project or issue.
- c. Notwithstanding the foregoing, all Councilpersons appointed as Liaisons shall serve at the pleasure of the Mayor, and such Liaisons may be replaced or removed in the sole discretion of the Mayor.
- d. In the event of an individual's death, resignation, removal from office or incapacity to serve as a Liaison, the Mayor shall name a successor Liaison.

§ 5. Purpose of Liaisons.

- a. Liaisons are appointed to expedite and facilitate the work of the Council, but the entire Council shall be responsible for acts done pursuant to a Liaison's recommendations.

b. The Liaison shall:

- i. Plan, study, direct and make commitments within budgetary limitations, and carry on the routine activities for which the Liaison has primary responsibility. The Liaison shall at all times be subject to ultimate control of the Mayor and Borough Council.
- ii. Furnish a written report each month to be read at the first regular meeting of the Mayor and Council in each month, which report shall cover the detailed operations of their department, board, committee, agency or organization for the preceding month. A copy of the report shall be provided to the Municipal Clerk for inclusion in the minutes.
- iii. Perform such acts, in addition to the routine activities, as may be assigned to him or her by the Mayor.

c. Except as noted above, a Liaison shall not:

- i. Make any purchase except in accordance with the ordinances of the Borough of Montvale and applicable law, or exceed its budgetary appropriations without prior approval of the Council.
- ii. Make promises or commitments to anyone which directly or by inference binds the Council.
- iii. Act in such a manner or make decisions which set a precedent, or violate established Council policy.
- iv. Meet directly with any employee of the Borough regarding department matters in absence of the Borough Administrator or relevant Department Head.

§ 6. Council Liaisons; Attendance at meetings.

The Liaison shall attend the meetings of such departments, boards, committees, agencies and organizations to which the Liaison has been assigned. In the event the Liaison is unable to attend any particular meeting, he or she shall notify the Mayor, who may attend such meeting or appoint a substitute Liaison to attend such meeting.

§ 7. Liaison reports.

Each Liaison shall be prepared to report to the Mayor and Council at each regular meeting on the principal activities and achievements of his or her department, board, committee, agency or organization. The Liaison shall also prepare and submit in writing to the Mayor, not later than the Re-organization meeting of the following year, a suitable report regarding relevant activity from the previous year.

ARTICLE VII
Bills, Claims and Vouchers

§ 1. Preparation and submission.

- a. All bills or claims against the Borough shall be in writing, fully itemized and on such forms as the Borough shall provide for that purpose. As required by statute, they shall be sworn to by the claimant before submission for approval and payment.
- b. All vouchers must be submitted to the Municipal Clerk and Borough Administrator in full form, except for Council Committee approval, on or before the Wednesday preceding the meeting of the Mayor and Council at which they are presented for approval.

§ 2. Certification, checking, review and preliminary approval.

- a. All bills and claims must be supported by a certification of the receipt of the goods, or the satisfactory rendering of the services, by the responsible person accepting the same on behalf of the Borough and who may be held accountable therefor. Each such bill or claim shall then be carefully reviewed and checked by, or under the direction of, the Borough official who performs the administrative certification on the voucher form.
- b. All checked vouchers with supporting papers attached will then be presented to the Liaison having jurisdiction over the activity or matter for which the expenditure was incurred. The appropriate Liaison shall examine all vouchers, and if approved by the appropriate Liaison, the voucher will then be submitted to the Council for authorization to pay the same.

§ 3. Authorization by Council.

- a. All vouchers recommended for payment shall be presented to the Council by the Borough Clerk at a regular or special meeting or an adjourned regular or special meeting.
- b. The Municipal Clerk shall present the total of all vouchers to be approved.
- c. Authorization to draw the checks and pay the amounts of the approved vouchers shall be by resolution of the Council.

§ 4. Signing of checks.

The corresponding vouchers shall accompany all checks drawn in payment thereof when the said checks are presented to the Mayor, the Treasurer and to the Municipal Clerk for signature.

§ 5. Filing of bills, vouchers and paid checks.

All bills, vouchers and paid checks shall be filed in a safe place and be made available for public inspection whenever requested.

**ARTICLE VIII
Press Releases**

§ 1. Procedure for issuance.

- a. Official Borough press releases shall be approved by the Mayor or by a majority of the Council and issued through the Borough Administrator's office. Press releases other than official Borough press releases shall not be prepared on Borough letterhead and shall contain a disclaimer noting that the views contained therein do not represent the official views of the Council of the Borough of Montvale.
- b. Any request from the public or the media that goes beyond simple factual statements (e.g., "What is Montvale's policy on open space?" vs. "Why are the municipal offices closed today? – Because the County is repaving.") should be referred to the Mayor and Council member(s) serving as Liaison to those activities.
- c. All press releases shall be reviewed with the appropriate Council member(s) and the Mayor prior to being distributed. If it is not necessary to contact the Mayor and appropriate Council member(s) prior to answering questions or issuing statements (for simple factual statements), the Borough Administrator shall notify the Mayor and Council of any such answer or issuance immediately afterward by e-mail, fax or phone.

**ARTICLE IX
Duties of Liaisons**

§ 1. Administration

The Administration Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Act as the Liaison, in coordination with the Borough Administrator and Department Heads in the review of all aspects of the Borough staff.
- b. Act as the Liaison to the Administrator for the review and presentation to the Council of proposed changes to the Borough staff.

§ 2. Board of Health

The Board of Health Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the operation of refuse collection, disposal and recycling.
- b. Scavenger contract negotiation committee.
- c. Board of Health
- d. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 3. Chamber of Commerce

The Chamber of Commerce Liaison shall have primary responsibility for cooperation and coordination between the Borough Council and the Montvale Chamber of Commerce.

§ 4. COAH

The COAH Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the COAH Committee, including compliance with the mandates of COAH or any successor agency.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 5. Construction

The Construction Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the following:
 - i. Construction, alteration and repair of all public buildings, structures and land uses.
 - ii. Construction and maintenance of sidewalks and curbs.
 - iii. The Construction Official and his/her office.

- iv. Maintenance and operation of all public buildings and structures, including the Borough Garage.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 6. Economic Development Committee

The Economic Development Committee Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Attendance and participation of all meetings of the Economic Development Committee.
- b. Provide regular feedback to the Mayor on matters raised by the Economic Development Committee.
- c. Provide information useful to the Economic Development Committee or as directed by the Mayor.

§ 7. Engineer

The Engineer Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Borough Engineer.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 8. Environmental

The Environmental Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Environmental Commission.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 9. Finance

The Finance Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Examination, review and approval of all vouchers prior to their submission to the Council for authority to pay the same.
- b. Liaison for the administration, practices, procedures and records of the following:
 - i. Borough Clerk and his/her office.
 - ii. Collector/Treasurer and his/her office.
 - iii. Chief Financial Officer.
 - iv. Borough Administrator.
 - v. Registered Municipal Accountant.
- c. Recommendation for the initiation of foreclosure actions, and subsequent administration and disposition of property acquired, by the Borough under Tax Title Liens.
- d. Coordination of departmental budgets, preparation of budgetary figures relating to the activities above-mentioned, final preparation, explanation and continuing supervision of the entire Municipal Budget.
- e. Maintenance, review and revision of the Borough Fixed Asset System.
- f. Liaison to Borough Administrator for the review and presentation to the Council of the proposed Municipal Budget, and the budget of any public body under the jurisdiction of the Council.

§ 10. Fire Department

The Fire Department Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Fire Department activities in all its branches.
- b. Installation of water facilities.
- c. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 11. Fire Prevention

The Fire Prevention Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Enforcement of the Fire Prevention Code.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 12. Historic Preservation

The Historic Preservation Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Historic Preservation Committee and the Borough Historian.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 13. Insurance

The Insurance Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Borough's Joint Insurance Fund and any additional insurers.
- b. Liaison for the administration, practices, procedures and records of the Borough's Risk Manager.
- c. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§14. Joint Court

The Joint Court Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Pascack Joint Municipal Court.
- b. Attendance and participation at all meetings of the Joint Court Committee.

- c. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§15. Local Assistance Board

The Local Assistance Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Local Assistance Board.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 16. Local Board of Education

The Local Board of Education Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Local Board of Education Committee.
- b. Cooperation and coordination with the Local Board of Education.
- c. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 17. Mayor's Advisory Committee

The Mayor's Advisory Committee Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Attendance and participation of all meetings of the Advisory Committee.
- b. Provide regular feedback to the Mayor on matters raised by the Advisory Committee.
- c. Provide information useful to the Advisory Committee or as directed by the Mayor.

§ 18. Municipal Alliance

The Municipal Alliance Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Municipal Alliance.
- b. Coordination with the Montvale Police D.A.R.E. Program and the Hills Valley Coalition.
- c. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 19. Office of Emergency Management

The Emergency Management Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Office of Emergency Management.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 20. Ordinances

The Ordinance Liaison shall have primary responsibility for the review and presentment to the Council of ordinances for consideration of introduction and public hearing, as appropriate. Said consideration of ordinances shall be at the recommendation of the Mayor, Council, Borough Administrator, Borough Attorney or the appropriate Boards and Committees.

§ 21. Pascack Valley Department of Public Works Joint Committee

The Joint Committee Liaisons shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures of the Pascack Valley Department of Public Works Shared Service Agreement.
- b. Attendance and participation and all meetings of the Joint Committee.

§ 22. Planning Board

The Planning Board Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Planning Board.
- b. Coordination of required zoning changes and other development ordinance amendments.
- c. Coordination of periodic reexamination of the Master Plan.
- d. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 23. Police

The Police Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, procedures and records of the following:
 - i. Policy activities
 - ii. Granting of licenses, and the inspection of premises and persons, as designated by the Council.
 - iii. Highway traffic and all parking matters.
 - iv. Emergency management activities.
- b. Liaison between Council, Transportation Corporations, Municipal Magistrate, Animal Control and all other agencies concerned with public safety or delinquency.
- c. Police Contract Negotiating Committee.
- d. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 24. Regional Board of Education

The Regional Board of Education Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Regional Board of Education Committee.
- b. Cooperation and coordination with the Regional Board of Education.
- c. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 25. Regional/Local School Funding

The Regional/Local School Funding Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Regional/Local School Funding Committee.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 26. Senior Club

The Senior Club Liaison shall have primary responsibility for cooperation and coordination between the Borough Council and the Montvale Senior Club.

§ 27. Special Events Committee

The Special Events Committee Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison of the Special Events Committee will assist with the planning and coordination of all community events. This committee supports all phases of our community events that are instrumental in getting the residents engaged in events.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 28. TV Access

The TV Access Committee shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Ensure that the terms and conditions of the Borough's franchise with the provider of the Borough's cable television services are carried out and enforced.
- b. Liaison to the MontVale Access Group.
- c. Handle all unresolved resident complaints regarding cable television service if requested to do so by the resident after the resident has attempted to resolve the complaint on his/her own.
- d. Review of all video tapes prepared by or for the Montvale Access Group prior to broadcast to ensure the video tapes do not exceed the established boundaries of good taste and are in accordance with all other official communications and information presented and prepared by or for the Borough of Montvale.
- e. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 29. Youth Guidance Council

The Youth Guidance Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Youth Guidance Council.
- b. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

§ 30. Website

The Website Liaison shall have primary responsibility for the following described activities and matters, except as otherwise provided by law:

- a. Liaison for the administration, practices, procedures and records of the Website Committee.
- b. Determine and recommend necessary upgrades to the Borough website.
- c. Examination, review and approval of all vouchers prior to their submission to the Finance Committee for their approval prior to the submission to the Council for authority to pay the same.

ARTICLE X
Amendments

§ 1. Proposal to amend; appointment of committee.

- a. The Mayor or any member of the Council may propose amendments to these bylaws at any meeting of the Council.
- b. The Mayor may then appoint a special committee of two or more members of the Council to consider the proposed amendments.

§ 2. Presentation of committee recommendations.

The special committee will present its recommendations at a meeting of the Council.

§ 3. Vote required.

These bylaws shall only be altered or amended by a two-thirds vote of the Council.

ARTICLE XI
Adoption and Term

§ 1. Adoption by resolution; when effective; expiration date

These bylaws shall be adopted by a resolution of the Borough Council concurred in by a majority of the members. The bylaws shall become effective immediately after adoption and shall remain in effect for not longer than the Re-organization meeting for the year next following the year in which the bylaws were adopted.

Originally Adopted January 2, 2013

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 19-2019**

RE: Adoption Borough Policy & Procedure Manual Year 2019

WHEREAS, it is the policy of Borough of Montvale to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Montvale Governing Body has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Mayor & Council of the Borough of Montvale that the Personnel Policies and Procedures Manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Borough officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Borough employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Mayor & Council.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough of Montvale shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that the Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Borough Attorney shall assist the Administrator in the implementation of the policies and procedures in this manual.

BE IT FUTHER RESOLVED, this manual shall be distributed to managerial/supervisory employees of the Borough of Montvale

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

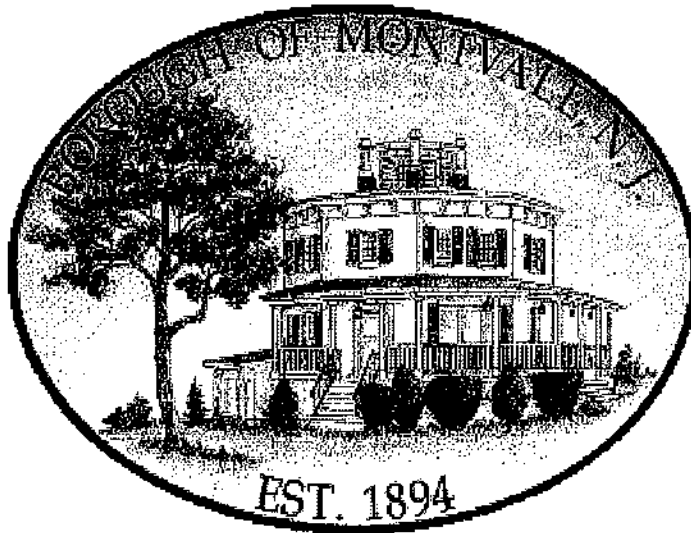
Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor



BOROUGH OF MONTVALE

POLICIES AND PROCEDURES

MANUAL

JANUARY 2019

The Borough of Montvale is an Equal Opportunity Employer, M/F

CONTENTS

General Personnel Policy

Civil Rights Policy Resolution

Specific Employment Policies and Procedures

Section One: Policies relating to Employee Rights and Obligations

Anti-Discrimination Policy*	7
Americans with Disabilities Act Policy*	7
Contagious or Life Threatening Illnesses Policy*	8
Safety Policy*	9
Transitional Duty Policy	9
Drugs and Alcohol Policy*	10
Workplace Violence Policy*	11
General Anti-Harassment Policy*	11
Anti-Sexual Harassment Policy*	12
Whistle Blower Policy*	14
Employee Complaint Policy*	14
Access to Personnel Files Policy*	15
Conflict of Interest Policy*	16
Political Activity Policy*	17
Employee Evaluation Policy*	17
Employee Discipline Policy*	18
Resignation Policy	20
Workforce Reduction Policy*	20
Driver's License Policy*	20

Section Two: Workplace Policies

Emergency Policy	22
Job Description Policy	23
Attendance Policy	23
Early Closing and Delayed Opening Policy	23
Breaks	24
Dress Code Policy	24
No Smoking Policy	24
Use of Vehicles Policy	25
Telephone Usage Policy	26
Communication Media Policy	26
Bulletin Board Policy*	33
Petty Cash Policy	33
Computer Server Backup Policy	34

Section Three: Paid and Unpaid Time Off Policies

Paid Holiday Policy	35
Vacation Leave Policy	36
Personal Leave Policy	39
Sick Leave Policy	39
Bereavement Leave Policy	39

Jury Duty Policy	40
Leave of Absence Policy*	40
Family and Medical Leave Act Policy*	41
Domestic Violence Policy*	51
Military Leave Policy*	52
<u>Section Four:</u> Compensation & Employee Benefits Policies	
Payroll Policy	53
Overtime Compensation Policy	53
Health Insurance Policy	54
Dental Benefits Policy	55
Drug Prescription Benefit Policy	55
Prescription Eye Glasses Policy	55
Opt-Out Policy for Health Benefits	55
Short-Term Disability/Workers Compensation	56
Flexible Spending Account	60
Retirement Policy	60
Workers Compensation Policy	61
Educational Assistance and Training Policy	61
Conference and Seminar Policy	62
Travel Policy	62
<u>Section Five:</u> Model Managerial/Supervisory Procedures	
Employment Procedure*	68
Nepotism Procedure	70
Open Public Meetings Act Procedure concerning Personnel Matters*	72
Processing and Orientation of New Employees Procedure*	72
Initial Employment Period Procedure*	73
Policies and Procedures Manual Procedure*	73
Performance Evaluation Procedure*	73
Disciplinary Action Procedure*	75
Personnel File Procedure*	76
Employee Complaint Investigation Procedure*	77
Requests for Employment Verification and Reference Procedure*	78
Continuing Education Procedure*	78
Purchasing Procedures (Basic)	79
Departmental Procedures	80
<u>Section Six:</u>	
Model Forms	81
Index	98
Receipt for Manual	100

*Required

GENERAL PERSONNEL POLICY:*

It is the policy of the Borough of Montvale to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations. The personnel policies and procedures of the Borough of Montvale shall apply to all employees, volunteers, elected or appointed officials and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract, or Federal or State law including the Attorney General's guidelines with respect to Police Department personnel matters, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

All employees, officers and Department Heads shall be appointed and promoted by the Mayor and Council and Borough Administrator. No person shall be employed or promoted unless there exists a position created by an ordinance adopted by the Mayor and Council as well as the necessary budget appropriation and salary ordinance.

The Borough Administrator and all managerial/supervisory personnel are authorized and responsible for personnel policies and procedures. The Mayor and Council have appointed the Council Liaison to assist the Borough Administrator implement personnel practices. The Borough Administrator and Council Liaison shall also have access to the Borough Attorney appointed by the Mayor and Council for guidance in personnel matters.

As a general principle, the Borough of Montvale has a "no tolerance" policy towards workplace wrongdoing. Borough of Montvale officials, employees and independent contractors are to report anything perceived to be improper. The Borough of Montvale believes strongly in an Open Door Policy and encourages employees to talk with their supervisor, Department Head, Borough Administrator, the Council Liaison or the Borough Attorney concerning any problem.

The Personnel Policies and Procedures Manual adopted by the designated representative(s) of the Mayor and Council is intended to provide guidelines covering public service by Borough of Montvale employees and is not a contract. This manual contains many, but not necessarily all of the rules, regulations, and conditions of employment for Borough of Montvale personnel. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Borough of Montvale.

To the maximum extent permitted by law, the employment practices of the Borough of Montvale shall operate under the legal doctrine known, as "employment at will." Within Federal and State law, and any applicable bargaining unit agreement, the Borough of Montvale shall have the right to terminate an employee at any time and for any reason, with or without notice, except the Borough of Montvale shall comply with all Federal and State legal requirements requiring notice and an opportunity to be heard in the event of discipline or dismissal.

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 182-2018**

RE: RESOLUTION TO AFFIRM THE BOROUGH OF MONTVALE'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of Borough of Montvale to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of Borough of Montvale has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Mayor & Council of the Borough of Montvale that:

Section 1: No official, employee, appointee or volunteer of the Borough of Montvale by whatever title known, or any entity that is in any way a part of the Borough of Montvale shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Montvale's business or using the facilities or property of the Borough of Montvale.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Montvale to provide services that otherwise could be performed by the Borough of Montvale.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Borough Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Borough Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Montvale as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Borough Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Borough Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Montvale. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Montvale web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough of Montvale in order for the public to be made aware of this policy and the Borough of Montvale's commitment to the implementation and enforcement of this policy.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs		✓	✓				
Curry		✓	✓				
Gloeggler			✓				
Koelling	✓		✓				
Lane					✓		
Weaver					✓		

Adopted: September 25, 2018

ATTEST:


Maureen Iardesi-Alwan
Municipal Clerk

APPROVED:


Michael Ghassali
Mayor

SECTION ONE

Policies Relating to Employee Rights and Obligations:

Anti-Discrimination Policy:*

The Borough of Montvale is committed to the principle of equal employment opportunity and anti-discrimination pursuant to Title VII of the 1964 Civil Rights Act as amended by the Equal Opportunity Act of 1972 and the New Jersey Law Against Discrimination as amended by the New Jersey Pregnant Worker's Fairness Act (LAD). Under no circumstances will the Borough of Montvale discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), pregnancy (including pregnancy medical condition), childbirth, breastfeeding, liability for service in the United States armed forces, and/or any other characteristic protected by law. Decisions regarding the hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective employee feels they have been treated unfairly, they have the right to address their concern with their supervisor, or if they prefer, their Department Head, the Borough Administrator, the Council Liaison or the Borough Attorney.

Americans with Disabilities Act Policy:*/New Jersey Pregnant Worker's Fairness Act.

In compliance with the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law Against Discrimination, as amended by the New Jersey Pregnant Worker's Fairness Act (LAD), the Borough of Montvale does not discriminate based on disability, pregnancy, pregnancy related medical condition or childbirth. The Borough of Montvale will endeavor to make every work environment handicap assessable and all future construction and renovation of facilities will be in accordance with applicable barrier-free Federal and State regulations and the Americans with Disabilities Act Accessibility Guidelines, as well as the ADA Amendments Act.

It is the policy of the Borough of Montvale to comply with all relevant and applicable provisions of the Americans with Disabilities Act, the ADA Amendments Act and LAD. We will not discriminate against any employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known or perceived disability, pregnancy, childbirth, breastfeeding or pregnancy related medical condition. We will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities or pregnant, provided that the individual is otherwise qualified

to safely perform the essential functions of the job and also provided that the accommodation does not impose undue hardship on the Borough of Montvale.

- The Borough Administrator shall engage in an interactive dialogue with disabled/pregnant employees and prospective disabled/pregnant employees to identify reasonable accommodations or their respective physician. In the case of an employee breastfeeding her infant child, the accommodation shall include reasonable break time each day to the employee and a suitable room or other location with privacy, other than a toilet stall, in close proximity to work area for the employee to express breast milk for the child.

All decisions with regard to reasonable accommodation shall be made by the Borough Administrator. Employees who are assigned to a new position as a reasonable accommodation will receive the salary for their new position. The Americans with Disabilities Act does not require the Borough of Montvale to offer permanent "light duty", relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

Employees should also offer assistance, to the extent possible, to any member of the public who requests or needs an accommodation when visiting the Borough of Montvale facilities. Any questions concerning proper assistance should be directed to the Borough Administrator.

Contagious or Life Threatening Illnesses Policy: *

The Borough of Montvale encourages employees with contagious diseases or life-threatening illnesses to continue their normal pursuits, including work, to the extent allowed by their condition. The Borough of Montvale shall make reasonable accommodations to known physical and mental limitations of all employees, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose an unreasonable hardship on the Borough of Montvale.

The Borough of Montvale will take reasonable precautions to protect such information from inappropriate disclosure, including the following:

- Medical information may be disclosed with the prior written informed consent of the person who is the subject of the information.
- Information may be disclosed without the prior written consent to qualified individuals for the purpose of conducting management audits, financial audits, and program evaluations, but these individuals shall not identify, either directly or indirectly, the person who is the subject of the record in a report or evaluation, or otherwise disclose the person's identity in any manner. Information shall not be released to these individuals unless it is vital to the audit or evaluation.
- Information may be disclosed to the Department of Health as required by State or Federal law.

Managers and other employees have a responsibility to maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information shall be subject to disciplinary action.

Safety Policy:

The Borough of Montvale will provide a safe and healthy work environment and shall comply with the Public Employees Occupational Safety and Health Act (PEOSHA). The Borough of Montvale is equally concerned about the safety of the public. Consistent with this policy, employees will receive periodic safety training and will be provided with appropriate safety equipment. Employees are responsible for observing safety rules and using available safety devices including personal protective equipment. Failure to do so constitutes grounds for disciplinary action. Any occupational or public unsafe condition, practice, procedure or act must be immediately reported to the supervisor or Department Head. Any on-the-job accident or accident involving Borough of Montvale facilities, equipment or motor vehicles must also be immediately reported to the supervisor or Department Head.

The Borough of Montvale has appointed a Safety Committee that meets on a regular basis to discuss and recommend solutions to safety problems. Employees are encouraged to discuss safety concerns with their Safety Committee Representative.

Transitional Duty Policy:

The Borough of Montvale will endeavor to bring employees with temporary disabilities back on the job as soon as possible and may assign transitional duty to employees who temporarily cannot perform the essential functions of their positions because of injury or illness. Transitional duty is not guaranteed and will not exceed forty-five (45) workdays. If a department already has one employee on transitional duty, it is unlikely that another employee from that department will be assigned transitional duty.

An employee requesting transitional duty, or, the Workers Compensation Physician, shall notify the Borough Administrator as soon as the temporarily disabled employee is able to return to work with restrictions. Transitional duty will only be assigned if the employee will probably be able to perform the essential functions of the position after the transitional duty period. The Borough Administrator will consult with the Department Head to determine if there is any meaningful work that can be performed consistent with the restrictions. Transitional duty assignments may be in any department and not just the employee's normal department. The Borough Administrator will decide if it is in the best interest of the Borough of Montvale to approve a transitional duty request and will notify the employee of the decision. The Borough of Montvale reserves the right to terminate the transitional duty assignment at any time without cause.

Employees may not refuse transitional duty assignments that are recommended by the Workers Compensation Physician. In such cases, failure to report to work as directed shall constitute immediate grounds for dismissal. If the employee believes that the transitional duty assignment is beyond the employee's abilities, the employee may request a meeting with the Borough Administrator who will render a written response within 24 hours.

Employees on transitional duty will receive their regular salaries and are prohibited from engaging in any outside employment of any kind unless they receive prior written approval from the Borough Administrator. If transitional duty is approved, the employee or Workers Compensation Physician must keep the Borough Administrator informed of the medical progress. (Employees assigned to transitional duty will be allotted time off to attend medical or physical therapy appointments but must request leave time for any other reason.) If at the end of transitional duty period the employee is not able to return to work without restrictions, the Borough of Montvale reserves the right at its sole discretion to extend the transitional duty or place the employee back on Workers Compensation or disability. This policy does not affect an employee's rights under the Americans with Disabilities Act, the Family and Medical Leave Act, the Fair Labor Standards Act, the Contagious or Life Threatening Illnesses Policy or other Federal or State law.

Drugs and Alcohol Policy:*

The Borough of Montvale recognizes that the use of unlawful drugs and the abuse of alcohol pose a threat to the health and safety of all employees. Any employee who is observed by a supervisor or department head to be intoxicated or under the influence of alcohol or drugs during working hours or is under reasonable suspicion of same shall be immediately tested and is subject to discipline up to and including termination. The supervisor or Department Head will immediately report any reasonable suspicions to the Borough Administrator.

An employee will be required to submit to alcohol, drug or controlled substance testing when the employee's work performance causes a reasonable suspicion that that employee is impaired due to current intoxication, drug or controlled substance use, or in cases where employment has been conditioned upon remaining alcohol, drug, or controlled dangerous substance free following treatment. Refusal to submit to testing when requested may result in immediate disciplinary action, including termination. Supervisors or Department heads that observe behavior constituting reasonable suspicion are required to institute testing and do not have the option of sending the employee home as an alternative.

The manufacturing, distribution, dispensation, possession, and use of alcohol or unlawful drugs on Borough of Montvale premises or during work hours by employees is strictly prohibited.

Employees must notify their supervisor within five (5) days of conviction for a drug violation in the workplace.

Employees who are required to maintain a Commercial Driver's License (CDL) are subject to random drug testing as required by the federal government.

Employees using prescription drugs that may affect job performance or safety must notify their supervisor or Department Head who is required to maintain the confidentiality of any information regarding an employee's medical condition. Borough of Montvale personnel who hold a Commercial Driver's License (CDL) are subject to the provisions of the Commercial Driver's Licenses Drug and Alcohol Testing Policy.

No prescription drug should be used by any person other than the individual to whom it is prescribed. Such substances or non-prescription (over-the-counter) drugs should be used only as prescribed or indicated. Employees are prohibited from consuming prescription drugs that are not prescribed in their name on Borough of Montvale property or while performing Borough of Montvale business. Soliciting or distributing prescription drugs for or to other employees is also strictly prohibited.

Workplace Violence Policy:*

The Borough of Montvale will not tolerate workplace violence. Violent acts or threats made by an employee against another person or property are cause for immediate dismissal and will be fully prosecuted. This includes any violence or threats made on Borough of Montvale property, at Borough of Montvale events or under other circumstances that may negatively affect the Borough of Montvale's ability to conduct business.

Prohibited conduct includes:

- Causing physical injury to another person;
- Making threatening remarks;
- Aggressive, hostile, or bullying behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Intentionally damaging employer property or property of another employee;
- Possession of a weapon while on Borough of Montvale property or while on Borough of Montvale business except with the authority of the Police Chief; and
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

Any potentially dangerous situations must be immediately reported. The Borough of Montvale will actively intervene in any potentially hostile or violent situation.

General Anti-Harassment Policy:*

It is the Borough of Montvale's policy to prohibit harassment of an employee by another employee, management representative, supplier, volunteer, or business invitee on the basis of actual or perceived sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), gender identity or expression, liability for service in the United States armed forces, and/or any other characteristic protected by law. Harassment of non-employees by our employees is also prohibited. While it is not easy to define precisely what harassment is, it includes slurs, epithets, threats, derogatory comments, unwelcome jokes, teasing, caricatures or representation of persons using electronically or physically altered photos, drawings or images, and other similar verbal, written, printed or physical conduct.

If an employee is witnesses to or believes to have experienced harassment, immediate notification of the supervisor or other appropriate person should take place. See the Employee Complaint Policy.

Harassment of any employees, in connection with their work, by non-employees may also be a violation of this policy. Any employee who experiences harassment by a non-employee, or who observes harassment of an employee by a non-employee should report such harassment to the supervisor. Appropriate action will be taken against any non-employee.

Notification of appropriate personnel of any harassment problem is essential to the success of this policy and the Borough of Montvale generally. The Borough of Montvale cannot resolve a harassment problem unless it knows about it. Therefore, it is the responsibility of all employees to bring those kinds of problems to attention of the appropriate officials so that steps are taken to correct them.

Violation of this harassment policy will subject employees to disciplinary action, up to and including immediate discharge.

Anti-Sexual Harassment Policy:*

It is the Borough of Montvale's policy to prohibit sexual harassment of an employee by another employee, management representative, supplier, volunteer, or business invitee. The Borough of Montvale prohibits sexual harassment from occurring in the workplace or at any other location at which Borough of Montvale sponsored activity takes place. Sexual harassment of non-employees by our employees is also prohibited. The purpose of this policy is not to regulate personal morality or to encroach upon one's personal life, but to demonstrate a strong commitment to maintaining a workplace free of sexual harassment.

Unwelcome sexual advances, requests for sexual favors and other verbal, physical or visual conduct of a sexual nature constitute harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Regarding unwelcome sexual advances toward non-employees, requests for sexual favors and other verbal, physical or visual conduct of a sexual nature constitute harassment when:

- Submission to such conduct is made either explicitly or implicitly in exchange for a benefit;
- Submission to or rejection of such conduct by an individual is used as the basis for a decision affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's activities or creating an intimidating, hostile or offensive environment.

Sexual harassment may include unwanted sexual advances; offering employment benefits in exchange for sexual favors; visual conduct (leering, making sexual gestures, displaying of sexually suggestive objects or pictures, cartoons or posters); verbal sexual advances, propositions or requests; verbal abuse of a sexual nature; graphic verbal commentaries about an individual's body; sexually degrading words used to describe an individual; suggestive or obscene letters, caricatures or representations of persons using electronically or physically altered photos, drawings, or images; notes or invitations; and/or physical conduct (touching, assault, impeding or blocking movements.)

If an employee is witness to or believes that the employee has experienced sexual harassment, they must immediately notify their supervisor or other appropriate person. See the Employee Complaint Policy.

Harassment of Borough of Montvale employees, in connection with their work, by non-employees may also be a violation of this policy. Any employee who experiences harassment by a non-employee, or who observes harassment of an employee by a non-employee should report such harassment to their supervisor. Appropriate action will be taken against any non-employee.

Notification by employee to appropriate personnel of any harassment problem is essential to the success of this policy and the Borough of Montvale generally. The Borough of Montvale cannot resolve a harassment problem unless it is reported. Therefore, it is the responsibility of all employees to bring those kinds of problems to the attention of management so that steps are necessary to correct them.

Violation of this sexual harassment policy will subject employees to disciplinary action, up to and including immediate discharge.

“Whistle Blower” Policy:*

Employees have the right under the “Conscientious Employee Protection Act (CEPA)” to complain about any activity, policy or practice that the employees reasonably believe is in violation of a law, rule, or regulation promulgated pursuant to law. This right shall be communicated to all employees in an annual letter outlining the specific employee complaint procedure and in a posted notice. A written acknowledgement that the employee received this letter will be included in the employee’s official personnel file. The annual notice shall be in English and Spanish and must contain the name of the person who is designated to receive written notification of policies or practices that might violate CEPA. All complaints will be taken seriously and promptly investigated.

The Borough of Montvale shall not take any retaliatory action or tolerate any reprisal against an employee for any of the following:

- Disclosing or threatening to disclose to a supervisor, Department Head, the Borough Administrator, other official or to a public body, as defined in the Conscientious Employee Protection Act (N.J.S.A. 34:19-1 et seq.) an activity, policy or practice that the employee reasonably believes is in violation of a law, a rule or regulation promulgated pursuant to law;
- Providing information to, or testifying before any public body conducting an investigation, hearing, an inquiry into any violation of law, or a rule or regulation promulgated pursuant to law; or
- Objecting to, or refusing to participate in any activity, policy, or practice that the employee reasonably believes is a violation of a law, rule or regulation promulgated pursuant to law; is fraudulent or criminal; or is incompatible with a clear public policy mandate concerning the public health, safety, or welfare.

In accordance with the CEPA statute, the employee must bring the violation to the attention of the Borough of Montvale. However, disclosure is not required where (1) the employee is reasonably certain that the violation is known to one or more officials; (2) where the employee reasonably fears physical harm; or (3) the situation is emergency in nature. Employees are encouraged to complain in writing using the Employee Complaint form, but may make a verbal complaint at their discretion. See Employee Complaint Policy. Under the law, the employee must give the Borough of Montvale a reasonable opportunity to correct the activity, policy or practice. The administration of whistle blower complaints is not subject to the limitations in the Grievance Policy.

Employee Complaint Policy:*

Employees who wish to complain of harassment, sexual harassment, or any other workplace wrongdoing are requested to immediately report the matter to their supervisor, or, if they prefer, or do not think that the matter can be discussed with their supervisor, they should contact the Department Head, the Borough Administrator, the Council Liaison or the Borough Attorney. Employees are encouraged to complain in writing using the Employee Complaint form, but may make a verbal complaint at their discretion. If the employee has any question about what constitutes harassment, sexual harassment, or any other workplace wrongdoing, they may ask their supervisor or one of the individuals listed above. All reports of harassment, sexual harassment, or other wrongdoing will be promptly investigated by a person who is not involved in the alleged harassment or wrongdoing.

No employee will be penalized in any way for reporting a complaint. There will be no discrimination or retaliation against any individual who files a good-faith harassment complaint, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven. There will be no discrimination or retaliation against any other individual who participates in the investigation of a complaint.

If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action will be swiftly pursued. Disciplinary action up to and including discharge will also be taken against individuals who make false or frivolous accusations, such as those made maliciously or recklessly. Actions taken internally to investigate and resolve harassment complaints will be conducted confidentially to the extent practicable and appropriate in order to protect the privacy of persons involved. Any investigation may include interviews with the parties involved in the incident, and if necessary, with individuals who may have observed the incident or conduct or who have other relevant knowledge. The employee will be notified of a decision or of the status of the investigation within a reasonable time from the date of report of incident.

Access to Personnel Files Policy:*

The official personnel file for each employee shall be maintained by the Borough Administrator. Personnel files are confidential records that must be secured in a locked cabinet and will only be available to authorized managerial and supervisory personnel on a need-to-know basis. Records relating to any medical condition will be maintained in a separate file. Electronic personnel and medical records must be protected from unauthorized access.

Upon request, employees may inspect their own personnel files at a mutually agreeable time on the Borough of Montvale premises in the presence of the Borough Administrator or a designated supervisor. The employee will be entitled to see any records used to determine his or her qualification for employment, promotion or wage increases and any records used for disciplinary purposes. Employees may not remove any papers from the file. Employees will be allowed to have a copy of any document they have signed relating to their obtaining employment. Employees may add to the file their versions of any disputed item.

Personnel files do not contain confidential employee medical information. Any such information that the Borough of Montvale may obtain will be maintained in separate files and treated at all times as confidential information. Any such medical information may be disclosed under very limited circumstances in accordance with any applicable legal requirements.

The Borough of Montvale endeavors to maintain the privacy of personnel records. There are limited circumstances in which the Borough of Montvale will release information contained in personnel or medical records to persons outside the Borough of Montvale. These circumstances include:

- In response to a valid subpoena, court order or order of an authorized administrative agency;
- To an authorized governmental agency as part of an investigation of the Borough of Montvale's compliance with applicable law;
- To the Borough of Montvale's agents and attorneys, when necessary;
- In a lawsuit, administrative proceeding, grievance or arbitration in which the employee and the Borough of Montvale are parties;
- In a workers' compensation proceeding;
- To administer benefit plans;
- To an authorized health care provider;
- To first aid or safety personnel, when necessary; and
- To a potential future employer or other person requesting a verification of your employment as described in the following section titled, "Requests for Employment Verification and Reference Procedure."

Conflict of Interest Policy:*

Employees including Borough of Montvale officials must conduct business according to the highest ethical standards of public service. Employees are expected to devote their best efforts to the interests of the Borough of Montvale. Violations of this policy will result in appropriate discipline including termination.

The Borough of Montvale recognizes the right of employees to engage in outside activities that are private in nature and unrelated to Borough of Montvale business. However, business dealings that appear to create a conflict between the employee and the Borough of Montvale's interests are unlawful under the New Jersey Local Government Ethics Act. Under the Act, certain employees and officials are required to annually file with the Borough of Montvale Clerk a state-mandated disclosure form. The Borough of Montvale Clerk will notify employees and Borough of Montvale officials subject to the filing requirements of the Act.

A potential or actual conflict of interest occurs whenever an employee, including a Borough of Montvale official, is in a position to influence a Borough of Montvale decision that may result in a personal gain for the employee or an immediate relative including spouses or significant

others, parents/children, and siblings. Employees are required to disclose possible conflicts so that the Borough of Montvale may assess and prevent potential conflicts. If there are any questions whether an action or proposed course of conduct would create a conflict of interest, immediately contact the Borough Administrator or the Borough Attorney to obtain clarification.

Employees are allowed to hold outside employment as long as it does not interfere with their Borough of Montvale responsibilities. Employees are prohibited from engaging in outside employment activities while on the job or using Borough of Montvale time, supplies or equipment in the outside employment activities. The Borough Administrator may request employees to restrict outside employment if the quality of Borough of Montvale work diminishes. Any employees who holds an interest in, or is employed by, any business doing business with the Borough of Montvale must submit a written notice of these outside interests to the Borough Administrator.

Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their Borough of Montvale duties. Under no circumstances may an employee accept donations, gratuities, contributions or gifts from a vendor doing business with or seeking to do business with the Borough of Montvale or any person or firm seeking to influence Borough of Montvale decisions. Meals and other entertainment valued in excess of \$300 are also prohibited. Employees are required to report to the Borough Administrator any offer of a donation, gratuity, contribution or gift including meals and entertainment that is in violation of this policy.

Political Activity Policy:*

Employees have exactly the same right as any other citizen to join political organizations and participate in political activities, as long as they maintain a clear separation between their official responsibilities and their political affiliations. Employees are prohibited from engaging in political activities while performing their public duties and from using Borough of Montvale time, supplies or equipment in any political activity. Any violation of this policy must be reported to the supervisor, Department Head, Borough Administrator, Council Liaison or the Borough Attorney.

Employee Evaluation Policy:*

Department Heads will complete a written evaluation and appraisal form for every employee in his or her department once a year in September. Newly hired employees, or those employees appointed to new positions, will be reviewed after three (3) months and six (6) months of employment and thereafter on an annual basis. The evaluation will determine job performance in order to measure progress and encourage self-improvement. In addition to job performance, the evaluation will also record additional duties performed and education courses completed. A plan to correct sub-standard performance will be prepared by the Department Head and

employee using the Employee Counseling Form, and attached to the evaluation. After completing the evaluation, the Department Head and Borough Administrator will review the results with the employee. A signed acknowledgement of review will be attached to the evaluation. As a part of the evaluation, employees have the right to request a conference with the Borough Administrator.

Employee Discipline Policy:*

An employee may be subject to discipline for all of the following reasons:

- Falsification of public records, including attendance and other personnel records.
- Failure to report absence.
- Harassment of co-workers and/or volunteers and visitors.
- Theft or attempted theft of property belonging to the Borough of Montvale, fellow employees, volunteers or visitors.
- Failure to report to work day or days prior to or following a vacation, holiday and/or leave, and/or any other unauthorized day of absence.
- Fighting on Borough of Montvale property at any time.
- Being under the influence of intoxicants (e.g., liquor) or illegal drugs (e.g., cocaine or marijuana) on Borough of Montvale property and at any time during work hours.
- Possession, sale, transfer or use of intoxicants or illegal drugs on Borough of Montvale property and at any time during work hours.
- Insubordination.
- Entering the building without permission during non-scheduled work hours.
- Soliciting on Borough of Montvale premises during work time. This includes but is not limited to distribution of literature or products or soliciting membership in fraternal, religious, social or political organizations, and/or sales of products, such as those from Avon, Amway, etc.
- Careless waste of materials or abuse of tools, equipment or supplies.
- Deliberate destruction or damage to Borough of Montvale or suppliers' property.
- Sleeping on the job.

- Carrying weapons of any kind on Borough of Montvale premises and/or during work hours, unless carrying a weapon is a function of your job duties.
- Violation of established safety and fire regulations.
- Unscheduled absence, and chronic or excessive absence.
- Chronic tardiness.
- Unauthorized absence from work area, and/or roaming or loitering on the premises, during scheduled work hours.
- Defacing walls, bulletin boards or any other Borough of Montvale or supplier property.
- Failure to perform duties, inefficiency or substandard performance.
- Unauthorized disclosure of confidential Borough of Montvale information.
- Gambling on Borough of Montvale premises.
- Horseplay, disorderly conduct and use of abusive and/or obscene language on Borough of Montvale premises.
- Deliberate delay or restriction of your work effort, and/or incitement of others to delay or restrict their work effort.
- Conviction of a crime.
- Violating any Borough of Montvale rules or policies.
- Conduct unbecoming a public employee.
- Violation of Borough of Montvale policies, procedures and regulations.
- Violation of Federal, State or Borough of Montvale regulations concerning drug and alcohol use and possession.
- Misuse of public property, including motor vehicles.
- Unauthorized use of computers, Internet and email
- Other sufficient cause.

Major disciplinary action includes termination, disciplinary demotion or suspension exceeding five working days. Minor discipline includes a formal, written reprimand or a suspension of

five working days or less. Employees who object to the terms or conditions of the discipline are entitled to a hearing under the applicable grievance procedure. In every case involving employee discipline, employees will be provided with an opportunity to respond to charges either verbally or in writing.

In cases of employee misconduct, the Borough of Montvale believes in corrective action for the purpose of correcting undesirable behavior and preventing a recurrence of that behavior. The corrective action taken will be related to the gravity of the situation, the number and kind of previous infractions and other circumstances. In every case, employees will be given an opportunity to state the situation from their point of view.

In order to correct undesirable behavior, supervisors and managers may utilize the following corrective tools: verbal reprimand; Borough Administrator review; written reprimand; suspension; fines, and, dismissal. At the discretion of the Borough of Montvale, action may begin at any step, and/or certain steps may be repeated or by-passed, depending on the severity and nature of the infraction and the employee's work/disciplinary record.

Neither this manual, nor any other Borough of Montvale guidelines, policies or practices, create an employment contract. Employment with Borough of Montvale may be terminated at any time with or without cause or reason by the employee or Borough of Montvale.

Resignation Policy:

An employee who intends to resign must notify the Borough Administrator in writing at least two weeks in advance. After giving notice of resignation, employees are expected to assist their supervisor and co-employees by providing information concerning their current projects and help in the training of a replacement. During the last two weeks, the employee may not use paid time off except paid holidays. The Borough Administrator will conduct a confidential exit interview to discuss benefits including COBRA options, any appropriate issues and pay due. A COBRA notification letter will be sent to the employee's home address by PERMA. The exit interview will also include an open discussion with the employee. On the last day of work, and prior to receiving the final paycheck, the employee must return the Employee Identification Card, all keys and equipment.

Work Force Reduction Policy:*

The Borough of Montvale may institute layoff actions for economy, efficiency or other related reasons, but will first consider voluntary alternatives. Seniority, lateral or other re-employment rights for employees will be determined by the Borough Administrator.

Driver's License Policy:*

Any employee whose work requires the operation of Borough of Montvale vehicles must hold a valid driver's license.

All new employees who will be assigned work entailing the operating of a Borough of Montvale vehicle will be required to submit to a Department of Motor Vehicles driving records check as a condition of employment. A report indicating a suspended or revoked license status may be cause to deny or terminate employment.

Periodic checks of employee's driver's licenses through visual and formal Department of Motor Vehicles review checks shall be made by Department Heads or Division Supervisors. Any employee who does not hold a valid driver's license will not be allowed to operate a Borough of Montvale vehicle until such time as a valid license is obtained.

Any employee performing work which requires the operation of a Borough of Montvale vehicle must notify the immediate supervisor in those cases where a license is expired, suspended or revoked and/or who is unable to obtain an occupational permit from the State Department of Licensing. An employee who fails to report such an instance is subject to disciplinary action including demotion or termination. An employee who fails to immediately report such revocation or suspension to their supervisor and continues to operate a Borough of Montvale vehicle shall be subject to possible termination.

Any information obtained by the Borough of Montvale in accordance with this section shall be used by the Borough of Montvale only for carrying out its lawful functions and for other lawful purposes in accordance with the Driver's Privacy Protection Act (18 U.S.C. S 2721 et seq.)

SECTION TWO

Workplace Policies:

Emergency Policy:

All Employees.

General Emergency Policy:

- A. The determination of conditions that constitute an emergency will be at the discretion of the Mayor or his or her designee and will not be subject to the grievance procedure.
- B. In an emergency, each and every employee shall be subject to call for overtime duty, and it is every employee's responsibility to cooperate and accept such overtime work when required.
- C. Emergency is hereby defined as that period of time when the health, safety and general welfare of the public is in jeopardy.
- D. Resolution 176-2012 adopted by the Mayor and Council effective January 1, 2012, set the following Borough policy concerning reimbursement to Emergency Service Departments for food purchased for Emergency Service Workers during a state of emergency, and shall continue unless expressly amended, repealed or suspended by formal action of the Mayor and Council:

In recognition of the extraordinary efforts of the Borough of Montvale emergency service workers during States of Emergency and the hardship inflicted upon the resources of all Emergency Service Departments (Fire, Police, Ambulance, etc.) in responding to such emergencies, it shall be the policy of the Borough of Montvale that when the Borough is under a State of Emergency declared by the Mayor, the Governor of the State of New Jersey, or the President of the United States, all Borough of Montvale Emergency Service Departments that purchase meals for their emergency service workers while on duty shall be reimbursed for the reasonable amount of such meals by the Borough of Montvale. All Emergency Service Departments should submit a formal request in writing for reimbursement within thirty (30) days following the end of the State of Emergency. Such request should contain, to the extent practical, an itemized list or a description of the items purchased and the cost thereof. The Borough shall endeavor to provide reimbursement for these costs within thirty (30) days of receiving the request.

Job Description Policy:*

A job description, including qualifications, shall be maintained for each position. All job descriptions must be approved by the Borough Administrator who will make copies available upon request.

Full-time employees are classified as those employees working thirty-five (35) hours or more per week.

Part-time employees are classified as those employees working less than thirty-five (35) hours per week and are categorized as either part-time hourly or part-time salaried. Part-time hourly employees are paid an hourly wage for hours worked. Part-time salaried employees are paid an annual wage. Part-time salaried employees include Plumbing, Electrical, Elevator and Fire Sub-Code Inspectors, Fire Prevention personnel, Construction Code Official and Building Sub-Code Official, Municipal Judge, Recreation Director and Assistant to the Recreation Director. These positions are based on perceived value of the position and an estimated time to fully perform the duties of the position. These are positions without regular hours; employees perform their jobs on various days and times and at various locations.

Attendance Policy:

All employees are expected to be at work and ready to assume their duties at the beginning of the scheduled workday. Lateness and absence will be tolerated only in emergencies or when the supervisor gives prior approval. All absences must be reported to the supervisor prior to the start of the normal workday and a voice mail message left on the Office Manager or receptionist's telephone. The normal working hours for full-time (employees working 35 hours per week) administrative employees are 8:30 AM to 4:30 PM. All other administrative employees working less than a 35-hour work week are considered part-time and working hours are assigned by the Borough Administrator. The working hours for other employees/departments are established by departmental procedures and bargaining unit agreements.

Early Closing and Delayed Opening Policy:

In the event of unsafe conditions, the Borough Administrator may authorize Department Heads to close operations earlier than the normal working hours. If conditions exist prior to scheduled openings, the Borough Administrator shall notify the Office Manager of a delayed opening and a new opening time. Each Department will have a calling system in place. If the employee chooses not to report to work, a full vacation day or compensating time will be charged. Sick time will only be charged for a legitimate illness. If there is a delayed opening, or if work is called off for the day, no time will be charged for the day for full time or part-time employees. This provision does not apply to the Department of Public Works, Police, Fire, Water, Sanitation, Emergency Services or any personnel who may be required to assist in an emergency.

Breaks:

Full-time Administrative personnel or part-time employees who work a full work day are entitled to a one (1) hour lunch that is to be arranged by the supervisor so that offices continue to function. Part-time employees are entitled to a half hour lunch break which will be scheduled by the supervisor. Full time Administrative personnel or part-time employees who work a full work day are entitled to two (2) 15-minute breaks - one in the morning and one in the afternoon. Part-time employees are entitled to one (1) 15-minute break. Administrative personnel must arrange breaks so that offices continue to function. Breaks for other employees will be scheduled by the supervisor.

Dress Code Policy:

Dress, grooming and personal hygiene must be appropriate for the position. Uniforms are required for certain jobs and are to be worn in accordance with applicable departmental standards. All other employees are required to dress in a manner that is normally acceptable in similar business establishments and consistent with applicable safety standards. Employees shall not wear suggestive attire, jeans, athletic clothing, shorts, T-shirts, novelty buttons, baseball hats and similar items of casual attire that do not present a businesslike appearance. Hair, sideburns, moustaches and beards must be clean, combed and neatly trimmed. Shaggy, unkempt hair is not permissible regardless of length. Tattoos and body piercings, other than earrings, may not be visible. With the advance approval of the Borough Administrator, the Borough of Montvale will make reasonable religious accommodations that do not violate safety standards. Employees violating this policy shall be required to take corrective action or will be sent home without pay.

No Smoking Policy:

The New Jersey Legislature has declared that in all workplace buildings the rights of non-smokers to breathe clean air supersedes the rights of smokers. In accordance with State law, the Borough of Montvale has adopted a smoke-free policy for all buildings. Borough of Montvale facilities shall be smoke-free and no employee or visitor will be permitted to smoke anywhere in Borough of Montvale buildings. Employees are permitted to smoke only outside Borough of Montvale buildings and at such locations so as not to allow the re-entry of smoke into building entrances. Smoking inside vehicles owned by the Borough of Montvale and near equipment that may be sensitive to smoke is also prohibited. This policy shall be strictly enforced and any employee found in violation will be subject to disciplinary action.

Use of Vehicles Policy:

Borough of Montvale owned vehicles shall be used only on official business and all passengers must be on Borough of Montvale business.

Vehicle Use Policy:

All Employees.

General Policy:

- A. The Borough recognizes the need to provide certain officials and employees with the use of vehicles in order to perform Borough business.
- B. All Borough Vehicles are to be utilized for the business of the public. Any other operation of same is a misuse of Borough Property and therefore subject to disciplinary action. Unless an employee receives permission from the Borough Administrator, the Borough of Montvale owned vehicles shall be used only on official business and all passengers must be on Borough of Montvale business. Vehicles may be taken home only with the advance approval of the Borough Administrator except a (mayor or chief operator officer) may also grant temporary approval to facilitate responses to after-hours emergency calls. When an employee takes home a Borough of Montvale vehicle, it is to be used only for official Borough of Montvale business; any other use is not permitted. At no time shall children be in the Borough of Montvale vehicle when responding to an emergency. Any violation of this policy constitutes cause for disciplinary action.
- C. Borough Vehicles Specifically Assigned to an Official or Employee:
 1. In certain clearly defined jobs requiring travel within the Borough, a vehicle will be furnished by the Borough for use by the official or employee. The vehicle may not be operated outside of the Borough except in case of an emergency, or in connection with performance of their duties. The following officials or employees shall be furnished Borough vehicles: Fire Chief, Police Chief, and Fire Official or their designees.
 2. Under no circumstances is a Borough vehicle to be operated by an official or employee for personal use except in the case of the Fire Chief. The Borough vehicle is only to be operated by the official or employee. The Fire Chief, in view of the requirement that he respond to all fire calls, may use the assigned Borough vehicle for personal use within a five (5) mile radius of the Borough.
 3. The Police Chief and Public Works Superintendent are permitted to utilize their assigned Borough vehicle for transportation to and from work in addition to conditions necessitated by Borough business which meets the "qualified non personal vehicle" criteria specified by the IRS. All other personal use will have a

fringe benefit value added to the gross income reported on the employees W-2.

4. During a prolonged absence or vacation of the Fire Chief, Police Chief, Public Works Superintendent, their designated second in command shall enjoy the same Borough vehicle use privileges as their superiors. A prolonged absence is defined as more than three consecutive days.
5. All other Borough vehicles shall be parked at their respective Borough facility when not in use by the official or employee unless prior permission is obtained from the Borough Administrator.

D. Auxiliary Borough Vehicle

1. An auxiliary Borough vehicle, where available, is intended for the general use of department manager, employees or volunteers in the performance of their Borough related business.
2. The scheduling of the auxiliary Borough vehicle shall be made through the Borough Clerk. Department managers wanting to schedule the auxiliary Borough vehicle for their use or their staff shall contact the Borough Clerk to reserve the vehicle for a specific time and date. The Borough Clerk shall resolve all scheduling conflicts.

E. Personal Vehicle Use:

1. An official or employee may, under certain circumstances, be authorized by the Borough Administrator to use his/her own vehicle on Borough business. The official or employee shall be reimbursed at the current fixed rate per mile as well as all highway, bridge or tunnel tolls and parking charges.
2. Whenever possible the official or employee shall use a borough vehicle for Borough related business.
3. Owners of vehicles used on Borough business shall carry adequate insurance to cover losses resulting from personal injury or property damage arising from the use of their vehicle. The Borough shall not be responsible for any repairs or replacement to the official's or employee's vehicle.

Telephone Usage Policy:

Borough of Montvale telephones are for official business only.

Communication Media Policy*:

The Borough of Montvale's Communication Media are the property of the Borough of Montvale and, as such, are to be used for legitimate business purposes only. For purposes of

this Communication Media Policy, "Communication Media" includes all electronic media forms provided by the Borough of Montvale, such as cell phones, smart phones, computers, electronic tablets, access to the internet, voicemail, email, and fax. Employees are restricted from accessing or using the company's Communication Media for personal purposes during company time on company equipment without prior authorization from the Administration to do so.

All data stored on and/or transmitted through Communication Media is the property of the Borough of Montvale. For purposes of this policy, "Data" includes "electronically-stored files, programs, tables, data bases, audio and video objects, spreadsheets, reports and printed or microfiche materials which serve a Borough of Montvale business purpose, regardless of who creates, processes or maintains the data, or whether the data is processed manually or through any of the Borough of Montvale's mainframe, midrange or workstations; servers, routers, gateways, bridges, hubs, switches and other hardware components of the Borough of Montvale's local or wide-area networks."

The Borough of Montvale respects the individual privacy of its employees. However, employee communications transmitted by the Borough of Montvale's Communication Media are not private to the individual. All Communication Media and all communications and stored information transmitted, received, or contained in or through such media may be monitored by the Borough of Montvale. The Borough of Montvale reserves the absolute right to access, review, audit and disclose all matters entered into, sent over, placed in storage in the Borough of Montvale's Communication Media. By using the Borough of Montvale's equipment and/or Communication Media, employees consent to have such use monitored at any time, with or without notice, by Borough of Montvale personnel. The existence of passwords does not restrict or eliminate the Borough of Montvale's ability or right to access electronic communications. However, the Borough of Montvale cannot require the employee to provide its password to his/her personal account.

All email, voicemail and Internet messages (including any technology-based messaging) are official documents subject to the provisions of the Open Public Records Act (NJSA 47:1A-1). Employees of the Borough of Montvale are required to use the assigned municipal email account for ALL Borough of Montvale business and correspondence. The use of private email accounts for ANY Borough of Montvale business or during business hours is strictly prohibited. Employees are hereby advised that if they conduct work-related business on their personal emails, cell phones, or other personal Communication Media, it is also subject to the provisions of the Open Public Records Act. However, nothing in this social media policy prevents employees from using his/her own personal Communication Media during the employee's non-working hours to engage or participate in protected concerted activities pursuant to the National Labor Relations Act. Protected concerted activities include when an employee addresses group concerns with the employer; forms, joins or helps a labor organization; initiates, induces or prepares for group action; or speaks on behalf of or represents other employees. Nevertheless, employees are encouraged to resolve workplace grievances internally by discussing issues with their supervisor and/or the Administration, and are asked to refrain from posting comments or materials on Communication Media that can be

viewed as malicious, obscene, threatening, intimidating, or that could create a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law if the employee chooses to address their grievances using Communication Media.

Employees can only use the Borough of Montvale's Communication Media for legitimate business purposes. Employees may not use Borough of Montvale's Communication Media in any way that is defamatory, obscene, or harassing or in violation of any Borough of Montvale rules or policy. Examples of forbidden transmissions or downloads include sexually-explicit messages; unwelcome propositions; ethnic or racial slurs; or any other message that can be construed to be harassment or disparaging to others based on their actual or perceived age, race, religion, sex, sexual orientation, gender identity or expression, genetic information, disability, national origin, ethnicity, citizenship, marital status or any other legally recognized protected basis under federal, state or local laws, regulations or ordinances. Further, discriminatory remarks, harassment, bullying, threats of violence and similar behavior that is not tolerated in the workplace are also not acceptable through Communication Media, whether same is performed on the Borough of Montvale's equipment or on the employee's own personal Communication Media

All employees, who have been granted access to electronically-stored data, must use a logon ID assigned by Borough of Montvale. Certain data, or applications that process data, may require additional security measures as determined by the Borough of Montvale. Employees must not share their passwords; and each employee is responsible for all activity that occurs in connection with their passwords.

. Information security is necessary to protect the Borough of Montvale's information (data and software) from accidental or intentional unauthorized disclosure, modification, or loss. Information security is managed under guidelines dealing with identification, authentication, authorization, production environment, and ability to audit. All employees should be familiar with such security measures adopted by the Borough of Montvale.

All employees may access only data for which the Borough of Montvale has given permission. All employees must take appropriate actions to ensure that Borough of Montvale data is protected from unauthorized access, use or distribution consistent with these policies. Employees may not access or retrieve any information technology resource and store information other than where authorized. All of Borough of Montvale's data must be stored centrally as required by Borough of Montvale. This provides greater security, and ensures backup of all Borough of Montvale data is performed.

Employees must not disable anti-virus and other implemented security software for any reason, in order to minimize the risk of introducing computer viruses into the Borough of Montvale's computing environment.

Employees may not install, modify or remove ANY hardware device, software application, program code, either active or passive, or a portion thereof, without the express written permission from the Borough of Montvale. Employees may not install or modify any hardware device, software application, program code, either active or passive, or a portion thereof, without the express written permission from the Borough of Montvale. Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the Borough of Montvale, or licensed to the Borough of Montvale. Employees shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized. Workstation settings and configurations and network settings must not be modified by unauthorized employees. Internet security settings (where applicable) must not be changed. The foregoing includes but is not limited to the systems Network ID (or Computer Name), IP Address, Gateway and DNS addresses etc.

Social Media and its uses in government and daily life are expanding each year however, information posted on a website is available to the public; therefore, employees must adhere to the following guidelines for their participation in social media. Only those Employees directly authorized by the Borough Administrator may engage in social media activity during work time through the use of the Borough of Montvale's Communication Media, as it directly relates to their work and it is in compliance with this policy.

Employees must not reveal or publicize confidential Borough of Montvale information. Confidential proprietary or sensitive information may be disseminated only to individuals with a need and a right to know, and where there is sufficient assurance that appropriate security of such information will be maintained. Such information includes, but is not limited to the transmittal of personnel information such as medical records or related information. In law enforcement operations, confidential, proprietary or sensitive information also includes criminal history information, confidential informant identification, and intelligence and tactical operations files.

No Borough of Montvale employee shall post internal working documents to social media sites. This includes but is not limited to screenshots of computer stations, pictures of monitors and/or actual documents themselves without the prior approval of the Borough of Montvale. In addition, employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence taken with the Borough of Montvale's Communication Media to any person, entity, business or media or Internet outlet whether on or off duty without the express written permission of the Borough Administrator. Except in "emergency situations, "employees are prohibited from taking digital images or photographs with media equipment not owned by the Borough of Montvale. For purposes of this section, an "emergency situation" involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes and the employee does not have access to the Borough of Montvale's Communication Media. If such situation occurs, employee agrees that any images belong to the Borough of Montvale and agree to release the image to the Borough of Montvale and

ensure its permanent deletion from media device upon direction from the Borough of Montvale.

No media advertisement, electronic bulletin board posting, or any other communication accessible via the Internet about the Borough of Montvale or on behalf of the Borough of Montvale, through the use of the Borough of Montvale's Communication Media may be issued unless it has first been approved by the Borough of Montvale's Administration. Specifically, employees are forbidden from using the Borough of Montvale's Communication Media to impersonate the employer; to make statements on behalf of the employer without authorization; and/or to make statements that can be construed as establishing what the employer's official position or policy is on any particular issue. In addition, employees are prohibited from placing or posting on the Internet through the employer's Communication Media or the employee's own personal media, either during working or non-working hours, any employer-related confidential, sensitive or other employer information of a proprietary nature, including but not limited to employer records or documents, trade secrets, internal reports, tips based on inside information that may be considered insider trading, screenshots of computer stations, pictures of monitors and/or actual documents of the employer, any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job-related incidents or occurrences.

Because (authorized) postings placed on the Internet through use of the Borough of Montvale's Communication Media will display on the Borough of Montvale's return address, any information posted on the Internet must reflect and adhere to all of the Borough of Montvale's standards and policies.

All users are personally accountable for messages that they originate or forward using the Borough of Montvale's Communication Media. Misrepresenting, obscuring, suppressing, or replacing a user's identity on any Communication Media is prohibited. "Spoofing" (constructing electronic communications so that it appears to be from someone else without a legitimate authorized purpose and authorized by the Borough Administrator) is prohibited.

Employees must respect the laws regarding copyrights, trademarks, rights of public Borough of Montvale and other third-party rights. Any use of the Borough of Montvale's name, logos, service marks or trademarks outside the course of the employee's employment, without the express consent of the Borough of Montvale, is strictly prohibited. To minimize the risk of a copyright violation, employees should provide references to the source(s) of information used and cite copyrighted works identified in online communications.

If employees choose to identify themselves as a Borough of Montvale employee on their personal social media accounts and even those that do not should be aware that he or she may be viewed as acting on behalf of the Borough of Montvale as such no employee shall knowingly represent themselves as a spokesperson of the Borough of Montvale post any comment, text, photo, audio, video or other multimedia file that negatively reflects upon the Borough of Montvale's expresses views that are detrimental to the Borough of Montvale's mission or undermine the public trust or is insulting or offensive to other individuals or to the public in regard to religion, sex, race or national origin. Borough of Montvale's employees are

encouraged to exercise extreme caution posting photographs of themselves in uniform or in situations where they can be readily identified as Borough employees.

To the extent that employees use social media outside their employment while engaging in protected concerted activities as defined above, employees will not be subject to discipline or retaliation for expressing views, opinions, and/or facts surrounding the Borough of Montvale's employment policies. For all other communications by employees on personal social media sites in which matters related to the Borough of Montvale are discussed, employees must add a disclaimer on the front page stating that the posting does not express the views of the Borough of Montvale and that the employees are expressing their own personal views. For example: "**The views expressed on this website/web log are mine alone and do not necessarily reflect the views of my employer.**" The disclaimer must be placed in a prominent position and repeated for each posting that is expressing an opinion related to the Borough of Montvale or the Borough of Montvale's business, with the exception of postings and social media communications by employees engaging in protected concerted activities. Employees are advised that if they post information on social media that is in violation of either the terms and conditions of the within social media policy, or in violation of federal, state, or local laws, the disclaimer will not shield them from disciplinary action. However, no retaliation or discipline will result if and when employees are engaging in protected concerted activity, and/or choose to report inappropriate social media activities to the Borough of Montvale Administration.

Nothing in these policies is designed to interfere with, restrain, or prevent social media communications by employees engaging in protected concerted activities regarding wages, hours, or other terms and conditions of employment pursuant to the National Labor Relations Act. All Borough of Montvale's employees have the right to engage in or refrain from such activities.

Use of Internet:

The Borough of Montvale provides Internet access to its employees in order to make available a vast array of information resources and to allow participation in and access to increasing county and state resources.

Employees must comply with all policies adopted by the Borough of Montvale, including but not limited to policies regarding prohibition of discrimination and harassment and all applicable federal, state and local laws, including laws governing the transmission and dissemination of information while accessing the Internet.

Employees who are using Internet may not:

- Use the network to make unauthorized entry into other computational, informational or communication services or resources;
- Distribute unsolicited advertising;
- Invade the privacy of others;
- Make any attempt to damage computer equipment or software;

- Engage in any activity that is harassing or defamatory;
- Use the Internet for any illegal activity, including violation of copyright or other rights of third parties, or in a manner inconsistent with the Borough's tax-exempt status or its proper operation; and/or
- Download unauthorized software, fonts, templates or scripts.

As stated in the Communications Policy above the Borough of Montvale reserves the right to monitor the employee's Internet usage. In addition, the Borough of Montvale has the right to restrict access to specific types of prohibited content through the use of a content filtering system.

Nothing in these policies is designed to interfere with, restrain or prevent employee communications regarding wages, hours or other terms and conditions of employment. Borough of Montvale employees have the right to engage in or refrain from such activities.

Video Surveillance

The Borough of Montvale may install video surveillance camera systems within public buildings and throughout public areas within the Borough of Montvale, primarily as visual deterrents of criminal behavior and for the protection of employees and municipal assets. In implementing these video camera systems, the Borough of Montvale will ensure compliance with federal, state and local laws governing such usage.

The Borough of Montvale's video surveillance camera systems are a significant tool to which the employees of the Borough of Montvale will avail themselves in order to complete the goals and objectives of the Borough of Montvale. Employees are only permitted to use the video surveillance camera systems for a legitimate purpose and with proper authorization. The Borough of Montvale's designee will be responsible for authorization of users. The improper use of these systems can result in discipline up to and including termination.

No employee is permitted to view, continually watch, search, copy or otherwise use one of the Borough of Montvale's video surveillance camera systems or tamper with access, archive, alter, add to, or make copies of any data that has been recorded and stored within any of these systems without (1) a specific legitimate purpose and (2) permission for the designee of the Borough of Montvale.

The Borough of Montvale shall designate a person to be responsible for the maintenance and administration of the video surveillance camera system. Such designee will be responsible for maintaining a user access log detailing the date and name of individuals who view/access a stored recording.

Any employee who becomes aware of any unauthorized disclosure of a video record in a contravention of this policy and/or a potential privacy breach has the responsibility to ensure that (insert contact of the local unit type) are immediately informed of such breach.

Bulletin Board Policy:*

The bulletin boards located in the Borough of Montvale administrative building and other facilities are intended for official notices regarding policies, procedures, meetings and special events. Only personnel authorized by the Borough Administrator may post, remove, or alter any notice.

Petty Cash Policy:

I. Purpose/Intent

The purpose of this policy is to define the guidelines for petty cash. The dollar amount allocated to the Borough of Montvale's petty cash fund shall be \$500.00.

II. Definitions

Petty Cash – may be used for small purchases that must be made quickly and without prior notice on a contingency basis, or for official, organized activities of the Borough of Montvale or the various boards that function as part of the Borough. Petty cash may only be used when preferred methods of purchase (e.g. purchase requisition) are not feasible.

Petty Cash Receipt – Attach to the original vendor receipt at the time of petty cash disbursement and include the following information: date of the disbursement, purpose of the disbursement, amount of the disbursement, budget account number to be charged, signature of the employee receiving the petty cash, signature of the employee's direct supervisor and signature of the petty cash fund custodian.

Request for Receipt of Petty Cash Reimbursement – Receipt submitted by the petty cash custodian to the requestor when requesting petty cash fund reimbursement.

III. Policy/Procedure

The maximum amount of a petty cash fund is \$500.00. The maximum amount of reimbursement or payment is \$65.00 per transaction/receipt.

Maintenance of Petty Cash Fund

1. A listing of all petty cash fund locations, custodians, and amounts is maintained by the Finance Department.
2. Each petty cash fund must have only one custodian responsible for disbursements. In the event the petty cash custodian is unavailable, only the Administrator is authorized to disburse the funds.

3. Petty cash funds are to be maintained in a cash box which is to be locked at all times other than when disbursing cash. Only the petty cash fund custodian and the Administrator are to have access to the key which is to be properly secured at all times to prevent access by unauthorized persons.
4. Expenditures made from petty cash shall not exceed \$65.00 per transaction/ receipt. Purchases must not be split into multiple transactions to circumvent the \$65.00 limit. Expenditures exceeding \$65.00 must be paid via a purchase requisition or direct pay form.
5. Each petty cash fund custodian should reconcile and request reimbursement for his/her fund on an as needed basis to ensure the fund remains liquid. Shortages and overages are the responsibility of the fund custodian.
6. Each disbursement of funds requires a completed petty cash receipt and original paid receipt attached. A completed petty cash receipt has the date of the disbursement, the purpose of the disbursement, the amount of the disbursement, the account number to be charged, the signature of the employee receiving the petty cash, and the signatures for the appropriate supervisor and the petty cash custodian.
7. If the petty cash custodian is receiving the disbursement, the Administrator must sign the petty cash receipt and disburse the funds.
8. Advances -- a petty cash receipt reflecting the account number and approximate cost must be completed. The original vendor receipt and any unused funds must be returned to the petty cash fund custodian within 24 hours to complete the transaction.
9. The following are strictly prohibited: I.O.U.'s to the petty cash fund for employee personal use, cashing personal checks for any Borough employee, and reimbursing purchases not for official Borough business.
10. Improperly completed reimbursement requests will not be processed. It is not the custodian's responsibility to complete the form or obtain the required signatures.

Computer Server Backup Policy:

In accordance with Resolution No. 151-2011, the Borough of Montvale has established a computer server backup policy. Computer Server backups will be performed nightly (after hours) five days a week. Personnel will check completion of backup jobs each morning. Successful server backup will be taken off site and stored at a secure location after hours to ensure for safe recovery. The server backup software shall verify complete accuracy. A

small restoration is done bi-monthly to ensure that the backups are working in case an emergency restore is needed. Tapes are rotated every 8 to 12 months and checked for wear. The tape drive shall be cleaned weekly with a tape cleaner to maintain healthy backups.

SECTION THREE

Paid and Unpaid Time-Off Policies:

Paid Holiday Policy:

In accordance with the yearly Resolution passed by the Mayor and Council establishing the holiday schedule for the following year for eligible Administrative non-contractual employees and Department of Public Works Contractual employees, the scope of the paid holiday policy is as follows:

SECTION 1. Mandatory holidays during which Borough Hall Administrative Offices and the Department of Public Works shall be closed:

HOLIDAY

New Year's Day
President's Day
Memorial Day
Independence Day
Labor Day
Columbus Day
Veterans Day
Thanksgiving Day
and the Day After
Christmas Day

SECTION 2. Two Floating Holidays, one each to replace Martin Luther King Day and Good Friday to be taken any time during the year. If not used during the calendar year, they will be lost with no ability to be carried or receive pay.

SECTION 3. Two one-half (1/2) day holidays to replace Election Day: one-1/2 day to be taken immediately before the day the Christmas Day holiday is observed and one-1/2 day to be taken immediately before the day the New Year's Day Holiday is observed.

If Christmas Day and New Year's Day fall on Saturdays, these two holidays shall be observed on Fridays. Therefore, the two-1/2 holidays shall be observed on the Thursdays before the holidays.

If Christmas Day and New Year's Day fall on Sunday, these two holidays shall be observed on Mondays. Therefore, the two-1/2 holidays shall be observed on the Fridays before the holidays.

SECTION 4. Pursuant to the Personnel Policy, those employees classified as full-time employees (working 35 hours or more each week) shall be entitled to all days, as outlined above in Section 1 through Section 3. Pursuant to the Personnel Policy, all employees classified as part-time employees (working less than 35 hours per week) and eligible to receive holidays, shall only be entitled to the holidays listed in Section 1, and only when the holidays fall on their regularly scheduled days of work.

Vacation Leave Policy:

The following is the schedule of vacation to be granted to all Full-time Administrative employees. All other employees are covered by separate contractual agreement.

General Policy:

- | | |
|--|---|
| • Six months but less than one year: | One day per month worked, up to 10 days* |
| • One Year but less than five years: | Two Work Weeks |
| • Five Years but less than ten years: | Three Work Weeks |
| • Ten Years but less than fifteen years: | Four Work Weeks |
| • Fifteen Years or more: | Five Work Weeks <i>plus one (1) day per each year of service thereafter</i> |

*Vacation time earned on the basis of one day per month from the date of hire to a maximum of 10 days.

The vacation granted to an employee shall be based upon length of service as of the anniversary date of employment during the calendar year.

Vacation periods must be approved by the Department Head and submitted to the Borough Administrator for final approval. Scheduling of vacation, where a conflict exists with other employees within the same department shall be resolved based upon seniority of service. No employee shall take more than two consecutive weeks of vacation leave unless written authorization is received from the Borough Administrator.

At the time of separation from service, the employee shall be entitled to pay on a prorated basis for any unused accumulated vacation.

Employees must receive their supervisor's approval at least two weeks in advance of the first vacation day. Employees who do not use all of their vacation allowance may carryover a maximum of five vacation days to the following year, and all carryover vacation days must be taken by March 31 of the following year or they will be forfeited. At the discretion of the Borough Administrator carry over vacation days maybe extended after the March 31st date. A Vacation/Sick Request Form to Carry Over Days to the Following Calendar Year (following) must be submitted for approval.

**VACATION AND SICK REQUEST FORM TO CARRY OVER DAYS TO THE
FOLLOWING CALENDAR YEAR**

You may carry up to 5 unused vacation days into the next calendar year, but must use them by **April 1**.

You may carry up to 5 unused sick days into the next calendar year, but must use them by **July 1**.

This request requires approval of the Administrator by **December 10**.

Name: _____ Date: _____

I am requesting the following vacation days to be carried to 20____.

Number of Vacation Days: _____ Number of Sick Days: _____

Dates: _____

Employee: Please submit this to your Department Head for review and action no less than (5) working days prior to December 10.

Employee Signature _____

Department Head: Please review, approve or disapprove (with reason) and then submit to the Administrator for action within two working days of receipt from Employee:

() Approved () Not Approved

Department Head Signature Date: _____

Administrator:

() Approved () Not Approved

Administrator Signature Date: _____

RECOGNITION OF PRIOR MUNICIPAL SERVICE FOR VACATION PURPOSES:

All Full-time Administrative Non-Contractual Employees. All other employees are covered by separate contractual agreements, or other policies.

General Policy:

- A. For full-time administrative non-contractual employees with prior verified full-time employment in the public sector, recognition will be given for up to two years prior service credit in the calculation of vacation benefits if said employee is eligible for said benefits under the existing personnel policy for full-time administrative non-contractual employees.
- B. Any full-time administrative non-contractual employee who as of the date of adoption of Resolution 55-98 (February 24, 1998) shall have prior verified full-time municipal service employment and shall have not reached the maximum vacation benefit as provided for elsewhere in the full-time Non-Contractual Personnel Policies, shall only be eligible for said recognition for up to two years prior public service credit as of the date of the adoption of this resolution.
- C. Any part-time employee working 28 hours or more who attains full-time status shall receive one (1) vacation day for each prior year of service, not to exceed five (5), during the year full-time status is attained.

VACATION DAY ELIGIBILITY WHEN EMPLOYEE IS ABSENT BECAUSE OF WORK INCURRED INJURY/ILLNESS:

All Employees eligible to receive paid vacation.

General Policy:

An employee who incurs a work-related injury/illness will be considered on full, regular active duty for the purposes of vacation benefits. Any eligible vacation days which are accrued and must be disbursed during the calendar year, shall not be lost to the employee should the employee be unable to use the benefits during the specified period of time because of absence due to the work-related injury or illness.

The employee shall be entitled to said vacation days upon return to work, to be taken at a mutually agreeable time as established between the Borough of Montvale and employee pursuant to the terms and conditions of the vacation policies under which the employee is governed.

These vacation days will be considered, in addition to the vacation days available to the employee during the current calendar year.

The Borough may elect, at its discretion, to authorize payment for these unused vacation days. If payment is so authorized said payments shall be at the wage rate prevailing at the time when such vacation was earned.

Personal Leave Policy:

All full-time employees are entitled to *four (4)* personal days per year; any unused personal days are forfeited at the end of each calendar year. All part-time employees who work twenty-eight (28) hours or more, and have attained their one-year anniversary, are entitled to *six (6)* personal/sick days; any unused personal days are forfeited at the end of each calendar year.

Sick Leave Policy:

All full-time employees are entitled to twelve (12) working days of sick leave per calendar year. Sick leave is to be used only in cases where the employee is ill and unable to work, or in cases of the serious illness of a family member. Employees absent on sick leave for five or more consecutive working days must submit a doctor's verification of illness or injury. If an employee is attending to an immediate family member, a doctor's verification of that individual is required. After the tenth day of absence on sick leave in one calendar year, a doctor's verification must be submitted for all sick leave absences, regardless of duration. There will be no payment for any additional sick days beyond the twelve paid sick days allotted in a calendar year. Prior to the return to work, the Borough of Montvale may require an employee to be examined by a physician designated by the Borough of Montvale to verify fitness to return to normal duties. An employee will not be permitted to return to work until the verification is received. *No payments will be made for sick days accumulated.*

Effective October 29, 2018, all full-time employees can carry over a maximum of five (5) unused sick days into the next calendar year. All carryover sick days must be taken by July 1st of the following year or they will be forfeited. A Vacation/Sick Request Form to Carry Over Days to the Following Calendar Year must be submitted for approval. (Form on Page 37)

In accordance with the requirements promulgated by the NJ Paid Sick Leave Act, the Borough of Montvale paid sick leave benefits for all eligible employees, meets and/or exceeds the benefits mandated under the Act.

Bereavement Leave Policy:

All employees are entitled to four (4) work days commencing the day after death for each death of an employee's immediate relative. "Immediate relative" includes spouse or significant other, child, parent, stepchild, sibling, grandparents, daughter-in-law, son-in-law, grandchildren, niece, nephew, uncle, aunt, mother-in-law, father-in-law, brother-in-law, sister-

in-law, cousin or any person related by blood or marriage residing in an employee's household. Employees are paid for all working days during the Bereavement Leave.

Jury Duty Policy:

An employee required to render jury service must submit jury duty notice to Administrator in advance and shall be entitled to be absent with pay from work during that service. Proof of jury duty service must be submitted when completed.

Jury Duty General Policy:

All Employees, as may be supplemented by contractual agreements.

In the event an employee is called to jury duty, he/she will be granted time off as the court requires. The employee will be paid only for that time actually required to serve on jury duty and if there are times the employee isn't scheduled for jury duty, then, in that case, they must report for work. All requests for jury duty leave must be filed in advance with the Administrator.

The above policy is predicated upon the compensation and terms of employment for the employee. For example, if a part-time employee is salaried, the employee shall be entitled to paid time off provided any compensation received from the court, other than mileage, is submitted to the Borough of Montvale. If the part-time employee is an hourly employee, the employee shall be entitled to unpaid time off without pay.

Leave of Absence Policy:*

Employees may be granted a personal leave of absence for up to six months at the sole discretion of the Borough Administrator with approval of Mayor and Council if the leave does not cause undue operational disruption. The leave must include the use of any accrued vacation and sick leave time, regardless of the length of leave requested. The portion of the leave that runs beyond the exhaustion of vacation and sick leave will be without pay or longevity credit. In exceptional circumstances, the Borough Administrator may extend a leave of absence for an additional six months, if such extension is considered in the best interests of the Borough of Montvale.

Personal leaves are not granted for the purpose of seeking or accepting employment with another employer, or for extended vacation time. Employees on personal leave of absence for more than two weeks in any month will not receive holiday pay, and will not accrue personal leave, sick leave or vacation time for that month. Health benefits may also be impacted. Refer to the Borough of Montvale Health Benefits Policy. A personal leave is granted with the understanding that the employee intends to return to work for the Borough of Montvale. If the employee fails to return within five business days after the expiration of the leave, the employee shall be considered to have resigned.

Family and Medical Leave Act Policy:*

Employees may be eligible for an unpaid family and medical leave under the federal Family and Medical Leave Act ("FMLA"). Employees also may be eligible for family and/or medical leave pursuant to the New Jersey Family Leave Act ("FLA"). In order to be eligible for such leave, employees must have: one (1) year of service with the Borough of Montvale; and, at least 1,000 hours of work (for New Jersey leave) and 1,250 hours of work (for Federal leave) during the previous twelve (12) months and is employed at a worksite where 50 or more employees are employed by the employer within 75 miles of the worksite (for Federal leave). Eligible employees may receive up to twelve (12) weeks of leave per year (FMLA) or twelve (12) weeks every twenty-four (24) months (FLA).

During the leave period, the employee's health benefits will be continued on the same conditions as coverage would have been provided had the employee been employed continuously during the entire leave. The employee will not continue to accrue vacation, sick or personal days for the period of the leave. The employee will receive seniority credit for the time that the employee has been on leave under this section. At the conclusion of the leave period, an eligible employee is entitled to reinstatement to the position the employee previously held or to an equivalent one with the same terms and benefits that existed prior to the exercise of leave.

Upon written notice, eligible employees are entitled to a family or medical leave for up to twelve weeks to care for a newly born or adopted child or a seriously ill immediate family member, including civil union partner, or for the employee's own serious health condition that makes the employee unable to perform the functions of the employee's position. Eligible employees who take leave under this policy must use all accrued available vacation and personal days during the leave. The use of accrued time will not extend the leave period. After exhausting accrued time, the employee will no longer be paid for the remainder of the leave.

The period of leave must be supported by a physician's certificate. An extension past twelve weeks can be requested, but medical verification of the need must be submitted prior to the expiration of the leave. The Borough of Montvale reserves the right to deny any request for extended leave. Additional information concerning the Family Leave Policy and eligibility requirements are available from the Borough Administrator.

Commencing July 1 2009, Family Temporary Disability ("FTD") payments for up to six (6) weeks in a twelve (12) month period will become available for eligible employees who are caring for a seriously ill immediate family member who is incapable of self-care or care of a newborn or adopted child. To be eligible, the employee must have worked at least 20 weeks at minimum wage within the last 52 weeks or earned 1000 times the minimum wage. The weekly benefit is 2/3 of weekly compensation up to a maximum of \$524 per week (this amount is subject to change). FTD will run concurrently with FMLA and/or FLA leaves and there is a one week waiting period. Employees may also be required to use accrued sick, vacation or personal leave for up to two weeks.

Employees taking paid family leave in connection with a family member's serious health condition may take leave intermittently or consecutively. Intermittent leave is not available for the care of a newborn or adopted child. Intermittent leave may be taken in increments necessary to address the circumstances that precipitated the need for leave. An employee seeking intermittent paid family leave is required to provide the Borough of Montvale with 15 days' notice unless an emergency or other unforeseen circumstance precludes prior notice. The employee seeking intermittent leave shall make a reasonable attempt to schedule leave in a non-disruptive manner. Employees requesting such leave shall provide the Borough of Montvale with a regular schedule of days for intermittent leave.

Employees may also be eligible for an unpaid leave for up to twenty-six (26) workweeks in a year to care for a family member on active duty in the military or a covered veteran (a covered veteran is an individual who was discharged or released under conditions other than a dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran) with a serious injury or illness incurred in the line of duty on active duty for which the service member is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, or up to twelve (12) weeks in a year for a qualifying exigency. A qualifying exigency occurs when a military member is called to covered active duty (requires deployment to a foreign country) and a close member of his/her family must attend official ceremonies or family support or assistance meetings, there is a short-notice deployment, to attend to childcare matters, attend to financial and/or legal matters, or counseling. A serious injury or illness means an injury or illness incurred by a covered service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating.

A serious injury or illness also means an injury or illness that was incurred by the covered veteran in the line of duty on active duty in the Armed Forces or that existed before the veteran's active duty and was aggravated by service in the line of duty on active duty, and that is either:

1. a continuation of a serious injury or illness that was incurred or aggravated when the veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; or
2. a physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and the need for military caregiver leave is related to that condition; or
3. a physical or mental condition that substantially impairs the veteran's ability to work because of a disability or disabilities related to military service, or would do so absent treatment; or
4. an injury that is the basis for the veteran's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Any one of these definitions meets the FMLA's definition of a serious injury or illness for a covered veteran regardless of whether the injury or illness manifested before or after the individual became a veteran.

Upon employer's request, an employee must provide a copy of the covered military member's active duty orders to support request for qualifying exigency leave. In addition, upon an employer's request, certification for qualifying exigency leave must be supported by a certification containing the following information:

- statement or description of appropriate facts regarding the qualifying exigency for which leave is needed;
- approximate date on which the qualifying exigency commenced or will commence;
- beginning and end dates for leave to be taken for a single continuous period of time;
- estimate of the frequency and duration of the qualifying exigency if leave is needed on a reduced scheduled basis or intermittently; and
- if the qualifying exigency requires meeting with a third party, the contact information for the third party and description of the purpose of the meeting.

Eligible employees may also take leave to care for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty. Such care may include arranging for alternative care, providing care on an immediate basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility.

Employees who request qualifying exigency leave to spend time with a military member on Rest & Recuperation may take up to a maximum of 15 calendar days. Upon an employer's request, an employee must provide a copy of the military member's Rest and Recuperation leave orders, or other documentation issued by the military setting forth the dates of the military member's leave.

General Policy:

All Employees.

In compliance with the Family and Medical Leave Act of 1993, it is the desire of the Borough of Montvale, in accordance with Resolution No. 224-2001, to implement an application and certification form for the purpose of requesting such leave by employees.

- A. An employee requesting family leave may receive conditional approval after submitting the Application for Family and Medical Leave subject to the submission of the Certification of the Health Care Provider.
- B. Certification of Health Care Provider will be used by the Borough at any time during the leave to seek updates as to the employee's condition.
- C. Forms can be obtained and will be reviewed at the office of the Borough Administrator.

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY**

RESOLUTION NO. 224-2001

RE: Establish Application and Certification Forms Family Medical Leave Act (FMLA)

WHEREAS, it is the desire of the Governing Body of the Borough of Montvale to implement an application and certification form for the purpose of requesting Family Medical Leave (FMLA) by employees of Montvale or Tri-Borough Dispatchers; and

WHEREAS, an employee requesting family leave may receive conditional approval after submitting the application subject to the submission of the certification by a health care provider; and

NOW BE IT FURTHER RESOLVED, certification forms will be used by the Borough of Montvale at any time during the leave to seek updates as to the employee's condition.

NOW THEREFORE BE IT RESOLVED, forms can be obtained and will be reviewed at the office of the Borough Administrator; and

This resolution was adopted by the Mayor and Council of Montvale at a Regular Meeting held on December 11, 2001.

Introduced by: *Christina Vachon*

Seconded by: *Christina Farrell*

Approved: December 11, 2001

George B. Zeller
George B. Zeller, Mayor

ATTEST:

Maureen Larossi-Alwan
Maureen Larossi-Alwan, Municipal Clerk

APPLICATION FOR FAMILY AND MEDICAL LEAVE

Name: _____ Department: _____

Current Address: _____

Start Date of Anticipated Leave: _____

Expected Date of Return to Work: _____

Reason for Leave (Explain): _____

NOTE:

A leave request based on an employee's serious health condition or the serious health condition of an employee's spouse, child or parent must be accompanied by a verifying medical certification from a healthcare provider.

I hereby authorize the Borough of Montvale to contact my healthcare provider to verify the reason for my requested leave or for any other information concerning my requested family and medical leave.

I understand that a failure to return to work at the end of my leave period may be treated as a resignation unless an extension has been agreed upon an approval in writing by the Borough of Montvale.

Signature

Date

APPROVED BY: _____

A **"Serious Health Condition"** means an illness, injury, impairment, or physical or medical condition that involves one of the following:

1. Hospital Care

Inpatient care (i.e., an overnight stay) in a hospital, hospice or residential medical care facility including and period of incapacity² or subsequent treatment in connection with or consequent to such inpatient care.

2. Absence Plus Treatment

(a) A period of incapacity² of **more than three consecutive calendar days** (including any subsequent treatment or period of incapacity² relating to the same condition), that also involves:

(1) **Treatment³ two or more times** by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider;

or

(2) **Treatment** by a health care provider on **at least one occasion** Which results in a **regimen of continuing treatment⁴** under the supervision of the health care provider.

³ Treatment includes examination to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examination, eye examinations, or dental examinations.

⁴ A regimen of continuing treatment includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition. A regimen of treatment does not include the taking of over-the-counter medication such as aspirin, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider.

3. Pregnancy

Any period of incapacity due to **pregnancy** or **prenatal care**.

4. Chronic Conditions Requiring Treatments

A **chronic condition** which:

- (1) Requires **periodic visits** for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
- (2) Continues over an **extended period of time** (including recurring episodes of a single underlying condition); and
- (3) May cause **episodic** rather than a continuing period of incapacity² (e.g., asthma, diabetes, epilepsy, etc).

5. Permanent/Long-term Conditions Requiring Supervision

A period of **incapacity²** which is **permanent or long-term** due to a condition for which treatment may not be effective. The employee or family member must be **under the continuing supervision or, but need not be receiving active treatment by, a health care provider**. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.

6. Multiple Treatments (Non-Chronic Conditions)

Any period of absence to receive **multiple treatments** (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for **restorative surgery** after an accident or other injury, or for a condition that **would likely result in a period of incapacity² of more than three consecutive calendar days in the absence of medical intervention or treatment**, such as cancer (chemotherapy, radiation, etc.) severe arthritis (physical therapy) or kidney disease (dialysis.)

CERTIFICATION OF HEALTH CARE PROVIDER
(Family and Medical Leave Act of 1993)

1. Employee's Name: _____
2. Patient's Name (if different from employee): _____
3. The attached sheet describes what is meant by a "**serious health condition**" under the Family and Medical Leave Act. Does the patient's condition¹ qualify under any of the categories described? If so, please check the applicable category.

(1)____(2)____(3)____(4)____(5)____(6)____, or None of the above _____

4. Describe the **medical facts** which support your certification, including a brief statement as to how the medical facts meet the criteria of one of those categories:
5.
 - a. State the approximate **date** the condition commenced, and the probable **duration** of the condition (and also the probable duration of the patient's present incapacity² if different):
 - b. Will it be necessary for the employee to take work only **intermittently or? to work on a less than full schedule** as a result of the condition (including for treatment described in Item 6 below)? _____

¹Here and elsewhere on this form, the information sought relates **only** to the condition for which the employee is taking FMLA leave.

²"**Incapacity**," for purpose of FMLA, is defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment, therefor, or recovery therefrom.

If yes, give the probable duration:

- c. If the condition is a **chronic condition** (condition #4) or **pregnancy**, state whether the patient is presently incapacitated² and the like duration and frequency of **episodes of incapacity**².

6. a. If additional treatments will be required for the condition, provide an estimate of the probable number of such treatments.

If the patient will be absent from work or other daily activities because of treatment on an intermittent or part-time basis, also provide an estimate of the probable number and interval between such treatments, actual or estimated dates of treatment if known, and period required for recovery if any:

- b. If any of these treatments will be provided by another provider of health services (e.g., physical therapist), please state the nature of the treatments:
- c. If a regimen of continuing treatment by the patient is required under your supervision, provide a general description of such regimen (e.g., prescription drugs, physical therapy requiring equipment):
7. a. If medical leave is required for the employee's **absence from work** because of the **employee's own condition** (including absences due to pregnancy or a chronic condition), is the employee **unable to perform** work of any kind? _____
- b. If able to perform some work, is the employee **unable to perform any one or more of the essential functions of the employee's job** (the employee or the employer should supply you with information about the essential job functions)? _____ If yes, please list the essential functions the employee is unable to perform:
- c. If neither a. or b. applies, is it necessary for the employee to be **absent from work for treatment**? _____
8. a. If leave is required to **care for a family member** of the employee with a serious health condition, **does the patient require assistance** for basic medical or personal needs or safety, or for transportation? _____
- b. If no, would the employee's presence to provide **psychological comfort** be beneficial to the patient or assist in the patient's recovery? _____
- c. If the patient will need care only intermittently or on a part-time basis,

please indicate the probable duration of this need:

(Signature of Health Care Provider)

(Type of Practice)

(Address)

(Telephone Number)

To be completed by the employee needing family leave to care for a family member:

State the care you will provide and an estimate of the period during which care will be provided, including a schedule if leave is to be taken intermittently or if it will be necessary for you to work less than a full schedule:

Employee Signature

Date

Domestic Violence Leave Policy: *

The New Jersey Security and Financial Entitlement Act, also known as the "NJ SAFE Act" provides protection for employees and their family members who have been the victim of domestic violence or sexual assault. Employees are entitled to twenty (20) days of unpaid protected leave from work to:

Seek medical attention for physical or psychological injuries;
Obtain services from a victim services' organization, pursue psychological or other counseling;
Participate in safety planning for temporary or permanent relocation;
Seek legal assistance to ensure health and safety of the employee or the employee's relative; or
Attend, participate in, or prepare for a criminal or civil court proceeding relating to an incident of domestic or sexual violence.

To be eligible for the leave, an employee must meet the following criteria:

The employee or their child, parent, spouse or domestic partner must be a victim of domestic violence or a sexually violent offense;

The employee must have worked for the employer for at least twelve months and for at least 1,000 hours during the twelve (12) month period immediately preceding the requested leave; and,

The twenty (20) day leave must be taken within one (1) year of the qualifying event.

Employees may take leave on an intermittent basis but such leave cannot be shorter than one (1) full day. To the extent the leave is foreseeable, employees must provide advance notice. In addition, employee seeking leave must provide proof that they qualify for the leave. Such proof may include restraining order, letter from a prosecutor, proof of conviction, medical documentation or a certification from an agency or professional involved in assisting the employee.

In certain circumstances, the basis for the leave may also qualify under the federal Family and Medical Leave Act and/or the New Jersey Family Leave Act. If so, the Borough of Montvale will treat the leave concurrently with the leave under those statutes. Employees may be required to use accrued paid vacation leave, personal time or sick leave concurrently.

The Borough of Montvale shall protect the privacy of employees who seek leave by holding the request for leave, the leave itself or the failure to return to work "in the strictest confidence."

The Borough of Montvale shall not retaliate, harass or discriminate against any employee exercising his/her right to take the leave provided by this policy.

Military Leave Policy:*

When a full-time employee (either permanent or temporary) who is a member of the reserve component of any United States armed force or the National Guard of any state including the Naval Militia and Air National Guard is required to engage in field training or is called for active duty, the employee will be granted a military leave of absence for the duration of the service. The first thirty (30) workdays of the leave shall be with full pay except that a member of the New Jersey National Guard shall receive full pay for the first ninety (90) days. Thereafter, the employee shall be paid the difference between military salary and the employee's regular salary. The paid leave will not be counted against any available time off including but not limited to vacation, sick or personal time. A full-time temporary employee who has served less than one-year shall not be entitled to paid leave but shall be granted non-paid military leave without loss of time.

Employees on military service will also continue to receive paid health insurance coverage during the period of the paid leave plus an additional thirty calendar days after the paid leave is exhausted. After this period has expired, employees may continue coverage for themselves or their dependents under the Borough of Montvale group plan by taking advantage of the COBRA provision. Members of the State administered retirement systems (PERS and PFRS) will continue accruing service and salary credit in the system during the period of paid leave.

Pursuant to the Uniformed Services Employment and Reemployment Rights Act, any employee released from active duty under honorable circumstances shall return to work without loss of privileges or seniority within the following time limits: for service less than thirty-one (31) calendar days, the employee must return to work on the beginning of the first regularly scheduled workday or eight (8) hours after the end of military duty, with reasonable allowances for commuting; for service of thirty-one (31) to one hundred eighty (180) calendar days, the employee must submit an application for reinstatement within fourteen (14) calendar days after completing military duty; for service greater than one hundred and eighty (180) calendar days, the employee must submit an application for reinstatement within ninety (90) calendar days after completing military duty.

SECTION FOUR

Compensation & Employee Benefits Policies:

These policies cover non-union employees. They also cover union employees to the extent that their collective bargaining agreements do not cover these issues.

Payroll Policy:

Salary ranges are established by ordinance, and the salary must fall within the minimum and maximum ranges for the employee's title. The Borough of Montvale does not award longevity bonuses to non-union employees. Employees are paid on the 15th and last day of calendar month. Employees who are going on vacation and would like their checks in advance must make a written request to Payroll.

The Borough of Montvale will not accept responsibility for any employee's personal finances. The Borough of Montvale will acknowledge judgments against an employee's pay, but will not act as a mediator between the employee and creditors.

Overtime Compensation Policy:

Under the Federal Fair Labor Standards Act, certain employees in managerial, supervisory (Department Heads,) administrative, computer or professional positions are exempt from the provisions of the Act. The Borough Administrator shall notify all Exempt employees of their status under the Act. Exempt employees are not eligible to receive overtime compensation and are required to work the normal workweek and any additional hours needed to fulfill their responsibilities. Time off consideration for large amounts of additional hours may be provided to the Borough Administrator's prior approval and at the sole discretion of the Borough Administrator. Overtime pay shall only be granted to these employees, as follows, in unusual circumstances with the approval of the Mayor and Borough Council:

Administrator
Police Chief
Public Works Superintendent
Police Captain
Municipal (Borough) Clerk
Tax Collector
Treasurer
Municipal Court Administrator
Purchasing Agent

All other employees are classified as Non-Exempt and are subject to the provisions of the Act. Depending on work needs, Non-Exempt employees may be required to work overtime. Non-Exempt employees are not permitted to work overtime unless the overtime is budgeted and approved by the Department Head and the Borough Administrator. Non-Exempt employees working overtime without prior approval will be subject to disciplinary action.

Non-Exempt employees will receive overtime compensation for hours worked in excess of forty in a weekly period at the rate of one and one-half times the regular rate of pay.

For purposes of overtime compensation, hours worked are computed to the nearest one half-hour per day. Previously scheduled vacation time and holiday time are considered time worked for purposes of determining overtime compensation, but sick time and personal time are not.

(In addition to the requirements of the Federal Fair Labor Standards Act, Non-Exempt employees will also receive overtime compensation for work in excess of thirty-five hours but not greater than forty hours in a weekly period. This other compensation will be one hour for each hour worked in excess of thirty-five hours.)

Health Insurance Policy:

In accordance with Public Law 2, (effective May 21, 2010), or upon the expiration of any applicable labor agreement in force on that date, all employees, must contribute a minimum of 1.5% of current base salary as mandated by the State towards their health benefits cost. Also note, Chapter 78, effective June 28, 2011, makes contribution requirements a percentage of the cost of the applicable plan, in accordance with the State-provided guidelines.

Chapter 78 allows for municipalities to negotiate the level of contribution (above the level mandated under PL2 of 2010), and the Borough of Montvale has adopted an Alternate Contribution Schedule for Municipal Employees. Members of the Police Department follow the state guidelines for contributions.

All Full-time Employees:

All full-time employees and their immediate eligible family members are provided health insurance coverage plans administered through Actna and provided by the Borough's membership in the Bergen Municipal Employee Benefits Fund a joint health insurance fund. Currently, the Borough offers two (2) Preferred Provider Organization (PPO), two (2) Exclusive Provider Organization (EPO's and a High Deductible (HDHP) The Borough of Montvale reserves the right to change provider networks, claims agents, and insurance mechanisms. The complete Plan of Benefit for each plan offered is on file in the Borough Administrator's office and a Summary of Benefits and Coverages (SBC) is available to all employees. Plan offerings for non-unionized employees are subject to change at the discretion of the Borough of Montvale.

Health insurance coverage for employees on a Leave of Absence or who cease Borough of Montvale employment will terminate at the end of the next month in which the leave begins or employment is terminated except coverage will continue for up to twelve weeks for employees on leave pursuant to the Family and Medical Leave Act and up to thirty weeks for employees on Military Leave. Upon termination of coverage, employees may extend health insurance coverage for themselves or their dependents by taking advantage of the Public Health Services Act provision for a period of up to eighteen months to thirty-six months. All newly hired employees and their spouses shall receive a notice of COBRA rights upon being hired. For more information, consult the Borough Administrator.

Dental Benefits Policy:

Dental coverage is provided by the Dental Plan administered through Delta Dental and the BMED. Benefits are provided on a schedule basis and illustrated in the Plan Document.

Drug Prescription Benefit Policy:

Prescription Benefits are provided through the Plans, as described above. Please refer to the SBC and plan document for the plan you have chosen for specific benefits.

Prescription Eye Glasses Benefit Policy:

Prescription Eye Glass coverage is provided to a total maximum of \$500 per plan.

Opt-Out Policy for Health Benefits:

If an employee is eligible for the Borough of Montvale's health coverage, but does not wish to be covered and furnishes proof of substitute coverage, the employee shall be permitted to opt-out of participation in the Borough of Montvale's health benefits coverage. Such opt-out shall be in writing to the Borough Administrator. Employee must opt out of all programs.

Effective May 21, 2010, in exchange for such non-participation, the employee shall be entitled to receive, in December of each opt-out year, a maximum amount equal to \$5,000., or 25% of the amount of the health insurance coverage premium, whichever is less, for said employee's applicable coverage category, i.e., Single/Husband and Wife/Family, for that opt-out year. Payment shall be authorized at the end of the opt-out year at the December Mayor and Council meeting and shall be paid through the normal process.

An employee may only opt out during the open enrollment period in October of each year and must complete an Opt-Out Health Benefits Form and have it approved by the Borough Administrator. Removal of coverage shall take place on the first month of the upcoming New Year. *New employees or employees transferring to full-time positions may opt out at a prorated rate based upon the effective date of the first month that coverage would have begun and receive an amount equal to 25% of the plan not to exceed \$5,000.*

An employee who has previously opted out may only opt in during the **next** open enrollment period in October by giving written notice to the Borough Administrator. Reinstatement of coverage shall take place on the first month of the upcoming New Year. An *exception* to this policy would be the loss of the employee's alternate coverage in which the alternate coverage policyholder loses coverage due to termination of employment, retirement, or employer no longer provides health coverage for its employees. Written proof from the alternate coverage policyholder's employer stating reason for loss of coverage must be provided to the Borough. Request for reinstatement shall be submitted to the Borough Administrator at least thirty (30) business days prior to the date of reinstatement which must start on the 1st day of a month. For example, if a reinstatement request is received on the 14th of March, reinstatement would not become effective until May 1. The annual financial incentive would be pro-rata to the effective date of reinstatement.

SHORT-TERM DISABILITY POLICY/WORKERS COMPENSATION PROGRAM:

For all full-time Administrative Employees; all other employees are covered by separate contractual agreements or other policies.

General Policy:

- A. To establish and provide guidelines for the maximum paid leave available for full-time Administrative employees who are absent as a result of work related injury or for ten or more consecutive working days because of non-job related illness. In either the work-related injury or non-job related illness a physician will have certified that because of injury or sickness the employee is unable to perform each of the material duties of his or her regular occupation. A full-time administrative employee is defined as an employee working a minimum of thirty-five hours per week. Subject to the provisions outlined herein, an Administrative employee will be eligible for the benefits provided below based upon length of service as determined by the employee's hire date.

B. Full Time Administrative Employees - Short-Term Disability and Workers' Compensation Program:

Length of Service - Compensation Scale

Employee Length of Service	Full Pay	Two Thirds Pay
Less than 6 months*+	-----	-----
6 months up to 1 year	1 week	25 weeks
1 year to 2 years	2 weeks	24 weeks
2 years to 3 years	3 weeks	23 weeks
3 years to 4 years	4 weeks	22 weeks
4 years to 5 years	5 weeks	21 weeks
5 years to 6 years	6 weeks	20 weeks
6 years to 7 years	7 weeks	19 weeks
7 years to 8 years	8 weeks	18 weeks
8 years to 9 years	9 weeks	17 weeks
9 years to 10 years	10 weeks	16 weeks
10 years to 11 years	11 weeks	15 weeks
11 years to 12 years	12 weeks	14 weeks
12 years to 13 years	13 weeks	13 weeks
13 years to 14 years	14 weeks	12 weeks
14 years to 15 years	15 weeks	11 weeks
15 years to 16 years	16 weeks	10 weeks
16 years to 17 years	17 weeks	9 weeks
17 years to 18 years	18 weeks	8 weeks
18 years to 19 years	19 weeks	7 weeks
19 years to 20 years	20 weeks	6 weeks
20 years to 21 years	21 weeks	5 weeks
21 years to 22 years	22 weeks	4 weeks
22 years to 23 years	23 weeks	3 weeks
23 years to 24 years	24 weeks	2 weeks
24 years to 25 years	25 weeks	1 week
25 years and over	26 weeks	0

*No eligibility for coverage as it applies to non-job related illness.

+Coverage, as it applies to work related injury, shall be one week at two-thirds pay for each full month of service to a maximum of six weeks at two-thirds pay.

The Policy applies to any absence caused by non-job-related illness or injury. It also applies to absence resulting from Workers' Compensation case. It does not apply to any absence involving the commission of a crime or acts of willful misconduct or gross negligence.

Payment from all Borough sponsored sources for time lost due to illness or disability shall not exceed the base salary, which the employee received while working. Workers' Compensation pay for time lost, Social Security Disability benefits, etc., will be offset by the Borough to the extent that such payment would otherwise cause the employee in a pay period to receive more than his/her regular salary.

C. Administration - Non Job Related Illness or Injury:

1. When an employee has been absent for the third consecutive working day, the Department Head is to notify the Borough Administrator in writing.
2. As soon as the Department Head is aware that the employee will be absent for ten or more consecutive working days, the Borough Administrator is to be notified in writing that the employee is disabled. The effective date for the benefit reverts back to the first day of illness.
3. For an employee to receive benefits under this policy, the following procedure is to be followed:
 - a. When an employee has been absent on the tenth consecutive working day, a physician's written statement shall be required.
 - b. The physician's statement shall include the following: certification of the employee's inability to perform his/her job functions, including diagnosis, prognosis, anticipated date of return.
 - c. Recertification of any employee's medical condition will be required every thirty days in order for the employee to continue to receive pay. The recertification shall include those items required in (b). The Borough reserves the right to have an independent physician examine the employee, at the Borough's expense.
4. The Department Head shall notify the Borough Administrator, in writing, when the employee has returned to work.
5. Payments under this plan will be made through the regular payroll system and will continue only for the period certified as the disability. If the employee is no longer disabled but does not return to work, all benefits shall cease.
6. Two or more periods of disability resulting from the same or related cause will be considered one period of disability in a twelve-month period. A period of disability resulting from an unrelated cause will be considered to commence on or after an employee returns to active duty.
7. After the expiration of the maximum period of time granted for the non-

job related illness, the Mayor and Borough Council shall review the case on an individual basis, for the purpose of deciding whether the leave should be discontinued or modified, or whether such employee should be recommended for a disability retirement.

D. Administration - Work Related Injury:

In the case of work related injury, the Department Head is to file the required reports within the prescribed time as required by the insurance carrier.

The employee shall be required to conform with the requirements of the insurance carrier.

Notwithstanding those requirements, for an employee to receive benefits under this policy, the following procedure is to be followed:

1. When an employee is absent due to a work related injury a physician's written statement shall be required within one working day of the date of occurrence.
2. The physician's statement shall include the following: certification of the employee's inability to perform his/her job functions, including diagnosis, prognosis, anticipated date of return.
3. Recertification of any employee's medical condition will be required every thirty days in order for the employee to continue to receive pay. The recertification shall include those items required in 2(b.) The Borough reserves the right to have an independent physician examine the employee at the Borough's expense.
4. The Department Head shall notify the Borough Administrator in writing when the employee has returned to work.
5. Payments under this plan will be made through the regular payroll system and will continue only for the period certified as the disability. If the employee is no longer disabled but does not return to work, all benefit payments shall cease.
6. For more periods of disability resulting from the same or related cause will be considered one period of disability in a twelve-month period. A period of disability resulting from an unrelated cause will be considered to commence on or after an employee returns to active duty.
7. After the expiration of the maximum period of time granted for the job related injury, the Mayor and Borough Council shall review the case on an individual basis, for the purpose of deciding whether the leave should be discontinued or modified, or whether such employee should be recommended for a disability retirement.

Flexible Spending Account:

As per NJ State Statute Chapter 78, P.L. 2011 the Borough of Montvale offers all employees enrolled in the health insurance plan a Flexible Spending Account (FSA.)

Retirement Policy:

Retired employees shall be considered employees who:

- A. Are eligible for retirement allowance from the State administered retirement system and who have retired from their service with the Borough of Montvale; or
- B. Have retired from their service with the Borough of Montvale.
- C. Spouse of retiree, provided the spouse was covered as a dependent under the Borough's Health Benefits program immediately preceding the death of the retired employee.
- D. Eligible dependents of retired employees are the same for active employees

Under State law, all employees must enroll in the New Jersey Public Retirement System or the Police and Fire Fighters Retirement System as applicable. The employee's contribution to the Plan will be deducted from the employee's pay. An employee who has completed the required number of years and who has reached the required age under the Plan may retire by notifying the Department Head in writing. The State retirement plans request six months advance notice to process the application. After giving notice of retirement, employees are expected to assist their supervisor and co-employees by providing information concerning their current projects and help in the training of a replacement. The Borough Administrator will conduct a confidential exit interview to discuss benefits including COBRA options, appropriate retirement issues and pay due. A COBRA notification letter will be sent to the employee's home address. The exit interview will also include an open discussion with the employee. On the last day of work, and prior to receiving the final paycheck, the employee must return the Employee Identification Card, all keys and equipment.

CONTINUATION OF HEALTH BENEFITS COVERAGE FOR EMPLOYEES AT RETIREMENT:

All Borough Employees participating in health benefits coverage at time of retirement.

General Policy:

Retired employees may opt to continue the health benefits coverage they are currently receiving at the time of their retirement by direct reimbursement to the Borough of Montvale for all costs of the Program(s).

Retired employees must be participating in the Borough's Health Benefit coverage at the time of retirement in order to purchase coverage at the time of retirement.

The retired employee will be allowed to continue coverage under the same level of coverage as an active employee into retirement.

Should the retired employee opt not to continue all or some of the coverage at the time of retirement, they will not be permitted to pick up the coverage(s) again through the Borough. Retired employees shall pay the cost of insurance for themselves and their covered dependents as a reimbursement to the Borough as prescribed by the Borough.

Retired employees shall be considered employees who:

- A. Are eligible for retirement allowance from the State administered retirement system and who have retired from their service with the Borough of Montvale; or
- B. Have retired from their service with the Borough of Montvale.
- C. Spouse of retiree, provided the spouse was covered as a dependent under the Borough's health benefits program immediately preceding the death of the retired employee.
- D. Eligible dependents of retired employees are the same for active employees.

Workers Compensation Policy:

Employees who suffer job related injuries and illnesses may be entitled to medical expenses, lost income and other compensation under the New Jersey Workers Compensation Act. The Borough of Montvale covers worker's compensation benefits through its membership in a joint insurance fund. Any occupational injury or illness must be immediately reported to the supervisor or Department Head. All required medical treatment must be performed by a Workers Compensation Physician appointed by the joint insurance fund and payment for unauthorized medical treatment may not be covered pursuant to the Act.

Educational Assistance and Training Policy:

Subject to sufficient funds in the budget and upon approval of the Department Head, employees may apply for reimbursement of tuition expenses incurred for training or college courses directly related to the employee's work. The Borough Administrator will be the sole judge of whether a particular course or program is "directly related" to the employee's work. Employees are strongly urged to obtain this determination before enrolling in a course or program.

When enrollment for training courses or seminars is requested by the Borough of Montvale, employees will receive full reimbursement.

Certain employee positions within the Borough are required to obtain CEU credits in accordance with the State mandate in order to maintain their State certification. Such employee must provide proof of current certification. Said employee must not allow certification to lapse and must be of good moral character. The Borough will assume all costs associated with obtaining the required CEU credits.

The Borough may authorize attendance at conferences, seminars and training, provided funds are available in the budget and approval has been received as follows:

- A. For multi-day conferences, seminars and training the employee shall submit a written request to the Mayor and Borough Council including course description, agenda, dates, time and place of function and a cost outline at least two weeks before the Mayor and Council meeting preceding the expected travel.

This request shall include an explanation of the types of expenses anticipated and the amount requested.

If a non-Department head is making the request, said request shall include a note of approval (or disapproval) attached to the request, from the Department Head.

- B. For single day conferences, seminars and training the employee shall submit a written request to the Administrator including course description, agenda, date, time and place of function and outline of course at least two weeks prior to the function.

If a non-Department head is making the request, said request shall include a note of approval (or disapproval) attached to the request, from the Department Head.

Conference and Seminar Policy:

Requests to attend a conference or seminar must be approved by the Department Head and the Borough Administrator. Requests shall be made sufficiently in advance to take advantage of discounts for early registration, and must be submitted to the Department Head at least thirty days before the event. Requests must be in writing including the conference schedule, registration information and estimated costs. The Department Head is responsible to detail all training requests during the budget formulation process. Approval of any conference or seminar request is conditioned upon the availability of funds.

Travel Policy:

Part-time Salaried Employees: Part-time salaried employees who work for other municipalities, in addition to the Borough of Montvale, and attend conferences, seminars or

training courses for the purpose of attaining or maintaining State-mandated certification status will be reimbursed on a pro-rata basis for the total of all expenses incurred based on the total number of municipalities in which they are employed. For example, if employed by a total of three (3) municipalities, the Borough of Montvale would reimburse 1/3 of the total expenses, i.e., course fees, hotel, transportation costs including mileage/tolls/parking fees and meals.

All Borough Employees (except part-time salaried employee as noted above,) as may be supplemented by contractual agreements:

General Policy:

It is understood that travel may be required from time to time in conjunction with attendance at work-related meetings, seminars and conferences.

A. There shall be two types of travel status:

1. Long Distance: Employee requires lodging for at least one night away from his or her home. Requires pre-approval of Mayor and Borough Council.
2. Local: Employee returns to his/her home without having required overnight accommodations. Requires pre-approval of Borough Administrator.

B. All requests for long distance travel expenses shall be submitted to the Mayor and Borough Council in writing, outlining estimated costs, at least two weeks before the Mayor and Council meeting preceding the expected travel. This request shall include an explanation of the type of expenses anticipated and the amount requested.

Whenever expenses are deemed to be higher than that which was approved, the additional costs shall be submitted to the Mayor and Borough Council for review. The employee should anticipate that they will be responsible to pay for the additional costs.

Requests for long distance travel expenses should be included when permission is being sought for training/conference attendance other than single day events.

- C. While on travel status, the employee shall be allowed up to \$75.00 per day for meals.
- D. Hotel accommodations shall be at the lowest single room rate available.
- E. Air coach rates shall be at the lowest available rate.
- F. Car rental is authorized for compact car rates only.

Transportation costs for private use of employee's automobile shall be reimbursed at the Federal Government Standard rate for mileage reimbursement. Pre-approval of use of private vehicle is required from the Administrator. Employees shall be required to submit an Expense Report Detail by day, including miles driven, tolls and parking charge. The

report shall contain supporting original receipts where applicable, i.e. tolls, parking charges.

Employees involved in accidents while using their private vehicles shall be required to report this to their own insurance carrier.

- G. All requests for local distance travel shall be submitted to the Borough Administrator at least two weeks prior to event.

ADVANCES FOR EXPENSES OF AUTHORIZED OFFICIAL TRAVEL

All Borough Employees, as may be supplemented by contractual agreements.

General Policy:

All requests for advances for travel and related expenses, for authorized attendance at conferences/seminars, must be pre-approved by resolution by the Mayor and Borough Council, as prescribed by State law.

- A. Employees shall submit the request for travel expense advances either with the request for approval of the conference/seminar; or
- B. Once approval for the conference/seminar is received, submit a written request for a travel expense advance at least two weeks before the Mayor and Borough Council meeting preceding the conference/seminar.

This request shall include an explanation of the types of expenses anticipated and the amount requested.

- C. Once permission is granted and the conference/seminar is completed, the employee shall be required to provide, within ten calendar days after the completion of the conference/seminar for which an advance was made, a detailed list of items and a certification outlining expenses incurred, including the original bills and receipts.
- D. Any monies advanced but not expended shall be returned to the Borough within ten calendar days after the conference/seminar.
- E. Reimbursement for any monies expended in excess of the advance shall be submitted with voucher and original bills or receipts for further consideration by the Mayor and Council for reimbursement if said request is in excess of the original amount approved.

THRESHOLD/LIMIT FOR TRAVEL EXPENSE ADVANCE REQUESTS

All Borough Employees, as may be supplemented by contractual agreements.

General Policy:

N.J.S.A. 40A:5-6.1 grants the governing body of any local unit the ability to by resolution, provide for an authorized payment of advances to officers and employees of the local unit toward their expenses for authorized travel and expenses incident thereof, and provides for the method of documentation, etc.

The following expenses for which the granting of a travel expense request may be considered are hereby established as: for approved travel when the employee anticipates out-of-pocket expenses, during travel, which would otherwise be burdensome for the employee to cover with a check, credit card, or cash payment and to wait for the reimbursement from the Borough through the standard process.

The threshold amount for which a travel advance request may be submitted shall be established at \$250.00.

The maximum amount for which a travel advance may be requested shall be \$500.00 per conference, seminar, etc.

SECTION FIVE:

Managerial/Supervisory Procedures:

Drafting Note: All of these model procedures except the Nepotism Procedure are required to be eligible for the MEL's deductible and premium rate incentives under the Employment Practices Liability coverage although changes may be made to conform to the local unit's particular circumstances and form of government.

Background Checks and Procedures for Candidates, Employees and Volunteers:

- **Background checks required:** Criminal background checks are required of all candidates over the age of 18, whether for paid or volunteer positions, who will be working directly or indirectly with children/youth/minors. Criminal background checks will also be performed every three years for each employee or volunteer that works directly or indirectly with children/youth/minors. The exact titles of employees subject to background checks are (locally defined, but at a minimum should include all recreational positions, crossing guards, library positions, and maintenance and administrative positions pertaining to such programs).
- **Background check procedure:** The (Personnel Administrator title) will perform or initiate criminal background checks and be the recipient of reports from outside agencies or contractors. These reports shall include, but are not limited, to court records; police department and corrections agency records; registries or watch lists; state criminal record repositories; and the Interstate Identification Index maintained by the FBI. The (Personnel Administrator title) will discuss potentially disqualifying information received with the employee's or volunteer's department head, and a determination that the information is disqualifying shall be made based on whether the disqualification is job-related for the position and is consistent with business necessity. Written information received as a result of a "Request for Criminal History Record Information For A Noncriminal Justice Purpose" will be destroyed immediately after it has served its authorized purpose, as required by the State Police. Such information will be kept confidential and will not be published or disclosed in any manner not consistent with the procedures listed herein. Such information will not be deemed a public record under P.L. 1963, c.73 (C:47:1A-1, et seq.) as amended and supplemented by P.L. 2001, c.404 (C:47:1A-5, et seq.).

When a disqualification decision has been made as a result of the employer's "targeted screening process" described below, the (Personnel Administrator title) will inform the candidate, volunteer, or employee, in writing, of any information that would disqualify the person from working with children/youth. If the (local unit type) contracts with an outside vendor to process the background checks, that contractor may be authorized to

inform the person in writing of any information that would disqualify the person from working with children/youth/minors. In addition, the individual shall be advised that he/she has the opportunity to explain the criminal record and to demonstrate why the exclusion based on the employer's targeted screening process should not apply to him/her under the circumstances. This information may include evidence of an error in the criminal record; facts surrounding the conviction; age at the time of the conviction and/or release from prison; evidence of a clean criminal and employment record since release; rehabilitation efforts; positive references; and evidence that he/she is bondable. Thereafter, the employer shall give the individual further consideration. Existing employees or volunteers will be placed on immediate suspension pending the outcome of a hearing or appeal. Employee suspensions may be with or without pay at the discretion of the (CEO title).

- **Conditions Under Which An Employee Will Be Disqualified From Working With Children/Youth:** A candidate, volunteer, or employee may be disqualified from employment in a position that works with children/youth/minors if that person's criminal record history background check reveals a record of conviction of any of the following crimes and disorderly persons offenses as defined by New Jersey law or by analogous laws in other States:

- 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)

A disqualification from any position will be based only on a conviction for one or more of the above disqualifying crimes and offenses as a result of the employer's targeted screening process, by which the employer has taken into account the following factors:

(a) The nature and gravity of the offense or conduct, including the consideration of (i) the harm caused by the crime; (ii) the legal elements required to prove the crime; and (iii) the classification of the crime (i.e., felony or misdemeanor, etc.); (b) The time that has elapsed since the offense, conduct, and/or completion of the sentence; (c) The nature of the job held or sought, including the consideration of: (i) the job duties (not merely the job title); (ii) the level of supervision to be provided; (iii) the working environment (e.g., private home, outdoors, warehouse); (iv) interaction with others, especially with vulnerable individuals such as children/youth/minors; and (v) the relationship of the criminal history to the job to be performed. 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. Further, an arrest record standing alone may not be used to disqualify a candidate, volunteer, or employee from an employment opportunity. However, the employer may make a disqualification decision based on the conduct underlying the arrest if the

conduct makes the individual unfit for the position in question, in which case the conduct, not the arrest, is relevant for employment purposes.

Employment Procedure:*

Live-In State Law

P.L. 2011, c. 70, S-1730/A-2478, signed into law May 2011 and effective September 1, 2011, requires certain public employees to reside in the state, or move to New Jersey within a year of taking a public position. The measure covers all state, county and municipal employees as well as anyone working for school districts or other political subdivisions such as authorities, agencies and commissions. There are some exceptions for employees working in higher education, and any person may request an exemption from the provisions of this subsection on the basis of critical need or hardship from a five-member committee.

Current employees living out of state would not have to meet the residency requirement, and would be able to move to a new public position, for example, in another municipality, without being required to move to New Jersey, as long as there is no break in service greater than seven days.

New employees whose first effective day of employment falls on or after September 1, 2011, must live in New Jersey or move to the state within a year.

- **Recruitment:** The Borough Administrator in conjunction with the Council Liaison will coordinate the employment recruitment process for all vacancies to ensure compliance with contractual, legal, and equal opportunity requirements. When a vacancy occurs, it is the responsibility of the Department Head to notify the Borough Administrator who will distribute notification of the vacancy to all departments. The Borough Administrator will undertake to recruit qualified applicants in accordance with applicable Federal and State law. Where positions are advertised, the media or other periodical utilized must have as wide circulation as possible to encourage applications from candidates from diverse backgrounds and must prominently state that the Borough of Montvale is an equal opportunity employer.
- **Applications:** All candidates must fully complete an application form. A resume will not be considered as a substitute for this form. The application is a confidential document and will not be available to anyone who is not directly involved in the hiring process, except as required by law.

Interviews: The Borough Administrator or Department Head will coordinate the interview process including the scheduling of applicants, development of interview questions and standards to measure candidate responses. All questions must be in accordance with the New Jersey Division of Civil Rights Guidelines for Pre-Employment Inquiries. The Borough of Montvale will make reasonable accommodations to known physical and mental

limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided the accommodation does not impose an unreasonable hardship on the Borough of Montvale.

- **Physical Examinations:** Pursuant to the Americans with Disabilities Act, after an offer of employment is made and prior to commencing employment, the Borough Administrator may require applicants to pass a physical examination in order to insure that they can perform the duties of their position without injury to themselves or others. The same post-offer physical examination must be performed on all applicants for a particular position. The Borough Administrator may require periodic physical examinations to determine the employee's continued ability to perform the duties of the position. All physical examinations must be performed by a physician chosen by the Borough of Montvale at the expense of the Borough of Montvale. All medical records of employees and prospective employees are confidential and are to be maintained by the Borough Administrator separate from the employee's official personnel file. Medical exams may include tests for drug and alcohol use.
- **Criminal Background Checks:** Criminal background checks are required of all candidates, whether paid or volunteer, that may work directly or indirectly with children/youth/minors in accordance with the procedures outlined in the Section of this ordinance entitled "Background Checks and Procedures for Candidates, Employees and Volunteers".
- **Job Offers:** The final decision will be made by the Borough Administrator and approval of this decision will be confirmed via a Resolution by the Mayor and Council after all references and other information has been verified. Every effort shall be made to offer reasonable accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose an unreasonable hardship on the Borough of Montvale. In all cases, the offer of employment is contingent upon an employee passing a drug and alcohol test. The employment offer must be made in a letter to the candidate outlining all terms and conditions of the offer. The letter will also establish a deadline for acceptance.
- **Acceptances and Rejections:** If the first offer is rejected, the Borough Administrator will decide to hire another candidate or re-open the position. Once a candidate accepts the employment offer, all other candidates will be notified in writing that they were not accepted for the position.
- **Employability Proof:** After acceptance, but before starting employment, all new employees shall be required to fill out an employment verification form (I9) and to provide acceptable proof of right to employment in the United States.
- **Record Retention:** All applications, notes made during interviews and reference checks, job offers and other documents created during hiring process must be returned to the Borough Administrator. Documents related to the successful candidate will be placed in the employee's official personnel file except medical records including

physical examinations must be maintained in a separate file. All records documents related to other candidates must be retained for at least one year. Records and documents created during the hiring process are confidential and must be retained in a locked cabinet.

Nepotism Procedure:

Unless otherwise provided by law or collective bargaining unit agreements, immediate relatives shall not be hired, promoted or transferred to a regular full-time or regular part-time position where:

- One relative would have the authority to appoint, remove, discipline or evaluate the performance of the other;
- One relative would be responsible for auditing the work of the other; or
- Other circumstances exist that place the relatives in a situation of actual or reasonably foreseeable conflict of interest.

For purposes of this policy, immediate relative includes spouse or significant other, child, parent, stepchild, and sibling.

ANTI-NEPOTISM POLICY

All Borough Employees.

General Policy

The Borough of Montvale has determined that the goal of good government is promoted by a policy of anti-nepotism and the purpose of this policy is not to deprive any citizen of an equal chance for employment within the Borough, but is solely intended to eliminate the potential for preferential treatment of the relatives of government personnel.

Applicability

- A. The prohibitions set forth in Resolution 221-2001 shall apply solely to employee positions for the Borough of Montvale.
- B. This policy shall not apply to appointments to the various boards, commissions, committees and authorities of the Borough, nor to service in any volunteer organization, including Ambulance Corp., Fire Department and Auxiliary Police.
- C. Subject to the exception in "D" below, this policy and the prohibition against certain hiring contained herein shall be applied prospectively only from the effective date of its enactment and shall not in any way be construed to prohibit, criticize or make unlawful any current employment relationship or situation or the hiring or promotion of any person currently employed by the Borough of Montvale as of the effective date of Resolution 221-2001 which may technically be violative of the terms hereof but for its prospective application. For purposes of interpreting this exception, persons appointed to positions of employment with the Borough for

a set term shall be considered current employees, notwithstanding the fact that the then term may have ended. Such person holding positions of employment with the Borough under a set term may be hired to any position in the Borough, rehired, reappointed or promoted, as may be the case, without violating this Resolution.

- D. The prohibitions and restrictions contained in 1-4 (A) and (B) shall not apply in the case of seasonal part-time employment including, but not limited to summer help, referees, umpires and other per diem employees of recreation and sports programs.

Definitions

As used in this Resolution, the following terms shall have the meanings indicated:

Elected Official: Persons holding the position of council member or Mayor

Employee: Employee for purposes of this policy shall mean those persons as set forth in the Borough Salary Ordinance, except that for purposes of this anti-nepotism policy, employee shall not include membership in the Fire Department.

Immediate Relative: Includes spouses or significant others, parents/children, and siblings.

Restriction in Hiring and Promoting Relatives of Elected Officials

The following restrictions shall apply in the hiring and promotion of employees within the Borough of Montvale:

- (A) No person who is a relative of any elected official of the Borough shall be considered for employment as an employee of the Borough. This shall not restrict nor prohibit the continued employment or promotion of individuals to a position or positions with the Borough where a relative of an employee is elected as a Borough Council person or Mayor after the date of the employee's start of employment with the Borough.
- (B) Promotion of existing employees. Notwithstanding the prospective application as to the remainder of this policy as applied above, no elected official (Borough Mayor or Council member) may participate in the promotion process or hiring process in that department of any existing employee who is a relative of such elected official. Such elected official shall abstain from the participation in such personnel action as it applies to such relative.

Current Employees

Except as may be otherwise expressly provided for herein, this policy shall not affect the employment of any present Borough employees and/or any existing contractual obligations with employees by the Borough of Montvale.

Open Public Meetings Act Procedure concerning Personnel Matters: *

Discussions by the governing body or any body of the Borough of Montvale concerning appointment, termination, terms and conditions of employment, performance evaluation, promotion or discipline of any current or prospective officer or employee shall be in closed session, with the right of the employee to be present, unless the individual requests in writing that the discussion be held in open session. Such request must be granted. Prior to the discussion by the governing body or any body of the Borough of Montvale concerning such matters, the Clerk shall notify the affected person(s) of the meeting date, time and place, the matters to be discussed and the person's right to request that the discussion occur in open session. In the event more than one person is affected by the discussion and one of the affected persons does not request that the discussion be in open session, then the discussion shall be in closed session.

Additionally, whenever the governing body or any public body of the (local unit type) intends to act on a matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of performance of, promotion, or disciplining of any specific prospective public officer or employee or current public officer or employees employed or appointed by the governing body or any public body of the Borough of Montvale then that governing body or that public body of the (local unit type) must provide notice of said intended action to said prospective public officer or employee or current public officer or employees. Prior to the matter being acted on, the Clerk shall notify the affected person(s) of the meeting date, time and place, the matters to be discussed.

Processing and Orientation of New Employees Procedure:*

All new regular full-time and regular part-time employees will be scheduled to meet with the Borough Administrator, Council Liaison and Department Head on their first day for a general orientation. Copies of all forms and acknowledgements must be returned to the Borough Administrator for inclusion in the employee's official personnel file. The orientation will include:

- A tour of the appropriate facilities to acquaint the new employee with overall operations as they relate to the specific position;
- The completion of all pertinent personnel, payroll, insurance and pension forms;
- A review of the Personnel Policies and Procedures Manual and acknowledgement of receipt;
- The Employee Complaint Policy letter and acknowledgement;
- A safety orientation and acknowledgement; and
- Arrangements for the new employee to complete required PEOSHA safety training.

Initial Employment Period Procedure:*

Except where State requirements direct otherwise, new employees (or present employees transferring to new positions) will be hired subject to an initial employment period of not less than three (3) months or more than twelve (12) months, as determined by the Borough Administrator. During this initial employment period, the new employee or transferee will be provided with training and guidance from the supervisor. At the end of the initial employment period, the supervisor will conduct an employee evaluation – see Performance Evaluation Procedure. New employees may be discharged at any time during this period if the Borough Administrator concludes the employee is not progressing or performing satisfactorily. Under appropriate circumstances, the Borough Administrator may extend the initial employment period. (Newly hired employees are not eligible for payment of paid time off except holidays until the successful completion of their initial employment period.)

Nothing in the procedure set forth in this section shall alter the Borough of Montvale's employment at will policy. Employment with Borough of Montvale is at will and may be terminated at any time with or without cause or notice by the Borough of Montvale or the employee."

Policies and Procedures Manual Procedure:*

The Borough Administrator with the assistance of the Borough Attorney shall draft a Policies and Procedures Manual. Once approved, copies will be distributed and employees will be required to sign an acknowledgment of receipt that will be placed in the official personnel file. The Policies and Procedure Manual will be revised and re-distributed whenever there is a significant change in personnel practice or every two years.

Performance Evaluation Procedure:*

Periodic evaluations are critical to create a formal record of an employee's performance over time and establish a foundation for personnel actions such as promotion and termination. In addition to day-to-day feedback to the employee, a performance evaluation must be conducted for all employees at least annually. The completed appraisal becomes part of an employee's permanent record.

Performance discussions must also provide employees with guidance regarding their ability to meet job standards. Extraordinary skills or abilities should be recognized in addition to areas for improvement. Supervisors or Department Heads should review future training needs and career planning. The reviewer should also encourage the employee to make suggestions about how the department can improve. The reviewer should ask employees for feedback regarding the employee's skills as they relate to communication, team building, delegation, and sensitivity to needs of subordinates. Open communication is the key to improvement.

- **Setting the Stage:** The reviewer must create a productive climate for the discussion. In preparing the evaluation form, prior evaluations should be reviewed to identify trends. Employees must be notified in advance of the meeting and should be given a copy of the blank evaluation form. The meeting should be private without interruptions in a comfortable environment.
- **Confirm Expectations:** The reviewer should start the discussion of each performance area by reviewing expectations. Ask the employee to confirm the employee's understanding of job requirements. Refer to the job description as appropriate.
- **Rating:** Continue the discussion by giving the employee's rating in each performance area. The supervisor should be prepared to refer to documentation. Employees should be evaluated based on set standards, not as they compare to other employees. It is rare that any person's rating in all areas is either high or low. The evaluation should consider performance during the entire period, not just the recent past. Care should be taken to avoid allowing one aspect of a person's performance to overshadow all other performance factors be it positive or negative. Ideally, each performance area should be evaluated individually based on specific behaviors exhibited.
- **Discussing Future Plans:** This is where the reviewer should turn to the discussion to the future performance and development of the employee. A Counseling Action Plan form must be completed if any item is rated "Needs Improvement" or "Does Not Meet Minimum Standards." Specific performance goals must be established for the next review period along with plans for achieving those goals.
- **Closing the Discussion:** When all performance areas have been discussed, close the discussion by summarizing all of ratings in an overall rating for the review period.

It is crucial that all reviewers complete the evaluation forms with care and with complete candor. Although reviewers are encouraged to set forth areas of strength and utilize tact in presenting criticism, it is important that all performance issues of any significance be addressed thoroughly and in unambiguous terms in the evaluation form, and verbally with the employee.

Exceeds Expectations means consistently exceeds established standards in most areas of responsibility. All requirements must be met and objectives achieved above the established standards.

Meets Job Requirements means all job requirements were met and planned objectives accomplished within established standards. There were no critical areas where accomplishments were less than planned.

Needs Improvement means performance in one or more critical areas does not meet expectations. Not all planned objectives were accomplished within the established standards and some responsibilities were not completely met.

Does Not Meet Minimum Standards means performance is unacceptable and important objectives have not been accomplished. Needs immediate improvement.

After completing the evaluation, the reviewer will return the form(s) with the signed acknowledgement to the Borough Administrator. After review by the Borough Administrator, the form(s) are to be placed in the employee's official personnel file. As a part of the evaluation, employees have the right to request a conference with the Borough Administrator or Council Liaison.

Disciplinary Action Procedure:*

All employees are expected to meet the Borough of Montvale's work performance standards. The intent of the Disciplinary Action Procedure is to formally document problems and provide the employee with a reasonable time to improve performance. The process should encourage development by providing employees with guidance in areas that need improvement such as poor work performance, attendance problems, personal conduct, general compliance with the Borough of Montvale's policies and procedures and other disciplinary problems.

Should a supervisor believe that an employee is not conforming to the Borough of Montvale's policies and rules or to specific instructions, or has acted improperly, the supervisor will first privately discuss the matter with the employee to obtain the employee's view. If the supervisor determines that the employee has acted improperly, the supervisor shall take one of the following actions depending upon the gravity and the employee's past record. At the discretion of the supervisor and the Borough Administrator, action may begin at any step, and/or certain steps may be repeated or by-passed.

- **Verbal Reprimand:** Depending on the circumstances, the supervisor may verbally notify the employee that the employee's actions have been improper and warn the employee against further occurrences. The supervisor will prepare a record of the verbal reprimand including the date, time and what was discussed with the employee. This record must be forwarded to the Borough Administrator for the employee's official personnel file.
- **Borough Administrator Review:** Should the supervisor consider the offense sufficiently serious to warrant consideration by the Borough Administrator, the employee will be so advised and a meeting arranged with the Borough Administrator at the earliest possible date. All facts should be detailed at this meeting and, if possible, a determination will be made at that time of disciplinary action, if any.
- **Written Reprimand:** When a supervisor determines that a written reprimand is appropriate, the situation must be discussed with the Borough Administrator. The reprimand should clearly identify the problem and outline a course of corrective action within a one-month period. The employee should clearly understand both the corrective action and the consequence (i.e., termination) if the problem is not corrected or

reoccurs. The employee should acknowledge receipt of the warning and may include additional comments. A copy of the written reprimand with the signed acknowledgement and comments must be forwarded to the Borough Administrator for the employee's official personnel file.

- **Suspension:** Whenever an employee is recommended for suspension, the Borough Administrator will make the decision and may seek the advice of the Borough Attorney if appropriate. Suspended employees may request a hearing under the applicable grievance procedure.
- **Dismissal:** Whenever an employee is recommended for dismissal, the Borough Administrator and Mayor and Council will make the decision only after seeking the advice of the Borough Attorney. There must be a complete review of the employee's personnel file and all other facts to determine if there is sufficient cause for the dismissal. Terminated employees may request a hearing under the applicable grievance procedure.

Personnel File Procedure:*

The official personnel files shall be maintained by the Borough Administrator and employee medical information will be maintained in a separate file. At least annually, the Borough Administrator will review files to make sure they are up-to-date and will follow-up with the Department Heads as necessary.

The Official file shall include at least the following:

- The original application signed by the employee;
- Notes from any pre-employment interview and reference check;
- The original letter detailing an offer of employment and any additional correspondence concerning the employee's hiring;
- A signed acknowledgement that the employee received a copy of the Employee Complaint Policy letter;
- A signed acknowledgement that the employee has received the Policies and Procedures Manual;
- A signed acknowledgement that the employee received the safety orientation;
- Annual written performance evaluations including documentation that the evaluation was reviewed with the employee;
- Counseling Action Plans;

- Records relating to on-the-job accidents;
- Disciplinary actions including an acknowledgement that the employee was notified of the proposed disciplinary action and was given an opportunity to respond;
- Records relating to any other employment actions including promotions, demotions, transfers, resignations, leaves, etc.;
- Educational transcripts; and
- Any other pertinent information.

Employee Complaint Investigation Procedure:*

Employees have the right to formally or informally report any statement, act, or behavior by a co-employee, supervisor, elected official or visitor that they believe to be improper.

- **Reporting:** Employees should be asked to report complaints in writing utilizing the Employee Complaint form, but are not compelled to do so.
- **Identification/Screening:** The supervisor, Department Head, Council Liaison or Borough Attorney must report all written or verbal complaints to the Borough Administrator unless the complaint is against the Borough Administrator. Upon receipt, the Borough Administrator will determine if the complaint was made pursuant to the General Anti-Harassment Policy, the Anti-Sexual Harassment Policy, the Whistle Blower Policy, a grievance procedure or is another form of complaint. A file will be established including the written complaint, the investigation procedure followed and the response action plan. As soon as possible but no later than ten days after receiving the complaint, the Borough Administrator or investigator appointed by the Borough Administrator will interview the employee. If the employee is reluctant to sign a written complaint, the Borough Administrator or investigator will prepare written notes of the date, time and place of the complaint and the specific allegations. These notes will be read back to the employee who will be asked to affirm, preferably in writing the information's accuracy.
- **Investigation:** The Borough Administrator will seek the advice of the Borough Attorney when planning the investigation. The investigation should be conducted by the Borough Attorney or county prosecutor if it involves potential criminal charges. The investigation should establish the frequency and nature of the alleged conduct and whether the complaint coincides with other employment events such as a poor performance evaluation. The investigation should also determine if other employees were subjected to similar misconduct. It is important to protect the rights of both the person making the complaint and the alleged wrongdoer.

- **Response Plan – No Corrective Action Required:** The Borough Administrator will discuss the conclusions with the Borough Attorney and render a decision within fourteen days after the investigation is complete. If the validity of a complaint cannot be determined or the complaint is groundless, the complaining employee should be notified in writing. Care should be taken to avoid being too specific, confrontational or accusatory and to avoid any language that might be construed as defamatory. A general statement is usually more appropriate that the claim was thoroughly investigated, but could not be sufficiently documented or confirmed to justify taking formal action. The employee should be assured that future complaints will be investigated and that the Borough of Montvale is committed to eliminating wrongful employment practices when they are found to exist. If the investigation reveals that the complainant intentionally and maliciously levied false charges against the alleged wrongdoer, the complainant must be notified of the seriousness of filing a false complaint, and the appropriate disciplinary penalty under the circumstances, up to and including termination.
- **Response Plan – Corrective Action Required:** If the investigation reveals that the complaint is justified and substantiated, the Borough Administrator will formulate with the advice of the Borough Attorney a corrective action plan as well as possible disciplinary action. The complaining employee will be notified, in writing that it appears that the complaint was justified and an appropriate response plan has been formulated. A copy of the response plan should be attached to the letter. The response plan should provide for appropriate remedial action to prevent a recurrence of the wrongful act or behavior.

Requests for Employment Verification and Reference Procedure:*

Inquiries and written requests for references or employment verification regarding a current or former employee must be referred to the Borough Administrator. No employee may issue a reference letter without the permission of the Borough Administrator. Under no circumstances should any information be released over the phone.

In response to a request for information, the Borough Administrator will only verify an employee's name, dates of employment, job title, department and final salary. No other data or information will be furnished unless (1) the Borough of Montvale is required to release the information by law or (2) the employee or former employee authorizes the Borough of Montvale in writing to furnish this information and releases the Borough of Montvale from liability.

Continuing Education Procedure:*

The Borough of Montvale, in conjunction with the Borough Attorney will arrange for employment practices seminars at least annually to train all managerial/supervisory personnel. The Borough of Montvale will also offer non-mandatory training to all other employees with

special emphasis on employee rights and protections under various Federal and State laws as well as Borough of Montvale employment practices. Records will be maintained in the official personnel files of all employees trained under this procedure.

Managerial and supervisory personnel will also update employees periodically by department meetings and memos that should address specific problems and concerns that may arise. Every effort will be made to encourage employee suggestions about ways to avoid employer-employee disputes and violations of employment rights.

Basic Purchasing Procedures

Each department is responsible for preparing purchase requisitions as goods or services are required. Goods or services may only be requisitioned within the line-item limit as listed in the approved departmental budget. The Edmunds software will reject any attempt to exceed a line-item limit.

The Accounts Payable department processes all requisitions and prepares purchase orders. Only employees in the Finance or Accounts Payable departments can produce, correct or cancel purchase orders. Once purchase orders are prepared they are given to the Borough Administrator for approval. If the purchase order is approved, it is forwarded to the Treasurer for financial coding review. Once the coding is verified, the purchase order is returned to the Department Head, who is now authorized to proceed with purchase.

It is the responsibility of the Department Head to insure that the goods or services received are proper in all respects (proper product received, correct pricing on invoice, quality and quantity of product is correct, service properly rendered, etc.). The purchase order is signed by the Department Head and returned to the Accounts Payable Department with any changes noted, and with the invoice attached.

Accounts Payable reviews all documents and makes necessary corrections. Blue and white copies of the purchase order are mailed to vendors for their signature and return of the white copy. The vendor retains the blue copy. The vendor's signature is a certification that the invoice rendered is correct in all its particulars; that the articles furnished or the services rendered as state therein; that no bonus has been given or received by any person or persons within the knowledge of claimant in connection with the claim; that the amount therein stated is justly due and owing; and that the amount charged is a reasonable one.

The white copy of the purchase order signed by the vendor, together with additional documentation of the transaction, is forwarded to the Borough Administrator for approval for payment. When approved, all purchases of \$200 or more are given to the Council Liaison for that department for review. Purchases of more than \$1,000 require the approval of the Department Liaison and one other Council Member.

Approved purchases are returned to the Accounts Payable Department for payment. The Finance Department submits a bill list, which is approved by Council. Checks must be signed by three approved signatories.

Departmental Procedures

In accordance with Resolution No. 152-2011, the Borough of Montvale has established a written basic policy/cross referencing departmental procedure from Construction Official to Tax Assessor: upon issuance of a Certificate of Occupancy from the Building/Construction office, the Construction Code Official shall furnish a copy to the office of the Tax Assessor for review.

SECTION SIX:

Model Forms:

- Notice of Personnel Discussion*
- Employee Letter Concerning Employee Complaint Procedure*
- Sample Notices Concerning Whistleblower Act*
- Application for Employment*
- NJ Division of Civil Rights Guide on Pre-Employment Inquiries*
- Performance Appraisal*
- Counseling Action Plan*
- Employee Evaluation Checklist*

-
- Receipt for Personnel Policies and Procedures Manual

BOROUGH OF MONTVALE

NOTICE OF PERSONNEL DISCUSSION

To: _____

Address: _____

This is to notify you, pursuant to the Open Public Meeting Act, the Borough of Montvale Mayor and Council plan to discuss the subject matter(s) checked below relating to your employment.

- ☐ Application for Employment
- ☐ Promotion or Transfer
- ☐ Compensation
- ☐ Performance Evaluation
- ☐ Special Leave Request
- ☐ Grievance
- ☐ Discipline
- ☐ Possible Termination
- ☐ Other (Specify): _____

The discussion will take place at the following meeting(s):

Date of Meeting(s): _____

Time: _____

Location: _____

The discussion will be in closed session, not open to the public, unless before the meeting the Borough of Montvale Clerk receives a request, in writing, in which you ask that the discussion be held in public. If the discussion will affect other employees or potential employees, it may be closed to the public unless all such affected persons submit such signed requests. You are not required to attend this meeting.

Notice Date: _____ Signed: _____ Borough Administrator _____

Borough of Montvale Employee Complaint Form

Date _____

Attach additional sheets if necessary to fully complete all questions

NAME: _____ **DEPARTMENT:** _____

TITLE: _____ **SUPERVISOR:** _____

Time period covered by this complaint: _____

Individuals who allegedly committed the acts being complained of:

Describe the nature and dates of the acts allegedly committed by each individual:

Identify all persons with knowledge of the complained conduct:

Are there any documents or other evidence that supports the occurrences described above?

If you previously complained about this, or related acts to a supervisor or official, please identify the individual to whom you complained, the date of the complaint, and any action taken.

Have you missed any time from work or incurred any un-reimbursed medical expenses as a result of the alleged acts?

Are you afraid that someone may retaliate against you because you filed this complaint? If so, please identify the person(s) and indicate the reasons why you feel the person(s) may retaliate against you.

What is your requested remedy for this complaint?

ACKNOWLEDGMENT

The information provided above is true and correct to the best of my knowledge.

BY: _____ DATE: _____

To investigate your complaint, it will be necessary to interview you, the accused party, and any witnesses with knowledge of the allegations or defenses. All persons involved in the investigation will be notified that (1) the complaint is confidential, (2) that any unauthorized disclosures of information concerning the investigation or retaliation could result in disciplinary action up to and including discharge.

I am willing to cooperate fully in the investigation of my complaint and to provide whatever evidence is deemed relevant.

BY: _____ DATE: _____

Conscientious Employee Protection Act

"Whistleblower Act"

Employer retaliatory action; protected employee actions; employee responsibilities

1. New Jersey law prohibits an employer from taking any retaliatory action against an employee because the employee does any of the following:
 - a. Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the employer or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;
 - b. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the employer or another employer, with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care; or
 - c. Provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
 - d. Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
 - e. Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes:
 - (1) is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care;
 - (2) is fraudulent or criminal; or
 - (3) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment. N.J.S.A. 34:19-3.
2. The protection against retaliation, when a disclosure is made to a public body, does not apply unless the employee has brought the activity, policy or practice to the attention of a supervisor of the employee by written notice and given the employer a reasonable opportunity to correct the activity, policy or practice. However, disclosure is not required where the employee reasonably believes that the activity, policy or practice is known to one or more supervisors of the employer or where the employee fears physical harm as a result of the disclosure, provided that the situation is emergency in nature.

CONTACT INFORMATION

Your employer has designated the following contact person to receive written notifications, pursuant to paragraph 2 above (N.J.S.A. 34:19-4):

Name: _____

Address: _____

Telephone Number: _____

This notice must be conspicuously displayed.

Once each year, employers with 10 or more employees must distribute notice of this law to their employees. If you need this document in a language other than English or Spanish, please call (609) 292-7832.



La Ley de protección al empleado consciente

"Ley de protección del denunciante"

Acciones de represalia del empleador; protección de las acciones del empleado

1. La ley de New Jersey prohíbe que los empleadores tomen medidas de represalia contra todo empleado que haga lo siguiente:
 - a. Divulgue o amenace con divulgar, ya sea a un supervisor o a una agencia pública toda actividad, directriz o norma del empleador o de cualquier otro empleador con el que exista una relación de negocios y que el empleado tiene motivos fundados para pensar que violan alguna ley, o en el caso de un trabajador licenciado o certificado de la salud y que tiene motivos fundados para pensar que se trata de una manera inadecuada de atención al paciente;
 - b. Facilite información o preste testimonio ante cualquier agencia pública que conduzca una investigación, audiencia o indagación sobre la violación de alguna ley, regla o reglamento que el empleador o algún otro empleador con el que exista una relación de negocios; o en el caso de un trabajador licenciado o certificado de la salud que facilite información o preste testimonio ante cualquier agencia pública que conduzca una investigación, audiencia o indagación sobre la calidad de la atención al paciente; o
 - c. Ofrezca información concerniente al engaño o la tergiversación con accionistas, inversionistas, usuarios, pacientes, clientes, empleados, ex empleados, retirados o pensionados del empleador o de cualquier agencia gubernamental.
 - d. Ofrezca información con respecto a toda actividad que se pueda percibir como delictiva o fraudulenta, toda directiva o práctica engañosa o de tergiversación que el empleado tenga motivos fundados para pensar que pudieran estar a accionistas, inversionistas, usuarios, pacientes, clientes, empleados, ex empleados, retirados o pensionados del empleador o de cualquier agencia gubernamental.
 - e. Se oponga o se niega a participar en alguna actividad, directriz o práctica que el empleado tiene motivos fundados para pensar que:
 - (1) viola alguna ley, o regla o reglamento que dicta la ley o en el caso de un empleado licenciado o certificado en cuidado de la salud que tiene motivos fundados para pensar que constituye atención inadecuada al paciente;
 - (2) es fraudulenta o delictiva; o
 - (3) es incompatible con algún mandato establecido por las directrices públicas relacionadas con la salud pública, la seguridad o el bienestar o la protección del medio ambiente. Artículo 34:19-3 de las Leyes comentadas de New Jersey de protección del empleado consciente (N.J.S.A., por sus siglas en inglés)
2. No se puede acoger a la protección contra la represalia, cuando se hace una divulgación a un organismo público, a no ser que el empleado le informe al empleador de tal actividad, política o norma a través de un aviso por escrito y le haya dado al empleador una oportunidad razonable para corregir tal actividad, política o norma. Sin embargo, no es necesaria la divulgación en los casos en que el empleado tenga indicios razonables para creer que un supervisor o más de un supervisor del empleador tienen conocimiento de tal actividad, política o norma o en los casos en los que el empleado teme que tal divulgación pueda traer como consecuencia daños físicos a su persona siempre y cuando la naturaleza de la situación sea la de una situación de emergencia.

Información del Contacto

Su empleador ha designado a la siguiente persona para recibir notificaciones de acuerdo al punto 2, de la ley (N.J.S.A. 34:19-4):

Nombre: _____

Dirección: _____

Número de teléfono: _____

Este aviso se debe exponer a la vista de todos.

Actualmente, patronos con 10 o más empleados, deberán distribuir notificación de esta ley a todos sus empleados. Si necesita este documento en algún otro idioma que no sea inglés o español, sírvase llamar al (609) 292-7832.

Borough of Montvale Employment Application

12 Mercedes Drive, Montvale, NJ 07645

Date: _____

Applicant Information:

Name (Last, First, Middle): _____

Address: _____

City/Town: _____

Phone (Work): () _____ (Home): () _____

Social Security Number: _____ - _____ - _____ Email _____

Position applied for: _____

Have you ever applied to the Borough of Montvale before: ____ Yes ____ No If yes, give date _____

Date you can start: _____ Salary desired: _____

Are you available to work: ____ Full time ____ Part time ____ Shift work ____ Temporary

Are you currently employed: ____ Yes ____ No May we contact you at work: ____ Yes ____ No

May we contact your current employer: ____ Yes ____ No

Are you currently on layoff status and subject to recall: ____ Yes ____ No

Do you possess a current driver's license: ____ Yes ____ No

Do you possess a current commercial driver's license: ____ Yes ____ No

Please list any endorsements: _____

If you are under eighteen years of age, can you provide proof of eligibility to work: ____ Yes ____ No

Are you legally eligible to work in the United States of America: ____ Yes ____ No

Pursuant to Federal Law, proof of US Citizenship or immigration status will be required if you are hired.

The Borough of Montvale is an Equal Opportunity Employer M/F

Employment History: This section must be completed even if you attach a resume. List your last four employers, major assignments within the same employer. Begin with the most recent. Include any military service. Explain any gaps in employment in the space on this form marked comments located on the bottom of this page.

Employer:	Date started:	Date left:	Work performed/ responsibilities:
Address:	Starting Salary:		
Job Title:	Final Salary:		
Reason for leaving:			
Supervisor's name and phone number:			
May we contact for a reference: Yes No			
Employer:	Date started:	Date left:	Work performed/ responsibilities:
Address:	Starting Salary:		
Job Title:	Final Salary:		
Reason for leaving:			
Supervisor's name and phone number:			
May we contact for a reference: Yes No			
Employer:	Date started:	Date left:	Work performed/ responsibilities:
Address:	Starting Salary:		
Job Title:	Final Salary:		
Reason for leaving:			
Supervisor's name and phone number:			
May we contact for a reference: Yes No			
Employer:	Date started:	Date left:	Work performed/ responsibilities:
Address:	Starting Salary:		
Job Title:	Final Salary:		
Reason for leaving:			
Supervisor's name and phone number:			
May we contact for a reference: Yes No			

Comments:

Education: Provide information on your formal schooling and education. Include elementary, secondary, and post-secondary education, if any. Include any formal vocational or professional education. For high school and post-secondary education, indicate any major or specialty, such as Academic, Business, or Trade.

School:	Years completed: (Circle)	Graduated: (Circle)	Major Field:
High:	1 2 3 4	Yes No	
College:	1 2 3 4	Yes No	
Other:	1 2 3 4	Yes No	

Languages: List any foreign languages you know and indicate your level of proficiency.

Language:	Speak Some:	Speak Fluently:	Read:	Write:

Special Skills & Experience: State any special skills, experience, training, licenses, certifications or other factors that make you especially qualified for the position for which you are applying.

Comments & Additional Information: Is there any additional information about you we should consider?

References: Provide the names, addresses and phone numbers of three people whom we may contact as a reference. They should not be relatives or former supervisors.

Name & Address:	Phone Number:	Years Known:

Understandings and Agreements:

As an applicant for a position with the Borough of Montvale, I understand and agree that I must provide truthful and accurate information in this application. I understand that my application may be rejected if any information is not complete, true and accurate. If hired, I understand that I may be separated from employment if the Borough of Montvale later discovers that information on this form was incomplete, untrue, or inaccurate. I give the Borough of Montvale the right to investigate the information I have provided, talk with former employers (except where I have indicated they may not be contacted). I give the Borough of Montvale the right to secure additional job-related information about me. I release the Borough of Montvale and its representatives from all liability for seeking such information. I understand that the Borough of Montvale is an equal-opportunity employer and does not discriminate in its hiring practices. I understand that the Borough of Montvale will make reasonable accommodations as required by the Americans with Disabilities Act. I understand that, if employed, I may resign at any time and that the Borough of Montvale may terminate me at any time in accordance with its established policies and procedures. No representatives of the Borough of Montvale may make any assurances to the contrary. I understand that any offer of employment may be subject to job-related medical, physical, drug, or psychological tests. I also understand that some positions may involve complete background and criminal checks. *For your application to be considered, you must sign and date below.*

Applicant's Signature _____ Date _____

Conditions of Employment:

Please be advised that all offers of employment are conditional on the applicant passing a mandatory criminal background check and drug test. A pre-employment physical may also be required. Pursuant to our personnel policy, all job applicants are required to sign a consent form for drug testing and if the test results are positive and are not accounted for by the legal use of prescription or non-prescription drugs the applicant shall be ineligible for hire unless they can establish a legal basis for the use of the drug or controlled substance for which they test positive. *For your application to be considered, you must sign and date below.*

Applicant's Signature _____ Date _____

Voluntary Affirmative Action Information

You are not required to provide this information. Provide only if you wish.

If you provide information on this page, it will be filed separately from the job application. This information will be used only for purposes of the affirmative action program

Applicant Information:

Name: _____

Address: _____

City/town: _____

Phone: () _____

Position Applied For: _____

How did you learn about this position? ☐ Advertisement ☐ Employment Agency
☐ Friend ☐ Relative ☐ Walk-in ☐ Other (Explain) _____

Information Regarding Status:

Gender:

☐ Male

☐ Female

Equal Employment Opportunity identification groups:

☐ White

☐ African-American (non-Hispanic)

☐ Hispanic

☐ American Indian/Alaskan native

☐ Asian/Pacific Islander

☐ Other _____

Other protected Groups:

☐ Individual with a disability

☐ Vietnam-era veteran (served between 1964 and 1975)

☐ Disabled veteran

Hired: ☐ Yes ☐ No Position _____ Date _____

For Borough of Montvale use only

Which EEO job classification best describes the position for which the applicant applied?

1. Officials and Managers

4. Sales workers

7. Operators(semi-skilled)

2. Professionals

5. Office and clerical workers

8. Laborers (unskilled)

3. Technicians

6. Craft workers (skilled)

9. Service workers

Borough of Montvale Official _____

Date _____

This page for Borough of Montvale use only!
Results of interview

Interviewer: _____

Date: _____ **Time:** _____

NJ DIVISION ON CIVIL RIGHTS GUIDE ON PRE-EMPLOYMENT INQUIRIES

Category	It is discriminatory to inquire about:	Some examples of acceptable inquiries:
Name	<ul style="list-style-type: none"> a) The fact of a change of name or the original name of an applicant whose name has been legally changed b) Maiden name 	Whether or not the applicant has ever worked under another name or was the applicant educated under another name. (Allowable only when the data is needed to verify the applicant's qualifications)
Birthplace and Residence	<ul style="list-style-type: none"> a) Birthplace of applicant b) Birthplace of applicant's parents c) Requirement that applicant submit birth certificate, naturalization or baptismal record d) Own home, rent, board or live with parents e) Citizenship 	<ul style="list-style-type: none"> a) Are you in the United States on a visa, which prohibits you from working here? b) Are you either a US citizen or a permanent resident alien?
Creed and Religion	<ul style="list-style-type: none"> a) Applicant's religious affiliation b) Church, parish, or religious holidays observed by applicant 	
Race or Color	<ul style="list-style-type: none"> a) Applicant's race b) Color of applicant's skin, eyes, hair, etc. c) Driver's license number 	
Photographs	<ul style="list-style-type: none"> a) Photographs with application b) Photographs after interview, but before a hiring 	
Age	<ul style="list-style-type: none"> a) Date of birth or age of applicant b) Age specifications, limitations, or implications in a newspaper advertisement which might bar workers under or over a certain age c) Driver's license number 	Applicant may be asked if he/she is over the minimum legal age and under a bona fide mandatory retirement age
Language	<ul style="list-style-type: none"> a) Applicant's mother tongue b) Language commonly used by applicant at home c) How the applicant acquired ability to read, write, or speak a foreign language 	Language applicant speaks and/or writes fluently (only if job related)
Relatives	Name and/or address of any relative of the applicant	Name and address of person to be notified in case of accident or emergency
Military Experience	<ul style="list-style-type: none"> a) Applicant's military experience in other than United States Armed Forces b) National Guard or Reserve Units of applicant c) Draft classification or other eligibility for military service d) Applicant's whereabouts during periods of armed conflict e) Dates, conditions and type of discharge 	<ul style="list-style-type: none"> a) Military experience of applicant in Armed Forces of United States only when used for employment history b) Whether applicant has received any notice to report for duty in Armed Forces

Category	It is discriminatory to inquire about:	Some examples of acceptable inquiries:
Organizations	Any clubs, social fraternities, sororities, societies, lodges, or organizations to which the applicant belongs	Membership in a union, professional or trade organization
References	The name of applicant's pastor or religious leader	Names of persons willing to provide professional and/or character references for applicant
Sex and Marital Status	a) Sex or marital status or any questions which would be used to determine same b) Number of dependents, number of children c) Spouse's occupation	
Arrest and Conviction Record	The number and kind of arrests of an applicant	Convictions which bear a relationship to the job
Height and Weight	Any inquiry into height or weight of applicant	
Physical Disabilities	Any inquiry as to physical disability, which has no direct bearing on satisfactory performance of the specific job in question. (For example, questions as to the mobility of a person without the use of his or her legs, when the job in questions involves working in a stationary position.)	Does applicant have any physical disability, which would prevent him or her from satisfactorily performing the job? (For example, questions concerning hearing impairment are acceptable on applications for a telephone operation position.)
Education	Whether or not the applicant is a high school graduate	a) Show highest grade completed b) Detail your educational background

EVALUATION FORM

Name: _____	Supervisor: _____	
Position: _____	Date: _____	
Years of Employment: _____	Review: 3m 6m 1 year Annual	

**Ratings: 5-Superior/Excellent, 4-Good/Above Average, 3-Satisfactory/ Average,
2-Fair/Below Average, 1-Poor/ Needs Much Improvement**

	Employee Rating					Supervisor/Manager Rating				
	5	4	3	2	1	5	4	3	2	1
Job Performance:										
Knowledge										
Execution										
Problem Solving										
Safety										
Quality of Work										
Initiative										
Attendance										
Punctuality										
Attitude										
Cooperation										
Understands Direction										
Follows Through										
Pride In Performance										
Consistency										
Appearance										
Adaptability										
Adherence to Details										
Cleans Work Area										
Communication Skills:	5	4	3	2	1	5	4	3	2	1
Interaction w/residents										
Interaction w/ co-workers										
Telephone Skills										
Verbal										
Listening										
Responds to Conflict										
Interpersonal Skills:	5	4	3	2	1	5	4	3	2	1
Leadership										
Motivational Skills										
Interaction w/supervisors										
TOTAL:										

Comments: _____

Signature of Employee _____ Date _____

Signature of Supervisor/Manager _____ Date _____

LEFT INTENTIONALLY BLANK

Signature Page

Please print and sign once all sections are completed. The Supervisor will file both electronic and printed copies with the Borough Administrator.

I am signing this form to indicate that I have received it and completed my portion. My signature does not necessarily indicate that I agree with the contents.

Employee's Signature

Date

Supervisor's Signature

Date

INDEX

Access to Personnel Files Policy
Attendance Policy
Americans with Disabilities Act Policy
Anti-Discrimination Policy
Anti-Sexual Harassment Policy
Bereavement Leave Policy
Breaks
Bulletin Board Policy
Civil Rights Resolution
Communication Media Policy*
Computer Server Backup Policy
Conference and Seminar Policy
Conflict of Interest Policy
Contagious or Life Threatening Illnesses Policy
Continuing Education Procedure
Dental Benefits Policy
Departmental Procedures
Disciplinary Action Procedure
Domestic Violence Policy*
Dress Code Policy
Driver's License Policy
Drug Prescription Benefit Policy
Drugs and Alcohol Policy
Early Closing and Delayed Opening Policy
Educational Assistance and Training Policy
Emergency Policy
Employee Complaint Policy
Employee Complaint Investigation Procedure
Employee Discipline Policy
Employee Evaluation Policy
Employment Procedure
Family and Medical Leave Act Policy
Flexible Spending Account
General Anti-Harassment Policy
General Personnel Policy
Health Insurance Policy
Initial Employment Period Procedure
Job Description Policy
Jury Duty Policy
Leave of Absence Policy
Military Leave Policy
Model Forms
Nepotism Procedure

No Smoking Policy
Open Public Meetings Act Procedure Concerning Personnel Matters
Opt-Out Policy for Health Benefits
Overtime Compensation Policy
Paid Holiday Policy
Payroll Policy
Petty Cash Policy
Performance Evaluation Procedure
Personnel File Procedure
Personal Leave Policy
Political Activity Policy
Policies and Procedures Manual Procedure
Prescription Eye Glasses Policy
Processing and Orientation of New Employees Procedure
Purchasing Procedures (Basic)
Retirement Policy
Requests for Employment Verification Procedure
Resignation Policy
Safety Policy
Short-Term Disability Policy/Worker Compensation Program
Sick Leave Policy
Telephone Usage Policy
Transitional Duty Policy
Travel Policy
Use of Vehicles Policy
Vacation Leave Policy
Whistle Blower Policy
Workforce Reduction Policy
Workplace Violence Policy
Workers Compensation Policy

Receipt for Personnel Policies and Procedures Manual

I acknowledge that I have received a copy of Borough of Montvale's Personnel Policies and Procedures Manual. I agree to read it thoroughly. I agree that if there is any policy or provision in the manual that I do not understand, I will seek clarification from my supervisor or the Borough Administrator. I understand that Borough of Montvale is an "at will" employer and consistent with applicable Federal and State law, (as well as applicable bargaining unit agreements), employment with the Borough of Montvale is not for a fixed term or definite period and may be terminated at the will of either party, with or without cause, and without prior notice. No supervisor or other representative of the Borough of Montvale has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above. In addition, I understand that this manual states Borough of Montvale's personnel policies in effect on the date of publication. I understand that nothing contained in the manual may be construed as creating a promise of future benefits or a binding contract with the Borough of Montvale for benefits or for any other purpose. I also understand that these policies and procedures are continually evaluated and may be amended, modified or terminated at any time.

Please sign and date this receipt and return it to the Borough Administrator.

Date: _____

Signature: _____

Print Name: _____

Department: _____

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 20-2019**

Re: A Resolution Re-Affirming The Borough's Existing Policy For Eligible Municipal Employees To Voluntarily Waive The Medical And Prescription Coverages Provided Through The Employee Health Benefits Program For Calendar Year 2019

WHEREAS, the Borough of Montvale provides a comprehensive health benefits program comprised of medical, prescription, dental and vision coverages for eligible municipal employees, dependents and retirees; and

WHEREAS, the Governing Body desires the continuance of the program offering for the 2019 Calendar Year.

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Montvale, County of Bergen, hereby re-authorizes the offering of the Borough's "Opt - Out" Program to municipal employees/Plan participants eligible for health benefits coverage through the Borough Employee Health Benefit Program, whereby the employee/plan participant can voluntarily waive participation in consideration of an annual financial incentive; and

BE IT FURTHER RESOLVED, the waiver of benefits financial incentive shall be set on an annual basis, such incentive set for the 2019 calendar year as follows:

**FOR THOSE EMPLOYEES/PLAN PARTICIPANTS PARTICIPATING IN THE OPT-OUT
AFTER MAY, 21, 2010**

ELIGIBLE COVERAGE	ANNUAL FINANCIAL INCENTIVE (2019)
Single	25% of the Net Savings to the Borough of Montvale or \$5,000, whichever is less
Employee/Spouse	
Parent/Child	
Family	

BE IT FURTHER RESOLVED, the above schedules are consistent with the amounts set forth by the Borough and in accordance with the provisions set forth by the NJ Divisions of Local Government Services, as established by Chapter 2, P.L. 2010.

BE IT FURTHER RESOLVED, the specific terms and conditions of said waiver of coverage are contained within the "201 Waiver of Coverage Offer and Agreement," a copy attached herewith and affirmed by this Resolution; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be forwarded to the Borough Finance Officer, Health Benefits Consultant and Borough Attorney.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 17-2019**

BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, N.J., that the following Officers of the Montvale Fire Department be approved for the year 2019:

Fire Chief	-	Geoffrey Gibbons
Deputy Fire Chief	-	Charles Lydon
Captain 1	-	Michael Barnes
Captain 2	-	Bruce Hopper
Lt., Company #1	-	Mike Cintineo
Lt., Company #2	-	Richard Alton

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
ORGANIZATION MEETING
RESOLUTION NO. 18-2019**

WHEREAS, on January 2006, the "New Jersey Local Unit Pay to Play" Law, N.J.S.A. 19:44A-20.4, et. seq., took effect; and

WHEREAS, the Borough of Montvale has a need to award certain professional contracts for services required by the municipality in calendar year 2016; and

WHEREAS, the Pay to Play Law permits such services to be acquired through the "non-fair and open" process as declined in N.J.S.A. 19:44A-20.4 or 20.5 on those contracts where it is anticipated that the total cost will exceed \$17,500.00; and

WHEREAS, the anticipated term of these contracts is 1 year; and

WHEREAS, the public good and interest of the citizens of the Borough of Montvale will best be served by the "non-fair and open" process to secure experienced professional services, rather than the "fair and open" process awarding a contract to the lowest bidder; and

WHEREAS, each professional will be required to first complete and submit a Business Entity Disclosure Certification which certifies these professionals have not made any reportable contributions to a political or candidate committee in the Borough of Montvale in the previous one year, and that said professionals will be prohibited from making any reportable contributions through the term of the contract, and

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

The following professional 2019 contracts shall be awarded under the "non-fair open" process at the next regular meeting of the Governing Body:

Borough Attorney:

Philip N. Boggia, Esq.
Boggia & Boggia
71 Mt. Vernon Street
Ridgefield Park, NJ 07660

Borough Engineer:

Andrew Hipolit
Maser Consulting P.A.
400 Valley Road, Suite 304
Mount Arlington, NJ 07856

Auditor:

Jeff Bliss
Lerch, Vinci & Higgins
1717 Route 208
Fairlawn, NJ 07407

The said professionals, prior to securing such contract, shall execute and file with the Municipal Clerk, a 2019 Business Entity Disclosure Certification pursuant to N.J.S.A. 19:44A-20-8.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Gloeggler							
Koelling							
Lane							
Russo-Vogelsang							

Adopted: January 1, 2019

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

Active Group Terms

Member terms that will be active on 01/01/2019

Group Name	Member Type	Member Role	Term Started On	Term Ends On
ADMINISTRATION				
Jeffrey Fette	Employee	Facilities Inspector	01/01/2019	12/31/2019
Jeffrey Fette	Employee	Safety Director	01/01/2019	12/31/2019
Jeffrey Fette	Employee	Bldg & Grounds	01/01/2019	12/31/2019
Nevene Gayed	Employee	Floater	01/01/2019	12/31/2019
R. Lorraine Hutter	Employee	Office Manager	01/01/2019	12/31/2019
Maureen Iarossi-Alwan	Employee	Administrator	01/01/2019	12/31/2019
Timothy Lane	Elected Official	Council Liaison	01/01/2019	12/31/2019
Carol Manhart	Employee	Admin/Floater	01/01/2019	12/31/2019
Heather McGee	Employee	Sec'y Police Chief	01/01/2019	12/31/2019
Doreen Rowland	Employee	Floater	01/01/2019	12/31/2019
Janet Russo	Employee	Floater	01/01/2019	12/31/2019
Zita Stratis	Employee	Secretary Police	01/01/2019	12/31/2019
ADMINISTRATOR HOUSING OFFICER				
R. Lorraine Hutter	Employee	Land Use Admin	01/01/2019	12/31/2019
ANIMAL CONTROL / HUMANE LAW ENFORCEMENT OFFICE				
Kimberly Nangle	Contractual	Humane Law Enf Offcr	01/01/2019	12/31/2019
Carol Tyler	Contractual	Humane Law Enf Offcr	01/01/2019	12/31/2019
BERGEN JIF FUND COMMISSIONER				
Timothy Lane	Elected Official	Council Liaison	01/01/2019	12/31/2019
BOARD OF HEALTH				
Joyce Cohen	Volunteer	President/Member	01/03/2016	12/31/2019
Rose Curry	Elected Official	Council Liaison	01/01/2019	12/31/2019
Monica Danna	Volunteer	Vice Pres/Member	01/01/2019	12/31/2022
Leigh Hopper	Volunteer	Member	01/01/2019	12/31/2019
Joyce Jacobson	Volunteer	1st Alternate	01/01/2018	12/31/2021
Joel Landzberg, MD	Volunteer	Member	01/02/2017	12/31/2020
Patricia Lennon	Volunteer	Member	01/02/2017	12/31/2020
Zackary Martin	Contractual	Sanitary Inspector	01/01/2019	12/31/2019
Angela Musella	Contractual	Health Officer	01/01/2019	12/31/2019
Rebecca Pignoncelli	Contractual	Sanitary Inspector	01/01/2019	12/31/2019
Janet Russo	Employee	Secretary	01/01/2019	12/31/2019
Carol Tyler	Contractual	Animal Control Offcr	01/01/2019	12/31/2019
Jane Woodward	Volunteer	2nd Alternate	01/02/2017	12/31/2020
BONDING COUNSEL				
McManimon Scotland	Contractual	Bonds	01/01/2019	12/31/2019
BOROUGH ATTORNEY				
Philip Boggia	Contractual	Borough Attorney	01/01/2019	12/31/2019
Joe Voytus	Contractual	Borough Attorney	01/01/2019	12/31/2019
BOROUGH COUNCIL				
Doug Arendacs	Elected Official	Council Member	01/01/2018	12/31/2020
Rose Curry	Elected Official	Council Member	01/01/2018	12/31/2020
Elizabeth Gloeggler	Elected Official	Council Member	01/02/2017	12/31/2019
Dieter Koelling	Elected Official	Council Member	01/01/2019	12/31/2021
Timothy Lane	Elected Official	Council Member	01/02/2017	12/31/2019
AnnMarie Russo-Vogelsang	Elected Official	Council Member	01/01/2019	12/31/2021

Active Group Terms

Member terms that will be active on 01/01/2019

Group Name	Member Type	Member Role	Term Started On	Term Ends On
CHAMBER OF COMMERCE/MAYOR APPT				
Rose Curry	Elected Official	Council Liaison	01/01/2019	12/31/2019
CLERK'S OFFICE				
Maureen Iarossi-Alwan	Employee	Muni Clerk/Tenured	08/01/1996	07/31/2050
Fran Scordo	Employee	Deputy Muni Clerk	01/01/2019	12/31/2019
COAH COMMITTEE/MAYOR APPT				
John DePinto	Volunteer	Chairman Planning Bd	01/01/2019	12/31/2019
Mike Ghassali	Elected Official	Mayor	01/01/2018	12/31/2019
Elizabeth Gloeggler	Elected Official	Council Member	01/01/2019	12/31/2019
Darlene Green	Contractual	Borough Planner	01/01/2019	12/31/2019
R. Lorraine Hutter	Employee	Housing Liaison	01/01/2019	12/31/2019
Maureen Iarossi-Alwan	Employee	Administrator	01/01/2019	12/31/2019
Timothy Lane	Elected Official	Council Member	01/01/2019	12/31/2019
Robert Regan Esq.	Contractual	Attorney	01/01/2019	12/31/2019
AnnMarie Russo-Vogelsang	Elected Official	Alternate	01/01/2019	12/31/2019
CONSTRUCTION				
Charles "Chuck" Batch	Employee	SubCodeFire/Tenured	06/24/2013	12/31/2050
Rose Curry	Elected Official	Council Liaison	01/01/2019	12/31/2019
Frank "Duffy" Dyer	Employee	SubCodeElec/Tenured	08/21/2013	12/31/2050
Jeffrey Fette	Employee	ConstCode Tenured	10/01/2012	12/31/2050
Jeffrey Fette	Employee	Zoning Ofcr/Tenured	01/01/2018	01/01/2050
Jeffrey Fette	Employee	Property Maintenance	01/01/2018	01/01/2050
Christopher Gruber	Employee	Dep ConstrCode Offcl	01/01/2019	12/31/2019
David Ludwig	Employee	PlumbCode Tenured	10/01/2012	12/31/2050
J. "Rio" Mena	Employee	Floater	01/01/2019	12/31/2019
Cynthia Petersen	Employee	Tech. Assistant	01/01/2019	12/31/2019
COURT				
Viola Crowley	Employee	Violations Clerk	01/01/2019	12/31/2019
Sherri D'Alessandro	Employee	Acting Court Admin	01/01/2019	12/31/2019
Tracy Jeffery	Employee	Bailif	01/01/2019	12/31/2019
Shaka Lemoniaus	Employee	Deputy Court Admin	01/01/2019	12/31/2019
Ann Levitzki	Employee	Court Administrator	12/01/2017	12/31/2022
ECONOMIC DEVELP RETENTION COMMITTEE				
Mike Ghassali	Elected Official	Mayor	01/02/2017	12/31/2019
Louis Hendi	Volunteer	Member	01/01/2019	12/31/2019
Raffi Joukhadian	Volunteer	Member	01/01/2019	12/31/2019
Dieter Koelling	Elected Official	Council Liaison	01/01/2019	12/31/2019
David Laquidara	Volunteer	Member	01/01/2019	12/31/2019
John Ryan	Volunteer	Member	01/01/2019	12/31/2019
Kunal Verma	Volunteer	Member	01/01/2019	12/31/2019
Don Watson	Volunteer	Member	01/01/2019	12/31/2019
EMERGENCY MANAGEMENT				
Bruce Babcock	Volunteer	Member	01/01/2019	12/31/2019
Mark Bardes	Volunteer	C.E.R.T. Member	01/01/2019	12/31/2019
Kathy Bowen	Employee	Local Assist Board	01/01/2019	12/31/2019
Frank DiPalma	Employee	Coordinator	01/31/2017	12/31/2019
James Ewing	Volunteer	Member	01/01/2019	12/31/2019

Active Group Terms

Member terms that will be active on 01/01/2019

Group Name	Member Type	Member Role	Term Started On	Term Ends On
Mike Ghassali	Elected Official	Mayor	01/02/2017	12/31/2019
Geoffrey Gibbons	Volunteer	Fire Chief	01/01/2019	12/31/2019
Theodore Guasconi	Volunteer	Member	01/01/2019	12/31/2019
Ariel Gungil	Volunteer	C.E.R.T. Member	01/01/2019	12/31/2019
Arsian Gungil	Volunteer	C.E.R.T. Member	01/01/2019	12/31/2019
Charlene Gungil	Volunteer	C.E.R.T. Member	01/01/2019	12/31/2019
Gurz Gungil	Volunteer	C.E.R.T. Member	01/01/2019	12/31/2019
Warren Hager	Volunteer	Member	01/01/2019	12/31/2019
Dieter Koelling	Elected Official	Council Liaison	01/01/2019	12/31/2019
Alan Krampert	Volunteer	C.E.R.T. Member	01/01/2019	12/31/2019
Linda Krampert	Volunteer	C.E.R.T. Member	01/01/2019	12/31/2019
Linda Louie	Volunteer	C.E.R.T. Member	01/01/2019	12/31/2019
Gregory March	Volunteer	Deputy Coordinator	02/28/2017	12/31/2019
Paul Mathews	Volunteer	Member	01/01/2019	12/31/2019
Heather McGee	Volunteer	Tri Boro Amb, Pres	01/01/2019	12/31/2019
Angela Musella	Contractual	Bd of Health Rep	01/01/2019	12/31/2019
Bernadine Revie	Volunteer	C.E.R.T. Member	01/01/2019	12/31/2019
Peter Revie	Volunteer	C.E.R.T. Member	01/01/2019	12/31/2019
Joe Sanfilippo	Employee	Police Chief	01/01/2019	12/31/2019

ENGINEERING

Doug Arendacs	Elected Official	Council Liaison	01/01/2019	12/31/2019
Andrew Hipolit	Contractual	Borough Engineer	01/01/2019	12/31/2019

ENVIRONMENTAL/MAYOR APPT.

Lisa Anastasio	Employee	Secretary P/T	01/01/2019	12/31/2019
Carly De La Hoz	Volunteer	2nd Alternate	01/01/2019	12/31/2019
Daniel Eichhorn	Volunteer	Member	01/01/2019	12/31/2019
Robert Hanrahan	Volunteer	Chairman	01/02/2017	12/31/2019
Mairead Jensen	Volunteer	1st Alternate	01/01/2019	12/31/2019
Richard Johnson	Volunteer	Member	01/01/2019	12/31/2019
Melinda Kelly	Volunteer	Member	01/01/2019	12/31/2019
Dieter Koelling	Elected Official	Council Liaison	01/01/2019	12/31/2019
Randall Preston	Volunteer	Member	01/01/2019	12/31/2019
Lisa Skoglund	Volunteer	Member	01/01/2019	12/31/2019
Robert Zitelli	Volunteer	Member	01/01/2019	12/31/2019

FINANCE COMMITTEE

Elizabeth Gloeggler	Elected Official	Council Member	01/01/2019	12/31/2019
Maureen Iarossi-Alwan	Employee	Administrator	01/01/2019	12/31/2019
Timothy Lane	Elected Official	Council Member	01/01/2019	12/31/2019

FINANCE DEPT

Jeffrey Bliss	Contractual	Auditor	01/01/2019	12/31/2019
Elizabeth Gloeggler	Elected Official	2nd Signature Voucher	01/01/2019	12/31/2019
Christine Kalafut	Employee	Treasurer/QPA	01/01/2019	12/31/2019
Timothy Lane	Elected Official	Council Liaison	01/01/2019	12/31/2019
Angela McCain	Employee	Deputy Treasurer	01/01/2019	12/31/2019
Kenneth Sesholtz	Employee	CMFO Tenured	06/10/1997	12/31/2050

FIRE DEPARTMENT

Rick Alton	Volunteer	Lieutenant #2	01/01/2019	12/31/2019
Michael Barnes	Volunteer	Captain Co. 1	01/01/2019	12/31/2019
Mike Cintineo	Volunteer	Lieutenant #1	01/01/2019	12/31/2019
Geoffrey Gibbons	Volunteer	Fire Chief	01/01/2019	12/31/2019

Active Group Terms

Member terms that will be active on 01/01/2019

Group Name	Member Type	Member Role	Term Started On	Term Ends On
Bruce Hopper	Volunteer	Captain Co. 2	01/01/2019	12/31/2019
Timothy Lane	Elected Official	Council Liaison	01/01/2019	12/31/2019
Charles Lydon	Volunteer	Deputy Fire Chief	01/01/2019	12/31/2019
Al Nagy	Volunteer	Fire Commissioner	01/01/2019	12/31/2019
James Nicol	Volunteer	Fire Commissioner	01/01/2019	12/31/2019
AnnMarie Russo-Vogelsang	Elected Official	Council Liaison Alt	01/01/2019	12/31/2019
Sal Talarico	Volunteer	Fire Commissioner	01/01/2019	12/31/2019

FIRE PREVENTION

Steve Cassiello	Employee	Fire Official	11/19/2018	12/31/2019
Michael Halzack	Employee	Fire Inspector	01/01/2019	12/31/2019
John Kurz	Employee	Fire Inspector	01/01/2019	12/31/2019
Timothy Lane	Elected Official	Council Liaison	01/01/2019	12/31/2019
Clint Miller	Employee	Fire Inspector	01/01/2019	12/31/2019

HISTORIAN/MAYOR APPT

Maria Hopper	Volunteer	Borough Historian	01/01/2019	12/31/2019
--------------	-----------	-------------------	------------	------------

HISTORIC PRESERVATION/MAYOR APPT.

Dawn Cherie-Hopper	Volunteer	2nd Alt Class C	01/01/2018	12/31/2019
Symmi DeFrancesco	Volunteer	Class C Member	01/01/2019	12/31/2022
Wendy Fontana	Volunteer	Class C Member	01/01/2018	12/31/2021
Maria Hopper	Volunteer	Class B Member	01/05/2015	12/31/2019
Dieter Koelling	Elected Official	Council Liaison	01/01/2019	12/31/2019
Margaret O'Neill	Volunteer	Class A Member	04/10/2018	12/31/2020
Vicki Slockbower	Volunteer	1st Alternate	01/01/2019	12/31/2020
Richard Voorhees	Volunteer	Class C Member	01/03/2016	12/31/2019

INSURANCE/MAYOR APPT

Mike Ghassali	Elected Official	Ins JIF Alternate	01/02/2017	12/31/2019
Maureen Iarossi-Alwan	Employee	Ins JIF Employee Rep	01/01/2019	12/31/2019

LIBRARY

Tom Bonnell	Volunteer	Board Member	01/01/2018	12/31/2022
Tammy King	Volunteer	Board Member	01/02/2017	12/31/2021
Donald Londahl-Smidt	Volunteer	Board Member	01/05/2015	12/31/2019
Nancy Racich	Volunteer	Board Member	04/10/2018	12/31/2020
Vicki Slockbower	Volunteer	Board Member	01/02/2017	12/31/2021
Richard Voorhees	Volunteer	Mayor's Designee	01/01/2019	12/31/2019

LOCAL ASSISTANCE BOARD

Kathy Bowen	Employee	Director	01/02/2017	12/31/2021
Elizabeth Gloeggler	Elected Official	Council Liaison	01/01/2019	12/31/2019
Heather McGee	Volunteer	Member	01/01/2019	12/31/2020
Joanne Palkavich	Volunteer	Member	01/01/2019	12/31/2020

LOCAL BD OF ED/ MAYOR APPT

AnnMarie Russo-Vogelsang	Elected Official	Council Liaison	01/01/2019	12/31/2019
--------------------------	------------------	-----------------	------------	------------

MAYOR'S ADVISORY COMMITTEE

Doug Arendacs	Elected Official	Council Liaison	01/01/2019	12/31/2019
Bill Boyce	Volunteer	Member	01/01/2019	12/31/2019
Renee Fatovic	Volunteer	Member	01/01/2019	12/31/2019
Mike Ghassali	Elected Official	Mayor	10/10/2017	12/31/2019

Active Group Terms

Member terms that will be active on 01/01/2019

Group Name	Member Type	Member Role	Term Started On	Term Ends On
Debra Kardjian-Stephans	Volunteer	Member	01/01/2019	12/31/2019
David Lafferty	Volunteer	Member	01/01/2019	12/31/2019
Cheryl Sawyer	Volunteer	Member	01/01/2019	12/31/2019
Jarret Schumacher	Volunteer	Member	01/01/2019	12/31/2019
Judith Sullivan	Volunteer	Member	01/01/2019	12/31/2019
MAYORS OFFICE				
Nevene Gayed	Employee	Mayor Secy	01/01/2019	12/31/2019
Mike Ghassali	Elected Official	Mayor	01/03/2016	12/31/2019
MUNICIPAL ALLIANCE				
E. Kash Cruise	Employee	SRO-PHHS/Police Ofc	01/01/2019	12/31/2019
Brian Lamendola	Employee	Police Officer	01/01/2019	12/31/2019
Allison McNeice	Employee	Police Officer	01/01/2019	12/31/2019
AnnMarie Russo-Vogelsang	Elected Official	Council Liaison	01/01/2019	12/31/2019
ORDINANCE LIASION / MAYOR APPT				
AnnMarie Russo-Vogelsang	Elected Official	Council Liaison	01/01/2019	12/31/2019
PASCACK JOINT COURT COMMITTEE				
Doug Arendacs	Elected Official	Council Member	01/01/2019	12/31/2019
Mike Ghassali	Elected Official	Mayor	01/02/2017	12/31/2019
Timothy Lane	Elected Official	Council Member	01/01/2019	12/31/2019
Ann Levitzki	Employee	Court Administrator	01/01/2019	12/31/2019
PASCACK VALLEY DPW JOINT COMMITTEE				
Doug Arendacs	Elected Official	Council Member	01/01/2019	12/31/2019
Rose Curry	Elected Official	Council Member	01/01/2019	12/31/2019
Mike Ghassali	Elected Official	Mayor	01/02/2017	12/31/2019
Maureen Iarossi-Alwan	Employee	Administrator	01/01/2019	12/31/2019
PLANNING BOARD/MAYOR APPTS. Class I, II & 4				
John Culhane	Volunteer	Class IV	01/02/2017	12/31/2020
James D'Agostino	Volunteer	Class IV	03/29/2016	12/31/2019
John DePinto	Volunteer	Chairman	01/01/2019	12/31/2022
Jeffrey Fette	Employee	Class II	01/01/2019	12/31/2019
Mike Ghassali	Elected Official	Mayor	01/02/2017	12/31/2019
Darlene Green	Contractual	Borough Planner	01/01/2019	12/31/2019
R. Lorraine Hutter	Employee	Land Use Admin	01/01/2019	12/31/2019
William Lintner	Volunteer	Class IV	01/03/2016	12/31/2019
Margaret O'Neill	Volunteer	2nd Alternate	01/01/2019	12/31/2019
Robert Regan Esq.	Contractual	Attorney	01/01/2019	12/31/2019
Frank Stefanelli	Volunteer	Class IV	01/03/2016	12/31/2019
Dante Teagno	Volunteer	Class IV	01/01/2018	12/31/2021
Robert Zitelli	Volunteer	CL IV Envm Lia 3 yr	01/01/2019	12/31/2020
Robert Zitelli	Volunteer	1st Alternate	01/01/2019	12/31/2020
POLICE / CROSSING GUARDS				
Roger Caron	Police Officer	SLEO/CLASS III	01/01/2019	12/31/2019
Lillian Dell'Aquila	Employee	School Crossing Guard	01/01/2019	12/31/2019
Frank DiPalma	Employee	Special Police Ofc.	01/01/2019	12/31/2019
Scott Ehalt	Police Officer	SLEO/CLASS III	06/29/2018	12/31/2019
Chris Frasciello	Employee	Special Police Ofc.	01/01/2019	12/31/2019
Dawn Helfenbein	Employee	School Crossing Guard	01/01/2019	12/31/2019

Active Group Terms

Member terms that will be active on 01/01/2019

Group Name	Member Type	Member Role	Term Started On	Term Ends On
Michael Jewell	Employee	SchoolCrossing Guard	01/01/2019	12/31/2019
Eugenia Kalos	Employee	SchoolCrossing Guard	01/01/2019	12/31/2019
Dieter Koelling	Elected Official	Council Liaison	01/01/2019	12/31/2019
Frank Lentino	Employee	SchoolCrossing Guard	01/01/2019	12/31/2019
Mary Marsigliano	Employee	SchoolCrossing Guard	01/01/2019	12/31/2019
Heather McGee	Employee	Matron/Crossing Guar	01/01/2019	12/31/2019
Michael McGee	Police Officer	Special Police Ofc.	01/01/2019	12/31/2019
Matthew Miller	Police Officer	SLEO/CLASS III	01/01/2019	12/31/2019
Maureen Scheffler	Employee	SchoolCrossing Guard	01/01/2019	12/31/2019
Jean Turi	Employee	SchoolCrossing Guard	01/01/2019	12/31/2019
Lorraine Zurich	Employee	SchoolCrossing Guard	01/01/2019	12/31/2019
POLICE COMMISSIONER DEPUTY/MAYOR APPT				
Doug Arendacs	Elected Official	Council Member	01/01/2019	12/31/2019
POLICE COMMISSIONER/MAYOR APPT				
Dieter Koelling	Elected Official	Council Member	01/01/2019	12/31/2019
RECYCLE COORDINATOR				
Rich Campanelli	Employee	DPW Superintendant	01/01/2019	12/31/2019
REGIONAL BD OF ED / MAYOR APPT				
Elizabeth Gloeggler	Elected Official	Council Liaison	01/01/2019	12/31/2019
RISK MANAGEMENT				
PIA Frank Covelli	Contractual	Consultant/Insurance	01/01/2019	12/31/2019
SELF INSURANCE COMMITTEE				
Doug Arendacs	Elected Official	Council Member	01/01/2019	12/31/2019
Maureen Iarossi-Alwan	Employee	Administrator	01/01/2019	12/31/2019
Timothy Lane	Elected Official	Council Member	01/01/2019	12/31/2019
SENIOR CLUB / MAYOR APPT				
Rose Curry	Elected Official	Council Liaison	01/01/2019	12/31/2019
SENIOR VAN DRIVERS				
Ronald Caffrey	Employee	Alt Senior Van Drivr	01/01/2019	12/31/2019
Jeffrey Forrest	Employee	Senior Van Driver	01/01/2019	12/31/2019
SEXUAL HARASSMENT OFFICERS				
Maureen Iarossi-Alwan	Employee	Administrator	01/01/2019	12/31/2019
Joe Sanfilippo	Employee	Police Chief	01/01/2019	12/31/2019
SPECIAL EVENTS COMMITTEE				
Dick Curtin	Volunteer	Member	01/01/2019	12/31/2019
Lynn Curtin	Volunteer	Member	01/01/2019	12/31/2019
Denyse Dabrowski	Volunteer	Member	01/01/2019	12/31/2019
Lisa Dent	Employee	Director Recreation	01/01/2019	12/31/2019
Marie Dineen	Volunteer	Member	01/01/2019	12/31/2019
Frank DiPalma	Volunteer	Member	01/01/2019	12/31/2019
Tammy King	Volunteer	Member	01/01/2019	12/31/2019
AnnMarie Russo-Vogelsang	Elected Official	Council Liaison	01/01/2019	12/31/2019
Margo Vlahinich	Volunteer	Member	01/01/2019	12/31/2019

Active Group Terms

Member terms that will be active on 01/01/2019

Group Name	Member Type	Member Role	Term Started On	Term Ends On
STORMWATER MANAGEMENT COORDINATOR				
Andrew Hipolit	Contractual	Coordinator	01/01/2019	12/31/2019
TAX OFFICE				
Fran Scordo	Employee	Tax Searcher/Tenured	01/03/2016	12/31/2050
Fran Scordo	Employee	Tax Collector/Tenure	01/03/2016	12/31/2050
Raymond Tighe	Employee	Assessor	02/20/2018	12/31/2021
TV ACCESS/MAYOR APPT				
Stephanie Buckley	Volunteer	Volunteer	01/01/2019	12/31/2019
Peter George	Employee	Cable Access Member	01/01/2019	12/31/2019
Elizabeth Gloeggler	Elected Official	Council Liaison	01/01/2019	12/31/2019
Robert Hassimi	Volunteer	Volunteer	01/01/2019	12/31/2019
Todd Hutchins	Volunteer	Volunteer	01/01/2019	12/31/2019
Hanna Kimball	Student/Intern	Volunteer	01/01/2019	12/31/2019
Sarah McIlroy	Student/Intern	Volunteer	01/01/2019	12/31/2019
Dan Cecconie Media Consultant	Contractual	Studio/Station Mgr	01/01/2019	12/31/2019
Jim Signorini Media Consultants	Contractual	Studio/Station Mgr	01/01/2019	12/31/2019
Laureanna Organ	Volunteer	Volunteer	01/01/2019	12/31/2019
Kara Robinson	Volunteer	Volunteer	01/01/2019	12/31/2019
WEB SITE				
Rose Curry	Elected Official	Council Liaison	01/01/2019	12/31/2019
Carol Manhart	Employee	Coordinator	01/01/2019	12/31/2019
Gov Sites	Contractual	Webmaster	01/01/2019	12/31/2019
YOUTH GUIDANCE COUNCIL				
Doug Arendacs	Elected Official	Council Liaison	01/01/2019	12/31/2019
E. Kash Cruise	Employee	SRO-PHHS/Police Ofc	01/01/2019	12/31/2019
Mike Ghassali	Elected Official	Mayor	01/02/2017	12/31/2019
Brian Lamendola	Employee	Police Officer	01/01/2019	12/31/2019