

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held virtually by Zoom and also held in Council Chambers and called to order at 7:30PM. 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 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; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

ROLL CALL:

Councilmember Arendacs - absent

Councilmember Lane

Councilmember Curry - absent

Councilmember Roche

Councilmember Koelling

Councilmember Russo-Vogelsang

MAYOR FOR THE DAY: Anastasia Tetteh-Briggs

REFERENDUM PRESENTATION: Dr. Darren Petersen, Superintendent
Power point presentation will be included with original minutes

ORDINANCES:

None

MEETING OPEN TO PUBLIC:

Agenda Items Only

Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Roche – all ayes

No Public Comment

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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

None

CLOSED/EXECUTIVE MINUTES:

None

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.

158-2021 Authorizing Tax Sale Premium to Escheat to the Municipality

WHEREAS, the Borough of Montvale issued a Certificate of Sale for unpaid municipal property taxes, #16-00003 on Block 1609, Lot 19 located at 42 Hillcrest Ave at tax sale held on October 26, 2017; and **WHEREAS**, a premium of \$36,100.00 was bid and paid by the successful bidder and held in a trust account in the Borough of Montvale; and

WHEREAS, per N.J.S.A. 54:5-33 such premiums shall escheat after five years of non-redemption and be turned over to the treasurer of the municipality and become part of the funds of the municipality; and **WHEREAS**, the Tax Collector has been notified that the lienholder which holds the certificate #16-00003 has foreclosed on the above mentioned property; and

WHEREAS, the Final Judgment was received and recorded on March 30, 2021 by the Bergen County Clerk in which the lienholder, Blue Virgo Capital Management, LLC, is vested with an absolute and indefeasible estate of inheritance in fee simple to the premises; and

NOW, THEREFORE, BE IT RESOLVED, that in accordance with N.J.S.A. 54:5-33 that the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey, that the Tax Collector be and is hereby authorized to forward the funds listed below to the CFO.

Certificate #16-00003, Block 1609, Lot 19; in the amount of \$36,100.00

159-2021 Refund Tax Overpayment / 107 Woodland Road / Fintan Seeley

WHEREAS, a resolution authorizing the Borough of Montvale to refund an overpayment of taxes for the fourth quarter installment of 2021; and

WHEREAS, a duplicate payment was made by the mortgage company and/or bank; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, New Jersey, that the Tax Collector be and is hereby authorized to refund Fintan Seeley, 107 Woodland Road, Montvale, NJ in the amount of \$5,335.15.

160-2021 Special Item Of Revenue And Appropriation - Chapter 159 – Clean Communities Program

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

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

WHEREAS, the Borough of Montvale has been awarded \$800.00 from the County of Bergen – Department of Health Services and wishes to amend its 2021 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 2021 in the sum of \$800.00 which is now available as a revenue from:

Miscellaneous Revenues:

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

Public and Private Revenues Off-Set with Appropriations:

County of Bergen – Department of Health Services:

Clean Communities Program – Mini Grants, and

BE IT FURTHER RESOLVED that a like sum of \$800.00 be and hereby appropriated under the caption of:

General Appropriations

(a) Operations - Excluded from "CAPS"

Public and Private Programs Off-Set by Revenues:

County of Bergen – Department of Health Services:

Clean Communities Program – Mini Grants

161-2021 Special Item Of Revenue And Appropriation - Chapter 159 – Various Road

Improvements

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

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

WHEREAS, the Borough of Montvale has been awarded \$950,000.00 from Montvale Development Associates, LLC and wishes to amend its 2021 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 2021 in the sum of \$950,000.00 which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with

Prior Written Consent of the Director of Local Government Services:

Public and Private Revenues Off-Set with Appropriations:

Donation - Montvale Development Associates, LLC:

Various Road Improvements, and

BE IT FURTHER RESOLVED that a like sum of \$950,000.00 be and hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from "CAPS"

Public and Private Programs Off-Set by Revenues:

Donation - Montvale Development Associates, LLC:

Various Road Improvements

162-2021 A Resolution Approving a Developer's Agreement with AMG DAT Realty LLC, Premises Identified as Block 1601, Lot 15 in the Borough of Montvale

WHEREAS, Atlantis Management Group, LLC and AMG DAT Realty, LLC ("Developer") owner of the premises known as Block 1601, Lot 15 made an application to the Planning Board for site plan approval; and

WHEREAS, the Planning Board approved the Development by resolution dated October 20, 2020; and

WHEREAS, pursuant thereto, the Borough, Planning Board and Developer are desirous of executing a Developer's Agreement setting forth the parties' respective rights and obligations concerning said approval; and

WHEREAS, a Developer's Agreement has been negotiated by and between the parties and has been executed by the Developer and the Chairman of the Planning Board.

NOW, THEREFORE, BE IT RESOLVED that the Developer's Agreement dated October 26th 2021, between the Borough of Montvale, the Planning Board of the Borough of Montvale, and Atlantis Management Group, LLC and AMG DAT Realty, LLC is hereby approved; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby directed, authorized and empowered to execute the Developer's Agreement with the Developer and to take all other steps reasonably necessary to effectuate the provisions and purposes of this resolution.

163-2021 Authorization to Submit a Grant Application to the BMED Gateway Fund to Participate in the Fund's Health & Wellness Program for the year 2022

WHEREAS, the Borough of Montvale affirms its understanding that the BMED Gateway Fund offers a grant opportunity to its member agencies who wish to initiate a partnership with the Fund to incentivize employee participation in health and wellness programming and awareness; and

WHEREAS, the Borough of Montvale understands that the grant is a matching grant and that participation in the Program requires local budgetary support and administration; and

WHEREAS, the Borough of Montvale matching funds will not exceed \$5,000.00; and

WHEREAS, the application for grant consideration requires a resolution of the governing body's understanding and support for promoting health and wellness concepts within their employee population;

NOW THEREFORE BE IT RESOLVED that the Borough of Montvale authorizes the submission of a grant application to the BMED Gateway Fund to enable their participation in the Fund's Health and Wellness Program for the 2022 calendar year.

164-2021 Resolution Awarding Purchase Under New Jersey State Contract / Montvale Fire Department Radio & Communication Equipment / Motorola

WHEREAS, The State of New Jersey adopted legislation which requires all municipalities who purchase under New Jersey State Contract to award said purchases by resolution; and

NOW THEREFORE, BE IT RESOLVED by the Borough of Montvale that the following purchases under New Jersey State Contract are hereby authorized:

PURCHASE OF Radio's **STATE CONTRACT #83909**

Motorola Solutions, Inc	Total \$16,174.40
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c/o Regional Communications

64 East Midland Ave

Paramus, NJ 07653

Attn: Jim Zwolinski

WHEREAS, attached is a detailed description of the purchase of Radio Communication Equipment dated April 16, 2021 which is attached to the original of this resolution.

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

165-2021 Transfer Of Appropriations

WHEREAS, certain transfer of funds for various 2021 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 2021 budget appropriations as follows:

	<u>FROM</u>	<u>TO</u>
<u>CURRENT FUND</u>		
General Appropriations		
Operations - Within "CAPS"		
Administrative and Executive:		
Other Expenses	\$1,200.00	
Administrative and Executive:		
Salaries and Wages		\$1,200.00
Environmental Commission:		
Other Expenses	200.00	
Environmental Commission:		
Salaries and Wages		200.00
Salary Adjustment Account	7,000.00	
Property Maintenance:		
Salaries and Wages		7,000.00
Construction Official:		
Salaries and Wages	9,000.00	
Uniform Fire Safety Act:		
Salaries and Wages		9,000.00
Public Health Services		
Other Expenses	1,000.00	
Public Health Services		
Salaries and Wages		1,000.00
Salary Adjustment Account	3,000.00	
Recreation Services and Programs:		
Salaries and Wages		3,000.00
Recreation Services and Programs:		
Other Expenses	7,500.00	
Recreation Services and Programs:		
Salaries and Wages		7,500.00
Fire:		
Fire Hydrant Service	<u>6,000.00</u>	
Gasoline		<u>6,000.00</u>
	\$34,900.00	\$34,900.00
	=====	=====

Introduced by: Councilmember Lane; seconded by Councilmember Roche – all ayes

BILLS: Municipal Clerk read the Bill Report.

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

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

COMMITTEE REPORTS:

Councilmember Lane

Fire Dept

30 fire calls; 2 drills; 7 extra credits and one meeting;

Diversity Inclusion Committee

Celebrated Diwali

Councilmember Roche
Chamber of Commerce

Street Fair was a huge success estimated over 10,000 people attended

Environmental Commission

Had two tree applications; currently pursuing the cleaning of Huff Pond

Recreation/Special Events

Holiday House Decorating Contest coming up, you can register between November 20 through December 4; judges will be looking at registered homes between December 6 through 13 between the hours of 6pm-8pm; Christmas Tree lighting will be December 3 at 7pm; currently working on the Menorah Lighting;

Councilmember Koelling

Police

Monthly report included in original minutes; mentioned the passing of Don Boman, a memorial will be scheduled on December 11 at OLM in Park Ridge

Board of Health

Rabies clinic was held, 122 dogs and 52 cats

Tri-boro Ambulance

They have 15 active members which handles 3 towns, looking for volunteers, this Sunday having an open house 10-6pm

Inviting Veterans for breakfast at the Park Ridge Diner at 8:15 on Veterans Day

Thanked all the poll workers for working the elections.

Councilmember Russo-Vogelsang

Construction

No report

Thanked all who voted for Dieter and AnnMarie back for another term.

MAYOR

Congratulations to Councilmembers Russo-Vogelsang and Koelling and thanked Steve Frischer for running and stepping forward; Meeting with Suez and Memorial Sloan in regards to the water tower for tomorrow; the Menorah Lighting will be on November 28th at 4pm; wished all the Veterans, Happy Veterans Day; Councilmember Rose Curry has resigned as of today, the borough attorney explained the process to fill the vacancy, the county committee must submit up to 3 names within 15 days, at which time the councilmembers will choose one of those individuals to fill the unexpired term.

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

No Report

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

No Report

UNFINISHED BUSINESS:

- a. Determination/Changing Street Name/From Mercedes Drive To DePiero Way/Municipal Complex Address

A motion by Councilmember Lane; seconded by Councilmember Russo-Vogelsang – all ayes

NEW BUSINESS:

a. Best Practices Inventory Platform/No Aid Withholding/Score 15+
For informational purposes

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 Lane; seconded by Councilmember Russo-Vogelsang - all ayes

Richard Bernstein, 157 Chestnut Ridge Road

Mentioned that he's been living on Chestnut Ridge Road for 25 years and the speeding is getting out of hand; Mayor Ghassali stated he will speak to the Police Chief.

Carolee Adams, via Zoom

Thanked Councilmember Koelling and Mayor Ghassali for having the Veteran breakfast and suggested while at the breakfast if it can be mentioned to see if there is interest in the banner idea; a group by the name of Unshattered make all kinds of tote bags out of retired veteran uniforms.

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

The Municipal Clerk mentioned about scheduling the Re-Organization meeting for January 2 at Noon – all agreed

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT:

Motion to adjourn Public Meeting by Councilmember Lane; seconded by Councilmember Roche - all ayes

Meeting was adjourned at 8:44pm

Next Meeting of the Mayor & Council will be on November 30, 2021 at 7:30pm in person.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk