

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 - absent	Councilmember Lane
Councilmember Cudequest - absent	Councilmember Roche
Councilmember Koelling	Councilmember Russo-Vogelsang

ORDINANCES:

PUBLIC HEARING ORDINANCE NO. 2022-1521 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 84 OF THE CODE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, IN ORDER TO REVISE THE TABLE OF ORGANIZATION OF THE POLICE DEPARTMENT

WHEREAS, the Borough of Montvale is in the process of hiring additional police officers to serve and protect the Montvale community; and

WHEREAS, as a result of the overlap of retirements and new hires, and to ensure continued adequate staffing for the Police Department, it is necessary to increase the maximum number of officers permitted in the Table of Organization.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, as follows:

Section 1. Chapter 84 of the Code of the Borough of Montvale is hereby amended and supplemented by adding the underlined text and deleting the [bracketed] text in §84-1, as follows:

§ 84-1. Creation and composition.

A. Pursuant to the authority granted by N.J.S.A. 40A:14-118, the Borough of Montvale hereby establishes a Police Department in and for the Borough of Montvale, New Jersey, to consist of the following positions, and the maximum number of individuals assigned to each respective rank, as follows:

- (1) Chief of Police: one
- (2) Captain: one
- (3) Lieutenant: three
- (4) Sergeant: five
- (5) Patrol officers: [17] 18. See Subsection C below.

- (6) Class One Special Law Enforcement Officers (SLEO I) who may from time to time be appointed and who shall serve at the pleasure of the governing body for a term not to exceed one-year, which officers shall not be members of the regular police force but shall nevertheless be under the control and supervision of the Chief of Police: as necessary.
 - (7) Class Three Special Law Enforcement Officers (SLEO III) who are retired regular police officers and who may from time to time be appointed and shall serve at the pleasure of the governing body for a term not to exceed one-year, which officers shall not be members of the regular police force but shall nevertheless be under the control and supervision of the Chief of Police for use solely as school security officers as detailed in N.J.S.A. 40A:14-146.10, et seq.: as necessary.
- B. This Section shall not be construed as establishing any right on the part of any member or members of the Police Department to appointment to any position within the Department, nor shall it be construed as terminating or interrupting any period of service or tenure of any member of the Montvale Police Department. The existence and continuance of any of the above-specified offices and the number of appointees to each such office shall be determined by the governing body as it may, from time to time, in its sole discretion, deem reasonably necessary for the efficient and effective operation of the Department.
- C. In the event that there is an unfilled vacancy in any of the superior officer positions, the maximum number of patrol officers shall be increased by the number of such vacancies. However, in no event shall the maximum number of officers in the Police Department, including the Chief, Captain, Lieutenants, Sergeants and Patrol Officers, but excluding Auxiliary Police Officers and Special Law Enforcement Officers, exceed 28 [26] members.
- D. The Mayor and Council of the Borough of Montvale shall be deemed to be the "appropriate authority" for purposes of the Borough Code and N.J.S.A. 40A:14-118.

Section 2. Ratification of Prior Actions; No Interruption in Service.

The Borough does hereby ratify and reconfirm all prior actions concerning hiring and promotion in the Police Department taken prior to the adoption of this Ordinance. Nothing in this Ordinance shall be construed as terminating or interrupting any period of service or tenure of any member of the Montvale Police Department.

Section 3. Repeal of Inconsistent Ordinances.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 5. Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 6. Effective Date.

This ordinance shall become effective upon adoption and publication as required by law.

A motion Introduced for second reading **Ordinance No. 2022-1521** by Councilmember Russo-Vogelsang; seconded by Councilmember Lane; Clerk read by title only.

Motion to open meeting to public by Councilmember Lane; seconded by Councilmember Russo-Vogelsang - all ayes

No Public Comment

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

Motion to adopt on Second and Final Reading in The Bergen Record by Councilmember Lane; seconded by Councilmember Russo-Vogelsang; Clerk read by title only. - All ayes on a roll call vote

PUBLIC HEARING ORDINANCE NO. 2022-1522 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 385, "VEHICLES AND TRAFFIC," OF THE BOROUGH CODE TO DESIGNATE TWO NEW "STOP INTERSECTIONS" AND TO PROHIBIT U-TURNS AT SUCH LOCATIONS

WHEREAS, the Borough has been made aware of certain traffic problems in the vicinity of Fox Hill Road, Lark Lane and Wren Way; and

WHEREAS, in order to address such problems, the Borough did authorize Colliers Engineering & Design to study three intersections in the area and to make certain recommendations to enhance driver and pedestrian safety; and

WHEREAS, Colliers did recommend that all three intersections be made "All-Way Stop" intersections and that "No U-Turn" signs be placed at such intersections; and

WHEREAS, as a result of Colliers' recommendations, the Pascack Valley Department of Public Works did install temporary signage at the identified intersections within the Borough of Montvale; and

WHEREAS, Colliers and the Borough's Chief of Police have reviewed the impact of this temporary signage and have determined that the signs have had a positive impact on the slowing of traffic in the affected area; and

WHEREAS, Colliers and the Chief of Police have recommended that the Borough install permanent "Stop" signs as well as "All-Way Stop" and "No U-Turn" signage at the intersections of Fox Hill Road and Lark Lane, and Lark Lane and Wren Way; and

WHEREAS, Colliers and the Chief of Police have further recommended that the Borough request that the Village of Chestnut Ridge authorize the placement of similar signage at the intersection of Fox Hill Road and Wren Way, which is located in New York within the jurisdiction of Chestnut Ridge; and

WHEREAS, the Mayor and Council are desirous of adopting the recommendations of Colliers and the Chief of Police and amending the Borough Code to implement same.

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

Section 1. Chapter 385 of the Borough Code, Section 41, entitled "Schedule VIII – Stop Intersections," shall be amended and supplemented by adding the following locations of stop intersections:

§385-41 Schedule VIII – Stop Intersections.

Intersection	Stop Sign On
Fox Hill Road and Lark Lane	Fox Hill Road, southbound Fox Hill Road, northbound Lark Lane, westbound

Lark Lane and Wren Way	Lark Lane, eastbound Lark Lane, westbound Wren Way, southbound
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Section 2. Chapter 385 of the Borough Code, Section 50, entitled “Schedule XIV – No U-Turns,” is hereby amended and supplemented by adding the following locations where U-Turns are prohibited:
§385-50 Schedule XIV – No U-Turns.

Name of Street	Direction of Travel	Location
Fox Hill Road	Northbound or Southbound	Lark Lane
Lark Lane	Eastbound or Westbound	Wren Way

Section 3. Repeal of Inconsistent Ordinances.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 5. Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 6. Effective Date.

This ordinance shall become effective upon adoption and publication as required by law.

Section 7. Installation.

The Borough Administrator (or such person as directed by the Borough Administrator) is hereby directed, authorized and empowered to take all reasonable steps to acquire the necessary signage and to direct the Pascack Valley Department of Public Works to install same at the identified intersections.

Section 8. Recommendation to the Village of Chestnut Ridge.

The Borough Administrator and/or Borough Engineer are hereby directed, authorized and empowered to provide a copy of this Ordinance, as well as all related studies, reports, correspondence and other documents, to the Village of Chestnut Ridge. The Administrator and/or Engineer shall represent that the Mayor and Council of the Borough of Montvale formally request that the Village of Chestnut Ridge designate the intersection of Fox Hill Road and Wren Way as an “All-Way Stop” intersection and that U-Turns be further prohibited at such location.

A motion Introduced for second reading **Ordinance No. 2022-1522** by Councilmember Russo-Vogelsang; seconded by Councilmember Lane; Clerk read by title only.

Motion to open meeting to public by Councilmember Lane; seconded by Councilmember Russo-Vogelsang - all ayes

No Public Comment

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

Motion to adopt on Second and Final Reading in The Bergen Record by Councilmember Lane; seconded by Councilmember Koelling; Clerk read by title only. - All ayes on a roll call vote except for Councilmember Roche abstaining.

MEETING OPEN TO PUBLIC:

Agenda Items Only

Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Russo-Vogelsang - 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:

May 31, 2022

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Roche – 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.

102-2022 Authorizing Refund of Redemption of Tax Sale Certificate #16-00003 for Block 1609; Lot 19 42 Hillcrest Ave

WHEREAS, at the Municipal Tax Sale held on October 16, 2017, a lien was sold on Block 1609, Lot 19, also known as 42 Hillcrest Ave for 2016 property taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate #16-00003, was sold to BV002 REO Blocker LLC at 0% interest rate and a premium in the amount of \$36,100.00; and

WHEREAS, the lienholder foreclosed on this lien November 2021, at that time the premium in the amount of \$36,100.00 was awarded to the Borough per NJSA 54:5-33, Resolution #158-2021; and

WHEREAS, on May 23, 2022, the tax collector received a court order, attached to the original resolution, Docket # F-008377-20 to reinstate the lien to allow the owner of 42 Hillcrest Ave to redeem the tax certificate and remain the owner of said property; and

WHEREAS, Whiteman Law Group, LLC has affected redemption of Tax Sale Certificate #16-00003 on behalf of the owner of 42 Hillcrest Ave in the amount of \$83,281.86; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, that the Tax Collector be and is hereby authorized to Redeem Certificate #16-00003 and send payment of \$119,381.86 to BV002 REO Blocker, LLC 177 Sound Beach Ave., Suite 4, Old Greenwich, CT. 06870

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

103-2022 A Resolution Approving a Contract with Captain of Police Douglas McDowell

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

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

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

CARRIED TO NEXT MEETING

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 - May

COMMITTEE REPORTS:

Council President Russo-Vogelsang

Construction

District building #1 – North Market will be getting their CO next week; Sony property is moving along at a fast pace;

Councilmember Koelling

Police

Monthly report included in original minutes;

Memorial Day celebration went well, thanked the American Legion

Councilmember Roche

Chamber of Commerce

Street Fair postponed to October 23rd

Special Events/Recreation

Park facilities on Memorial Drive will be closed from 7am-3pm while summer camp is in session from June 27 – July 22; the senior community center will be closed while camp is in session.

MAL

Softball fundraiser big success, proceeds will go towards batting cages at LaTrenta field; gave out 8 scholarships to graduating seniors at the high school; currently exploring the k-2nd grades lacrosse program, possibly starting in the fall.

BOE

Graduation is Thursday, June 16

Councilmember Lane

Fire Dept

25 fire calls; 2 drills; 1 extra credit and 1 meeting; welcome volunteers

Mayor

Magnolia bridge is on schedule to be completed by September-October; Reminded residents during the summer months there is 2 day garbage pickup

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

No Report

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

No Report

UNFINISHED BUSINESS:

None

NEW BUSINESS:

a: Montvale Cub Scouts request permission to use swim club field / weekend of September 30
This is the cub scouts annual request - Councilmembers granted permission

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

Today is Flag day; gave a brief history of the flag; suggested to reach out to Congressman Gottheimer to urge him to speak with the FAA about the airplanes.

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT:

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

Meeting was adjourned at 8:00pm

Regular Workshop Meeting of the Mayor & Council to be held at 7:30pm on June 28, 2022 in person only.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk