

PUBLIC MEETING  
MINUTES

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:31p.m. Adequate notification was published in the official newspaper of the Borough of Montvale. Master Sergeant Dieter Koelling led the Pledge of Allegiance to the Flag, and roll call was taken.

**OPEN PUBLIC MEETING STATEMENT**

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

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

**ROLL CALL:**

Councilmember Arendacs  
Councilmember Curry - absent  
Councilmember Gloeggler

Councilmember Koelling  
Councilmember Lane - via telephone  
Councilmember Russo-Vogelsang

**ORDINANCES:**

**PUBLIC HEARING OF ORDINANCE 2019-1475** AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 86 OF THE BOROUGH CODE TO ESTABLISH REGISTRATION AND MAINTENANCE REQUIREMENTS FOR VACANT AND ABANDONED RESIDENTIAL PROPERTIES IN FORECLOSURE

**WHEREAS**, vacant and abandoned residential properties, many of which are the result of foreclosures, have negative effects on local property values, pose threats to public health and safety, and are a burden on local taxpayers; and

**WHEREAS**, the Borough of Montvale is desirous of adopting a vacant property registration ordinance to help ensure that the owners and/or creditors of vacant and abandoned properties register with the Borough and assume responsibility for the maintenance of such properties; and

**WHEREAS**, the Borough is further desirous of setting forth that fines and penalties that may be assessed against the owners and/or creditors of unmaintained vacant and abandoned properties in order to compel compliance with these requirements.

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

**Section 1.** Chapter 86, "Property Maintenance," of the Borough Code is hereby amended and supplemented by adding a new Article III, "Registration and Maintenance of Vacant and Abandoned Properties," as follows:

**Chapter 86 – Property Maintenance  
Article III**

**Registration and Maintenance of Vacant and Abandoned Properties**

- §86-22**        **Definitions.**
- §86-23**        **Registration of Vacant and Abandoned Properties.**
- §86-24**        **Fee schedule.**
- §86-25**        **Responsibility for Vacant and Abandoned Properties.**
- §86-26**        **Notice.**

§86-27      Enforcement officers.  
§86-28      Violations and penalties.

### Article III

#### Registration and Maintenance of Vacant and Abandoned Properties

§86-22      Definitions.

**CREDITOR** shall mean a State chartered bank, savings bank, savings and loan association or credit union, any person or entity required to be licensed under the provisions of the "New Jersey Residential Mortgage Act," P.L. 2009, c.53 (C.17:11C-51 et seq.), any foreclosing entity subject to the provisions of C.46:10B-51 (P.L. 2008, c. 127, Sec. 17, as amended from time to time) and any entity acting on behalf of the creditor named in the debt obligation including, but not limited to, servicers.

**VACANT AND ABANDONED RESIDENTIAL PROPERTY** means, consistent with section 1 of P.L. 2012, c.70 (C.2A:50-73), residential real estate, where a notice of violation has been issued pursuant to subsection 86-26(A). and subsection b. of section 1 of P.L.2014, c.35 (C.40:48-2.12s), or property which any condition on its own or combined with other conditions present would lead a reasonable person to believe that the property is or has been vacant for three (3) or more months.

Residential property shall further be deemed vacant and abandoned where a mortgaged property is not occupied by a mortgagor or tenant.

Such evidence would include, but is not limited to, evidence of the existence of two (2) or more of the following conditions at the property:

- (a) Overgrown or neglected vegetation;
- (b) The accumulation of newspapers, circulars, flyers or mail on the property;
- (c) Disconnected gas, electric, or water utility services to the property;
- (d) The accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
- (e) The accumulation of junk, litter, trash or debris on the property;
- (f) The absence of window treatments such as blinds, curtains or shutters;
- (g) The absence of furnishings and personal items;
- (h) Statements of neighbors, association management, delivery persons, or government employees indicating that the residence is vacant and abandoned;
- (i) Windows or entrances to the property that are boarded up or closed off or multiple window panes that are damaged, broken and unrepaired;
- (j) Doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
- (k) A risk to the health, safety or welfare of the public, or any adjoining or adjacent property owners, exists due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;

- (l) An uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
- (m) The mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
- (n) A written statement issued by any mortgagor expressing the clear intent of all mortgagors to abandon the property;
- (o) Any other reasonable indicia of abandonment.

**OWNER** means the titleholder, any agent of the titleholder having authority to act with respect to the vacant property, or any other entity determined by the Borough of Montvale to act with respect to the property.

**§86-23 Registration of Vacant and Abandoned Properties.**

- A. A Creditor filing a summons and complaint in an action to foreclose on a vacant and abandoned property, or a Creditor who has previously filed a summons and complaint to foreclose on a residential property which subsequently becomes vacant and abandoned, or the Owner of a vacant and abandoned property, shall within thirty (30) calendar days after the building becomes vacant and abandoned or within thirty (30) calendar days after assuming ownership of the vacant and abandoned property, whichever is later; or within ten (10) calendar days of receipt of notice from the Borough, and annually thereafter, file a registration statement for such vacant and abandoned property with the Municipal Clerk on forms provided by the Borough for such purposes. Any failure to receive notice from the Borough shall not constitute grounds for failing to register the vacant and abandoned property.
- B. Each vacant and abandoned property having a separate block and lot number as designated in the official tax maps of the Borough shall be registered separately.
- C. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person twenty-one (21) years or older, designated by the Creditor or the Owner as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such Creditor in connection with the enforcement of any applicable code.
- D. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of the firm and the actual name(s) of the Owner of the vacant or abandoned property or the firm's individual principal(s) responsible for maintaining the abandoned and vacant property. The Owner or the individual or representative of the firm responsible for maintaining the abandoned and vacant property shall be available by telephone or in person on a twenty-four-hour per day, seven-day per week basis. The two (2) entities may be the same or different persons. In the case of a Creditor, both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.
- E. The registration shall remain valid for one year from the date of registration except for the initial registration which shall be valid through December 31st of the year in which it was filed. The Owner of the property or the Creditor shall be required to renew the registration annually as long as the building remains vacant and abandoned and shall pay a registration or renewal

fee in the amount prescribed in paragraph C of this section for each vacant and abandoned property registered.

- F. The annual renewal shall be completed by January 1st each year. The initial registration fee shall be pro-rated for registration statements received less than ten (10) months prior to that date.
- G. The Owner of the property or the Creditor shall notify the Municipal Clerk within thirty (30) calendar days of any change in the registration information by filing an amended registration statement on a form provided by the Municipal Clerk for such purpose.
- H. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Borough against the Creditor.

**§86-24 Fee schedule.**

- A. The initial registration fee for each vacant and abandoned property under the provisions of this section shall be five hundred (\$500.00) dollars.
- B. The fee for the first annual renewal shall be one thousand five hundred (\$1,500.00) dollars, and the fee for the second annual renewal shall be three thousand (\$3,000.00) dollars.
- C. The fee for any subsequent annual renewal beyond the second renewal shall be five thousand (\$5,000.00) dollars.

**§86-25 Responsibility for Vacant and Abandoned Properties.**

- A. The Owner of the property or a Creditor filing a summons and complaint in an action to foreclose on a residential property within the Borough shall be immediately responsible for the care, maintenance, security and upkeep of the exterior of the property, after the property becomes vacant and abandoned as defined in this section.
- B. Where a Creditor is located out-of-State, the Creditor shall be responsible for appointing an in-State representative or agent to act on the Creditor's behalf for the purpose of satisfying the requirements of subsection 86-25(A). Notice of said representative or agent shall be provided to the Municipal Clerk pursuant to subsections 86-23(C) and (D) and pursuant to paragraph (1) of subsection a. of section 17 of P.L.2008, c.127 (C.46:10B-51).

**§86-26 Notice.**

- A. The enforcement officers designated in this section shall be authorized to issue a notice to the Owner of the property, or a Creditor that has filed a summons and complaint in an action to foreclose on a residential property within the Borough, if the enforcement officer determines that the Owner of the property, or Creditor that has filed a summons and complaint in an action to foreclose on a residential property within the Borough has violated this section by failing to provide for the care, maintenance, security, and upkeep of the exterior of a vacant and abandoned property. Where a Creditor is an out-of-State Creditor, the notice shall be issued to the representative or agent that has been identified by the Creditor pursuant to subsection 86-25(B) and paragraph (1) of subsection a. of section 17 of P.L.2008, c. 127 (C.46:10B-51).
- B. The notice referenced in paragraph A, above shall require the Owner or Creditor to correct the violation(s) within thirty (30) days of receipt of the notice, or within ten (10) days of receipt of the notice if the violation presents an imminent threat to public health and safety.
- C. The issuance of a notice pursuant to paragraph A, above shall constitute proof that a residential property is vacant and abandoned for the purposes of this section.

**§86-27 Enforcement officers.**

The duty of administering and enforcing the provisions of this section is conferred upon the Municipal Clerk, Construction Official, and the Public Officer appointed pursuant to Chapter 86 of the Borough Code.

**§86-28 Violations and penalties.**

- A. The Owner of a property, or a Creditor subject to this Article that is found by the Municipal Court of the Borough, or by any other court of competent jurisdiction, to be in violation of the requirement to correct a care, maintenance, security, or upkeep violation cited in a notice issued pursuant to this Article shall be subject to a fine of one thousand five hundred (\$1,500.00) dollars for each day of the violation. Any fines imposed pursuant to this paragraph shall commence thirty-one (31) days following the receipt of the notice, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence eleven (11) days following receipt of the notice.
- B. An out-of-State Creditor subject to this Article that is found by the municipal court of the Borough, or by any other court of competent jurisdiction, to be in violation of the requirement to appoint an in-State representative or agent pursuant to this Article shall be subject to a fine of two thousand five hundred (\$2,500.00) dollars for each day of the violation. Any fines imposed on a Creditor for the failure to appoint an in-State representative or agent shall commence on the day after the 10-day period set forth in paragraph (1) of subsection a. of section 17 of P.L.2008, c. 127 (C.46:10B-51) for providing notice to the Municipal Clerk that a summons and complaint in an action to foreclose on a mortgage has been served.
- C. The Owner of a property, or a Creditor subject to this Article, that is found by the Municipal Court of the Borough, or by any other court of competent jurisdiction, to be in violation of the requirement to register a vacant and abandoned property pursuant to subsection 86-23 shall be subject to a fine not exceeding two thousand (\$2,000.00) dollars. Any fines imposed on a Creditor under this paragraph shall commence eleven (11) days following receipt of notice from the Borough pursuant to subsection 86-23(A).
- D. No less than twenty (20%) percent of any money collected by the Borough pursuant to this section shall be utilized by the Borough for municipal code enforcement purposes.
- E. Nothing in this section is intended to nor shall be read to conflict or prevent the Borough from taking action against buildings found to be unfit for human habitation or unsafe structures as provided in the applicable provisions of the Code of the Borough and/or the Uniform Construction Code. Further, any action taken under any such Code provision other than the demolition of a structure shall not relieve the Owner from its obligation under this section.

**Section 2. Severability.**

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

**Section 3. Effective date.**

This Ordinance shall take effect after adoption and publication according to law, but in no event prior to January 1, 2020.

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

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

A motion Introduced for second reading Ordinance No. 2019-1475 by Councilmember Russo-Vogelsang; seconded by Councilmember Koelling Clerk read by title only.

Motion to open meeting to public by Councilmember Gloeggler; seconded by Councilmember Koelling - all ayes

**NO PUBLIC COMMENT**

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

Motion to adopt on Second and Final Reading in the Bergen Record by Councilmember Lane; seconded by Councilmember Koelling - all ayes on a roll call vote

**MEETING OPEN TO PUBLIC:**

Agenda Items Only

Motion to open meeting to the public by Councilmember Koelling; seconded by Councilmember Gloeggler - all ayes

**NO PUBLIC COMMENT**

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

**MEETING CLOSED TO PUBLIC:**

Agenda Items Only

**MINUTES:**

October 29, 2019

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

**MINUTES CLOSED/EXECUTIVE SESSION:**

October 29, 2019

A motion to accept the minutes by Councilmember Gloeggler; seconded by Councilmember Koelling - all ayes

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

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

**204-2019 Amending Resolution No. 177-2019 To Establish Recreational Fees for Year 2019 / To add a new program / Pickleball**

**WHEREAS**, The Recreation Department hereby establishes the programs, times and fees for various programs; and

**WHEREAS**, the Recreation Director has recommended that the following fees, programs, and times be revised as described; and

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale that the following fees and programs and services be and are hereby established

**TIME SCHEDULE FOR SKATING RINK:**

Weekdays:

8:00AM - 2:00PM	Pickleball
2:00PM - Dusk	Roller/Street Hockey

Weekends:

8:00AM - 10:00AM	Pickleball
10:00AM - 2:00PM	Roller/Street Hockey
2:00PM - 5:00PM	Pickleball

**BOROUGH OF MONTVALE****NOVEMBER 12, 2019**

5:00PM - Dusk      Roller/Street Hockey

<b>PROGRAMS:</b>	<b>RESIDENT</b>	<b>NON-RESIDENT</b>
<b>Basketball - 18+</b>	\$50	\$75
<b>Basketball - 30+</b>	\$75	\$95
<b>BollyX</b>	\$80	\$100
<b>BollyX- mini</b>	\$40	\$50
<b>Golf</b>	\$105 per 6 week session	\$125 per 6 week session
<b>Pickleball Clinic</b>	\$50 per 3-week session \$20 per class drop-in fee	\$65 per 3-week session \$25 per class drop-in fee
<b>Pickleball Program</b>	<b>\$50</b>	<b>\$75</b>
<b>Summer Camp: Grades 1-5</b>	\$320/CHILD \$960/FAMILY MAX	\$380/CHILD \$1140/FAMILY MAX
<b>Adventure Camp: Grades 6-7</b>	\$400/CHILD	\$460/CHILD

**RESIDENT/NON-RESIDENT:** \$30 Additional Fee after Registration Period. \$25 late charge for every 15 minutes a child is left under care after camp dismissal. Payment shall be made directly to the Camp Director or Asst. Director and turned over to the Borough of Montvale.

**Tae Kwon-Do**

Tae Kwon-Do - Youth	\$120	*\$180 (*space permitting)
Tae Kwon-Do – Adult	\$80	\$100
<b>Tai Chi</b>	\$80	\$100
Montvale Seniors Club Discount:	\$40	

	<b>RESIDENT</b>	<b>NON-RESIDENT</b>
<b>Tennis Lessons- Adult/Child</b>	\$80 per 6-week session \$65 per 5-week session	\$120 per 6-week session \$100 per 5-week session
<b>Tennis Badges</b> (Green Acres/ old) Approval Required)	\$30 Adult (Ages 18-61) \$10 Child (up to 17 yrs. old)	\$60 Adult (Ages 18-61) \$20 Child (up to 17 yrs.
	\$50 Family max. Free Seniors 62+	\$100 Family max. \$10 Seniors 62+
<b>RESIDENT/NON-RESIDENT:</b> \$10 Fee for Replacement Tennis Badge		
<b>Volleyball - Adult</b>	\$50	\$75
<b>Volleyball- Girls</b>	\$80	\$100
<b>Yoga</b>	\$80	\$100
<b>Yoga - mini</b>	\$40	\$50
<b>Adult Soccer</b>	\$15 per 10-week session	\$20 per 10-week session

**WHEREAS**, Borough Owned Recreational Fields shall be scheduled by the Borough of Montvale Field Coordinator; and

**WHEREAS**, Montvale Athletic League ("MAL"), Montvale Recreation and Pascack Hills High School shall have first priority field scheduling use and shall be provide a schedule to the Field Coordinator no later than February 1<sup>st</sup>.

**WHEREAS**, MAL, Recreation, Pascack Hills High School and churches are exempt from payment of fees relating to field use.

**FIELD USE: 2019**  
**Resident Team**

**Resident Team**

**Non-**

Field Use- Ballfields- Baseball or Softball season  
 (Memorial, Fieldstone, or LaTrenta)

\$200 per season

\$400 per

Field Use- Turf Field- Soccer or Lacrosse (Fieldstone) \*\*\*MAL endorsed programs in sports that are not offered by MAL, and which have Montvale residents participating, shall be charged the resident fee for field use.

\$25 per hour

\$50 per hour

Turf Field Fees shall not exceed \$7,000 per season for any one organization. \*\*Add 15% to total, if lights are requested at any field.

Corporation One Day Field Use  
 \$ 400

\$ 200

(1 scheduled day plus 2 rain dates)

**Tennis Courts Daily Group Rate:** \$25/day (Maximum Reservation of 2 courts per location at any time).

**Resident Corporation:** Any company that owns or leases commercial within the borough.

**Non-Resident Corporation:** Any company that does not own or lease commercial space within the borough.

**Residential Team:** Any athletic team comprised of at least 75% of its roster with Montvale residents.

**Non-Residential Team:** Any team not having at least 75% of its roster filled with Montvale residents.

**Time Slot:** An uninterrupted 1 hour time period, or any part thereof, that a field is being used by an approved team.

**Corporate Fees:** Corporate fees paid to the borough for field use, whether Resident Corporation or Non-Resident Corporation, will entitle the user to 1 field reservation time slot and up to 2 additional time slots that are designated as "rain dates".

**Season:** Spring season will begin March 1 and end July 31. Fall season will begin August 1 and end December 31.

No credit for unused Field Time Slots

All organizational (i.e. club team) play will be considered a non-resident teams.

Payment is required prior to use on all fields or no field use will be granted.

Once field use requests are received in full by February 1<sup>st</sup>, field use will be established with the following order of preference:

1. Montvale Athletic League, Recreation and Pascack Hills High School
2. Resident: Not-For-Profit Entity
3. Resident: For Profit Entity
4. Non-Resident: Not-For-Profit Entity
5. Non-Resident: For-Profit Entity

**WHEREAS**, it is the Borough of Montvale's intention by the adoption of this resolution that if any prior established fee is in conflict with fee schedule the fees set forth in this fee schedule shall be the fees charged and any conflicting prior fee is hereby superseded, repealed and replaced with the fees adopted pursuant to this resolution.



**205-2019 Authorizing Appraisal/Summit Avenue Plaza, Inc. / 160 Summit Avenue/Tax Appeal  
McNerney & Associates**

**WHEREAS**, the Borough of Montvale (hereinafter the "Borough") is the taxing authority for all properties located within its municipal boundaries, and;

**WHEREAS**, the owner of real property located at 160 Summit Avenue and identified as Block 1902 Lot 8 (hereinafter the "Subject Property") has filed a property tax appeal challenging the assessment of the Subject Property for the 2017, 2018 and 2019 tax years, and;

**WHEREAS**, the Borough is seeking to retain the services of an appraisal company to assist in the defense of the aforesaid tax appeal, and to memorialize its conclusions of value in a certified appraisal report that covers the aforementioned tax years, and,

**WHEREAS**, the Borough had received a proposal dated October 29, 2019 from McNerney & Associates, Inc. (hereinafter the "Proposal") to prepare the desired appraisal report for the total amount of \$5,000.00, and;

**WHEREAS**, a copy of the aforementioned Proposal is attached hereto as an Exhibit to this resolution, and;

**WHEREAS**, the appointment of McNerney & Associates, Inc. is considered a professional service appointment exempted by N.J.S.A. 40A:11-5 of the Local Public Contracts Law.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale, that McNerney & Associates, Inc. is hereby appointed to prepare an appraisal report for the property located at 160 Summit Avenue, at Block 1902 Lot 8 in the Borough of Montvale, in accordance with the terms set forth in the attached Proposal for the 2017, 2018 and 2019 tax years.

**206-2019 Authorizing Appraisal/52 North Avenue/Tax Appeal/McNerney & Associates**

**WHEREAS**, the Borough of Montvale (hereinafter the "Borough") is the taxing authority for all properties located within its municipal boundaries, and;

**WHEREAS**, the owner of real property located at 52 North Avenue and identified as Block 402 Lot 12.01 (hereinafter the "Subject Property") has filed a property tax appeal challenging the assessment of the Subject Property for the 2018 and 2019 tax years, and;

**WHEREAS**, the Borough is seeking to retain the services of an appraisal company to assist in the defense of the aforesaid tax appeal, and to memorialize its conclusions of value in a certified appraisal report that covers the aforementioned tax years, and,

**WHEREAS**, the Borough had received a proposal dated October 29, 2019 from McNerney & Associates, Inc. (hereinafter the "Proposal") to prepare the desired appraisal report for the total amount of \$1,500.00, and;

**WHEREAS**, a copy of the aforementioned Proposal is attached hereto as an Exhibit to this resolution, and;

**WHEREAS**, the appointment of McNerney & Associates, Inc. is considered a professional service appointment exempted by N.J.S.A. 40A:11-5 of the Local Public Contracts Law.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale, that McNerney & Associates, Inc. is hereby appointed to prepare an appraisal report for the property located at 52 North Avenue, at Block 402 Lot 12.01 in the Borough of Montvale, in accordance with the terms set forth in the attached Proposal for the 2018 and 2019 tax years.

**207-2019 Authorize Release of Escrow/The Reserve At Montvale/Block 302/Lot 1**

**WHEREAS**, The Reserve at Montvale/Taylor Management has requested release of escrow for Block 302/Lot 1, and

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

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale the amount of \$458.00 hereby released to The Reserve at Montvale Taylor Management, 80 S. Jefferson Rd 2<sup>nd</sup> Floor, Whippany, NJ 07981; and

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

**208-2019 Authorize Release of Escrow/Montvale Ventures LLC/Inactive Account**

**WHEREAS**, Montvale Ventures, LLC has requested the escrow account be closed; and

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

**NOW THERFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Montvale the amount of \$458.00 hereby released to Montvale Ventures c/o Broad Real Estate, 910 E. County Line Road, Suite 202, Lakewood, NJ 08701 for this inactive account; and

**BE IT FURHTER RESOLVED**, the Treasurer shall receive a copy of this resolution for processing

**209-2019 Transfer of Appropriations**

**WHEREAS**, certain transfer of funds for various 2019 budget appropriations are necessary to cover anticipated expenditures; and

**WHEREAS**, N.J.S.A. 40A:4-58 provides for transfers from appropriations with an excess over and above the amount deemed to be necessary to fulfill the purpose for such appropriations, to those appropriations deemed to be insufficient;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale, that the transfers be made between the 2019 budget appropriations as follows:

	<b><u>FROM</u></b>	<b><u>TO</u></b>
<b><u>CURRENT FUND</u></b>		
General Appropriations		
Operations – Within “CAPS”		
Planning Board:		
Other Expenses	\$1,000.00	
Prosecutor:		
Other Expenses		\$1,000.00
Planning Board:		
Other Expenses	2,000.00	
Environmental Commission:		
Other Expenses		2,000.00
Salary Adjustment Ac	500.00	
Fire Subcode Official:		
Salaries and Wages		500.00
General Appropriations		
Operations – Within “CAPS”		
Planning Board:		
Other Expenses	1,000.00	
General Appropriations		
Operations – Excluded from “CAPS”		
Shared Service Agreements		
Prosecutor:		
Other Expenses		1,000.00
	<u>\$4,500.00</u>	<u>\$4,500.00</u>
	=====	=====

**210-2019 Special Item of Revenue & Appropriation- Chapter 159**

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

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

**WHEREAS**, the Borough of Montvale has entered a shared service agreement with the Pascack Valley Regional School District for an additional amount of \$6,950.00 and wishes to amend its 2019 budget to include this amount as a revenue;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Montvale hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$6,950.00 which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with

Prior Written Consent of the Director of Local Government Services:

Shared Service Agreements Off-Set with Appropriations:

Pascack Valley Special Police Officers, and

**BE IT FURTHER RESOLVED** that a like sum of \$6,950.00 be and hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Shared Service Agreements Off-Set by Revenues:

Pascack Valley Special Police Officers:

Salaries and Wages     \$6,100.00

Other Expenses             850.00

\$6,950.00

**211-2019 Amending Resolution No. 86-2019/Kara Robinson, LLC/Cable Television Booking Service Change Order**

**WHEREAS**, the Borough of Montvale requires professional booking services for the Montvale Cable TV Studio for the period January 1, 2019 through December 31, 2019; and

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

by the Borough of Montvale as follows:

**WHEREAS**, a contract for professional television booking services was awarded to Kara Mayer Robinson, LLC., 14 John Street, Montvale, New Jersey 07645 in the amount of \$200.00 monthly not to exceed \$2,400.00 via resolution number 86-2019 which requires a change order; and

**WHEREAS**, the need for an additional shows and additional funding for the year 2019 in the amount of \$400.00; and

**NOW, THEREFORE BE IT RESOLVED**, the fee in the amount of \$200.00 be and hereby paid to Kara Mayer Robinson; and

**WHEREAS**, the Certified Municipal Finance Officer has provided funds to be available subject to the adoption of the year 2019 Municipal Budget; and

Introduced by Councilmember Lane; seconded by Councilmember Koelling - all ayes

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

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

**REPORT OF REVENUE:** Municipal Clerk read the Report of Revenue – October

**COMMITTEE REPORTS:****Councilmember President Gloeggler****TV Access**

In October, two separate shows, Montvale in Motion and My Montvale were filmed; Marie Hopper suggested to have some residents that have lived in Montvale during WW 2 tell their stories and the audience was able to ask questions.

**Regional BOE**

Congratulated Tammy Molinelli on her re-election as board president.

Council President Gloeggler thanked everyone for an amazing three years, loved it, its been a pleasure working with all the residents and the staff at borough hall; thank you for the opportunity.

**Councilmember Arendacs****DPW**

Spoke to the superintendent and they are fully prepared for the potential upcoming storm; salt has been received; they are in the process of winterizing the fields and borough property; the recycle center has been busy on Saturdays, urges residents to be patient. Please contact DPW office at (201) 664-2346 ext 1400 or 1401 for any questions or concerns.

**Engineering**

Will be receiving bids on November 20 for LaTrenta field repairs, emergency plumbing repairs and emergency electrical repairs;

**Councilmember Koelling****Police**

Monthly report included in original minutes;

**Tri-Boro Ambulance Corp.**

Montvale logged: 59 calls; 580 miles; 44.5 crew hours; looking for volunteers;

**Environmental Commission**

As of the start of the plastic bag collection program in September over 500 pounds of bags have been collected; discussions on the center of town maintenance plan in addition to the Pascack Brook Trail and the revitalization of Huff Pond are continuing;

**Councilmember Russo-Vogelsang****Local BOE**

Montvale Education Foundation will be having their biggest fundraiser of the year on November 15, Casino night held at the Park Ridge Marriot, tickets are available through the MEF website; the 7 and 8 graders who take French traveled to Quebec City, thanked all involved for making this trip a success; discussions about the long range facilities plan as well as strategic planning are ongoing.

**Special Events**

Looking for volunteers, please call 201-391-5700 ext. 251 or email [MontvaleRecreation@montvaleboro.org](mailto:MontvaleRecreation@montvaleboro.org) for more information; The Holiday house decorating contest registration begins November 22 – December 6, judging will be December 9-13 between 6-8pm; the Christmas Tree lighting will be held December 6<sup>th</sup> at 7pm on Memorial Drive; please go to the website for current winter programs. Applications for field use are available online and at borough hall, deadline for applications is February 1, 2020.

**Councilmember Lane****Fire Dept**

Held their 95<sup>th</sup> anniversary dinner; passing of a 45 year member Marty Gallagher;

**Finance**

Will start the budget process earlier this year because of our current CFO's retirement and the hiring of a new CFO, all are welcome to come to the budget meetings.

**Mayor's Report**

On November 2<sup>nd</sup> met with representatives from the Japanese Consulate from NYC, talked about the different cultures and how it works through business; the law firm of Beattie Padovano will be expanding into the new Mercedes development taking 20,000 square feet.

**ENGINEER'S REPORT:**

Andrew Hipolit  
Report/Update

Magnolia bridge replacement update, the county will go out for bids in late December early January with work to start later in 2020; met with some residents for temporary easements, the road will be closed for a year; Met with some residents regarding localized flooding on some roads which will be included in the 2020 road program.

There will be some intersection improvements to Grand Ave and Mercedes Drive with the new development; a letter from the Police Chief and a resolution is needed in order for the county to change the left green arrow.

**ATTORNEY REPORT:**

Joe Voytus, Esq.  
Report/Update  
No Report

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

- a. Schedule Date/January Re-Organization Meeting/Proposed Date Wednesday, January 1<sup>st</sup> @ 7:00 p.m.

All councilmembers agreed

**COMMUNICATION CORRESPONDENCE:**

None

**MEETING OPEN TO THE PUBLIC:**

**HEARING OF CITIZENS WHO WISH TO ADDRESS THE MAYOR AND COUNCIL:**

Upon recognition by the Mayor, the person shall proceed to the floor and give his/her name and address in an audible tone of voice for the records. Unless further time is granted by the Council, he/she shall limit his/her statement to five (5) minutes. Statements shall be addressed to the Council as a body and not to any member thereof. No person, other than the person having the floor, shall be permitted to enter into any discussion, without recognition by the Mayor.

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

**Carolee Adams**

Mentioned about snow angels and ask the mayor if he spoke with the high school; wanted an update about the parking lot auction, the attorney stated had a minimum bid with three potential bidders but none of them were prepared to bid the minimum bid required, therefore, there are no plans to do an auction again; asked for an update on the Airbnb, the Planning Board recommends no need for an ordinance now but

Councilmembers would like to pursue it further; mentioned the outpouring respect the Gallagher family received not only from the Fire department but from family and friends;

Jarret Schumacher

Mentioned if the borough is interested in purchasing the furniture store in the center of town, Mayor Ghassali stated it might have been sold; Asked for clarification in regards to the Mayor running for Congress and the process if the Mayor wins; the Republication committee will nominate 3 candidates and the current councilmembers will decide; Mr. Schumacher continued by asking if a current councilmember can be nominated, yes they can; so a potential replacement would be needed not only for Mayor but a Councilmember as well, yes. Asked if in the police report can the drug arrests be broken out for what type of offence like opioid vs. non opioid.

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

Councilmember Arendacs wanted to congratulate the Fieldstone girls' soccer team for an undefeated season.

A motion to go into closed session by Councilmember Koelling; seconded by Councilmember Lane – all ayes -- No Action was taken

**ADJOURNMENT**

Motion to adjourn Public Meeting by Councilmember Koelling; seconded by Councilmember Gloeggler - all ayes

Meeting was adjourned at 8:30pm

The next Meeting of the Mayor and Council will be held November 26, 2019 at 7:30 p.m.

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