

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:32PM. 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
Councilmember Cudequest
Councilmember Koelling

Councilmember Lane
Councilmember Roche
Councilmember Russo-Vogelsang

ORDINANCES:

None

MEETING OPEN TO PUBLIC:

Agenda Items Only

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

NO PUBLIC COMMENT

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

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

January 25, 2022

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

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.

54- 2022 Authorize Proposal/Appraisal Service/McNerney & Associates, Inc./2 Holdrum Court

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 2 Holdrum Court and identified as Block 402 Lot 19.01 (hereinafter the "Subject Property") has filed a property tax appeal challenging the assessment of the Subject Property for the 2019, 2020 and 2021 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 trial ready appraisal report that covers the aforementioned tax years; and,

WHEREAS, the Borough had received a proposal dated January 20, 2022 from McNerney & Associates, Inc. (hereinafter the "Proposal") to prepare the desired appraisal report for the total amount of \$2,500.00; 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 from public bidding 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 authorized to trial ready prepare an appraisal report for the property located at 2 Holdrum Court, at Block 402 Lot 19.01 in the Borough of Montvale, in accordance with the terms set forth in the attached Proposal for the 2019, 2020 and 2021 tax years.

55-2022 A Resolution Approving a First Amendment to Agreement with The Land Conservancy of New Jersey to Address the Disclosure and Use of Certain Confidential Information

WHEREAS, the Borough and the Conservancy previously executed an agreement for the period January 1, 2022 through December 31, 2022, related to the preparation of an Open Space and Recreation Plan Update; and

WHEREAS, the State of New Jersey previously passed legislation known as "Daniel's Law" to protect the privacy of any active, formerly active, or retired judicial officer or prosecutor, and any active, formerly active, or retired law enforcement officer; and

WHEREAS, Daniel's Law prohibits the public disclosure of "the owner name and associated home address, whether a primary or secondary residence, of any active or retired law enforcement officer, active or retired federal, State, or municipal judicial officer, or active or retired federal, State, county, or municipal prosecutor" as well as the unpublished telephone numbers of such individuals (collectively, the "Daniel's Law Information"); and

WHEREAS, the law does permit the use of such information "by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf thereof"; and

WHEREAS, the preparation of an updated Open Space and Recreation Plan is a governmental function that is being performed by the Borough with the assistance of the Conservancy; and

WHEREAS, the Borough and the Conservancy are concerned with ensuring that the Daniel's Law Information is only provided to the Conservancy and utilized in accordance with Daniel's Law; and

WHEREAS, the Borough and the Conservancy have agreed that the updated Open Space and Recreation Plan will include property addresses and block and lot identifiers, but will not include any owner names; and

WHEREAS, the Borough and the Conservancy are desirous of executing a First Amendment to Agreement to clarify the parties' respective obligations with respect to the Daniel's Law Information; and

WHEREAS, the Borough and the Conservancy have negotiated the terms of a First Amendment to Agreement to address the above-stated concerns.

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

1. The First Amendment to Agreement between the Borough and the Conservancy is hereby approved.
2. The Mayor and Borough Clerk are hereby directed, authorized and empowered to execute the First Amendment to Agreement with the Conservancy, substantially in the form approved by the Borough Attorney.
3. All other appropriate Borough officials, officers and employees are directed, authorized and empowered to take all steps reasonably necessary to effectuate the provisions and purposes of this resolution.
4. This resolution shall take effect immediately.

56-2022 Authorizing Resolution/2021 Bergen County Open Space Trust Fund Municipal Program Grant Award Huff Park Playground Improvements Project, Surface & Landscaping

BE IT RESOLVED, that the Mayor and Council of the Borough of Montvale wish to enter into a Bergen County Trust Fund Project Contract ("Contract") with the County of Bergen for the purpose of using a \$77,340 matching grant award from the 2021 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("Trust Fund") for the Huff Park Playground located in The Borough of Montvale, on the tax maps of the Borough of Montvale; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Maureen Iarossi-Alwan, Borough Administrator/Municipal Clerk to be a signatory to the aforesaid Contract; and,

BE IT FURTHER RESOLVED, that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about December 15, 2023; and,

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund's requirements; and,

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible construction costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund's requirements. Professional Service Costs may be reimbursed from grant award's unexpended balance, should there be a balance

57-2022 Authorize Release of Escrow /William Greco/13 Murry Road/Block 1601/Lot 7

WHEREAS, William Greco located at 13 Murry Road, Montvale, NJ 07645 have requested release of escrow posted for Block 1601, Lot 7; and

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

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale hereby release to William Greco in the amount of \$458.00; and

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

58-2022 Authorize Release of Escrow /Jennifer Hughes/27 Flintlock Road/Block 1301/Lot 24.16

WHEREAS, Jennifer Hughes located at 27 Flintlock Road, Montvale, NJ 07645 have requested release of escrow posted for Block 1301, Lot 24.16; and

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

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale hereby release to Jennifer Hughes in the amount of \$456.50; and

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

59-2022 Authorize Release of Security Deposit/Dmitri N. Luke/26 North Kinderkamack Road/Lease

WHEREAS, Dr. Luke Dmitri rented space at 26 North Kinderkamack Road, Montvale, NJ 07645 which is a currently owned by the Borough of Montvale; and

WHEREAS, said prior lease has now expired and the security deposit shall be released in the amount of \$1,800.00; and

WHEREAS, the Borough of Montvale take no exception to the release; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale hereby release to Dmitri N. Luke, DPM, 548 Lafayette Avenue, Westwood, NJ 07675 in the amount of \$1,800.00; and

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

60-2022 Authorize Refund/Holistic Health & Wellness Center/Chestnut Ridge Road

WHEREAS, Holistic Health & Wellness Center, with offices at 70J Chestnut Ridge Road, Montvale paid a fee in the amount of \$100.00 for a Certificate of Fire which was not required; and

WHEREAS, the e Borough of Montvale take no exception to the release; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale a reimbursement in the amount of \$100.00 shall be paid to Dr. Christina LaPaglia, Holistic Health & Wellness Center, with offices at 70J Chestnut Ridge Road, Montvale 07645; and

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

61-2022 Amending Resolution No. 112-2021 To Establish Additional Recreational Fees for Year 2022

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
5:00PM - Dusk Roller/Street Hockey

<u>Program Name</u>	<u>Session Length</u>	<u>Resident Fee</u>	<u>Non-Resident Fee</u>
30+ Basketball	Sept-May	\$75	\$95
	Jan-May	\$40	\$60
Adult Soccer	10 weeks	\$15	\$20
Golf Instruction	6 weeks	\$115	\$135
	8 weeks	\$150	\$170
Pickleball Clinic	3 weeks	\$50	\$65

BOROUGH OF MONTVALE**FEBRUARY 8, 2022**

Pickleball Clinic Drop In Fee	1 class	\$20	\$25
Pickleball Program	January-May	\$50	\$75
Summer Camp: Grades 1-5	4 weeks	\$450 per child \$1350 family max	\$500 per child \$1500 family max
Adventure Camp: Grades 6-7	4 weeks	\$550 per child	\$610 per child
Summer Camp 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.		
<u>Program Name</u>	<u>Session Length</u>	<u>Resident Fee</u>	<u>Non-Resident Fee</u>
Extended Day Multisport Camp by TGA During Summer Camp Weeks Only	1 week (2:30-6:30pm)	\$220	\$250
Multisport Camp by TGA After Summer Camp Weeks Conclude and/or During School Breaks	1 week (Half Day)	\$245	\$255
	1 week (Full Day)	\$295	\$305
	1 week (Full Day + After Care)	\$375	\$395
The Way- The Art of Life	8 weeks (@ 2 classes per week)	\$120	\$180
Tai Chi	8 weeks	\$80	\$100
Montvale Senior Club Tai Chi Discount:	8 weeks	\$40	\$40
Tennis Lessons	6 weeks	\$115	\$145
	8 weeks	\$150	\$190
Tennis Badges			
Adult (Ages 18-61)	March-December	\$30	\$60
Child (Ages 17 & Younger)	March-December	\$10	\$20
Family Max	March-December	\$50	\$100
Seniors (Ages 62 & Up)	March-December	Free	\$10
		\$10 Fee for Replacement Tennis Badge	
Basketball Badges			

BOROUGH OF MONTVALE**FEBRUARY 8, 2022**

Adult (Ages 18-61)	Residents: Lifetime Non-Residents: January-December	Free	\$25
Child (Ages 17 & Younger)	Residents: Lifetime Non-Residents: January-December	Free	\$15
Seniors (Ages 62 & Older)	Residents: Lifetime Non-Residents: January-December	Free	\$10
		\$5 Fee for Replacement Basketball Badge	
Pickleball Badges			
Adult (Ages 18-61)	Residents: Lifetime Non-Residents: January-December	Free	\$25
Child (Ages 17 & Younger)	Residents: Lifetime Non-Residents: January-December	Free	\$15
Seniors (Ages 62 & Older)	Residents: Lifetime Non-Residents: January-December	Free	\$10
		\$5 Fee for Replacement Pickleball Badge	
Ultimate Frisbee	6 weeks	\$75	\$95
	8 weeks	\$100	\$120
Volleyball- Adult	January-May	\$210	\$230
Volleyball- Girls	8 weeks	\$140	\$160
Women's Softball- Adult	April - August	\$60	\$70
Yoga	8 weeks	\$80	\$100
Yoga Mini Session	4 weeks	\$40	\$100
Youth Theater	September-December	\$10	\$50

WHEREAS, Borough Owned Recreational Fields and Facilities 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 provide a schedule to the Field Coordinator no later than February 1 and June 1 for the respective Spring and Fall seasons.

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

<u>Facilities</u>	<u>Fee</u>	<u>Resident Team/Corporation</u>	<u>Non-Resident Team/Corporation</u>
Ballfields: Baseball or Softball (Memorial, Fieldstone or LaTrenta)	Per Hour Per Field (2 hour minimum)	\$25	\$50
Turf Fields: Soccer or Lacrosse (Fieldstone)	Per 2 Hour Time Slot Per Field	\$75 (full field) \$50 (half field)	\$150 (full field) \$100 (half field)

BOROUGH OF MONTVALE**FEBRUARY 8, 2022**

Basketball Courts: (Memorial)	Per Hour: Court #2 Only	\$25	\$50
Tennis Court Group Reservation (Memorial or LaTrenta) *Two court maximum reservation at any one location	Per Day	\$25	\$50
Corporation Event Field Reservation (1 scheduled day plus 2 rain dates)	Per Day	\$200	\$400

Field and Facility Permit Regulations

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.

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 or 2 hour time period or any part thereof, that a field/facility 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.

Field/Facility users who provide 7 days or more notice of changes in their scheduled use can receive a time credit if the scheduled hours are decreased. Any changes in field schedules without 7-day notice will not receive a time credit for unused field time. Time credits are only valid for the existing season and the following season.

Lightning Detection Credit Policy: If the lightning detector activates with less than 50% of scheduled time elapsed for that date, the organization shall receive a credit for that day's scheduled timeslot. If the lightning detector activates after 50% of the scheduled time has elapsed, no time credit will be granted.

Field/facility users applying for 50 or more field hours per season will be billed by their total sum of hours.

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 1st for Spring season and June 1st for Fall season, 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.

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

BILLS: Municipal Clerk read the Bill Report.

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

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue - January

COMMITTEE REPORTS:

Council President Russo-Vogelsang

Construction

Projects are moving along, Thrive received approvals from Suez, Market Square started installing cabinets and tiling bathrooms, Toll Brothers have sold a few homes with occupancy and the project behind Wegmans has begun and already had inspections.

Local BOE

Effective March 7th, the school will be mask optional; celebrating Black History Month;

Economic Development Committee

Working on the Corporate round table sometime in April

Councilmember Koelling

Police

Monthly report included in original minutes; started the hiring and promotion process; some officers went to the NYPD funeral. Digital sign board is up on Grand Ave warning drivers of pedestrian's crossing over Grand.

Planning Board

100 Summit Ave (Western Union building), it will be senior housing;

FAA

Had a lengthy discussion; the Pilots have the ability to use which runway and approach they choose; to file a complaint go to aircraftnoise@panynj.gov

Councilmember Arendacs

DPW

Thanked DPW for their hard work with cleaning up back to back storms; a lot of work goes into the preparedness and readiness for each storm; 6 inches of snow, they used 30 tons of salt; started to fill potholes.

Engineering

Craig Road design is completed and is scheduled for late Spring construction; LaTrenta Field parking lot and handicapped access is currently under design for Summer construction; Pavers at the intersection of DePiero Dr(Mercedes Dr) and Farm View are loose.

FAA

Urging residents to file a complaint with FAA phone #800-225-1071; for more information you can email either Councilmember Arendacs or Councilmember Koelling; Upper Saddle River had 148 complaints, Woodcliff Lake has 200 complaints and Montvale had 8 complaints.

Councilmember Cudequest

Library

Next meeting is scheduled for February 24th

Board of Health

Next meeting is scheduled for March 7

Councilmember Roche

Environmental Commission

Assisting the Land Conservancy of NJ with preparing the Open Space and Recreation Plan; received 3rd bench from the recycle plastic bags program, which will be installed by the bocce ball courts; Clean-up day is scheduled for Saturday, April 23 at 9am meeting at the Red Shed.

Special Events/Recreation

Looking for volunteers; Tennis courts open March 1st, badges are now available.

Chamber of Commerce

Street Fair is schedule for June 12

Regional BOE

Starting March 7th, masks are optional; voted to reduce the public comment portion from 5 minutes to 3 minutes.

Councilmember Lane

Fire Dept

17 fire calls; 2 drills; 1 extra credit and 1 meeting;

Finance

Working through the budget process; meeting with finance committee to fine tune; all budget meetings are open to the public on zoom;

Diversity Committee

February is Black History Month and will be celebrating Lunar New Year; In March, will have two baking activities, for Purim and St. Patrick's Day;

Mayor

Attended the Pascack Valley Chamber of Commerce meeting, mentioned to the mayors to form a regional or county wide council on affordable housing to prepare for round 4 in 2025. We changed Mercedes Drive to DePiero Drive; received some comments; Coining will remain 15 Mercedes Drive, borough hall is the only other address with Mercedes Drive; Covid numbers are declining; Montvale Fitness Challenge will start on March 1 – June 30, free to all residents.

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

No Report

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

The Planning Board approved the soil movement application for Montvale Family Apartments.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Councilmember Arendacs mentioned he would like to proposed a review of the speed on Grand Ave for pedestrian safety;

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 Koelling - all ayes

Carolee Adams

Comment on FAA, does it relate to the wind and weather; mentioned that the month of February is Boy Scout month, along with American Heart Month; today is the 112 birthday of the Boy Scouts;

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT:

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

Meeting was adjourned at 8:19pm

Regular Workshop Meeting of the Mayor & Council to be held at 7:30pm on February 22, 2022 in person.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk