

**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, Andy Hipolit, Borough Engineer; Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo.

ROLL CALL:

Councilmember Arendacs
Councilmember Cudequest
Councilmember Koelling

Councilmember Lane
Councilmember Roche – arrived 8:00pm
Councilmember Russo-Vogelsang - via telephone

ORDINANCES:

INTRODUCTION ORDINANCE NO. 2022-1526 AN ORDINANCE OF THE BOROUGH OF MONTVALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, ESTABLISHING A NEW CHAPTER 326 ENTITLED "SITE PLANS," AND AMENDING AND SUPPLEMENTING CHAPTER 400, "ZONING," OF THE BOROUGH CODE TO TRANSFER THE BOROUGH'S SITE PLAN REQUIREMENTS FROM CHAPTER 400 TO A NEW CHAPTER 326, AND ESTABLISHING CERTAIN PROVISIONS RELATED TO OBTAINING WAIVERS FROM THE BOROUGH'S SITE PLAN REQUIREMENTS

(Public Hearing 11-29-22)

A motion to Introduce Ordinance **2022-1526** for first reading was made by Councilmember Cudequest; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Cudequest - a roll call was taken – all ayes

INTRODUCTION OF ORDINANCE NO. 2022-1527 AN ORDINANCE OF THE BOROUGH OF MONTVALE ADDING A NEW CHAPTER 5 TO THE BOROUGH CODE ENTITLED "BUSINESS AND INSURANCE REGISTRY" PURSUANT TO N.J.S.A. 40A:10A-2

(Public Hearing 11-29-22)

A motion to Introduce Ordinance **2022-1527** for first reading was made by Councilmember Cudequest; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Bergen Record; seconded by Councilmember Cudequest - a roll call was taken – all ayes

The Borough attorney explained that Governor Murphy passed this law in August whereas all municipalities are required to maintain a business registry and all property owners of rental units are required to have the proper insurance; we need to have a significant outreach program to notify each business owner. For the first year it would be compliance.

MEETING OPEN TO PUBLIC:

Agenda Items Only

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

October 25, 2022

A motion to accept minutes by Councilmember Koelling; seconded by Councilmember Arendacs – all ayes with the exception of Councilmembers Cudequest and Lane abstaining

CLOSED/EXECUTIVE MINUTES:

October 25, 2022

A motion to accept closed minutes by Councilmember Koelling; seconded by Councilmember Arendacs -all ayes with the exception of Councilmembers Cudequest and Lane abstaining

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.

163-2022 Authorize Municipal Alliance Grant Fiscal Year 2024

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Montvale, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Montvale, County of Bergen, State of New Jersey hereby recognizes the following:

The Borough Council does hereby authorize submission of a strategic plan for the Montvale Municipal Alliance grant for fiscal year 2024 in the amount of:

DEDR \$ 3836.33

Cash Match \$ 959.08

In-Kind \$ 2877.25

The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

164-2022 Authorize Purchase/Police Outdoor License Plate Reader Cameras/PackeTalk

WHEREAS, The Montvale Police Department is desirous in ordering Outdoor HD Plate Reader Cameras

WHEREAS, The Montvale Police Department will exceed the bid threshold with this purchase based on prior purchases from the same vendor; and

WHEREAS, The vendor PackeTalk, 163 Stuyvesant Avenue, Lyndhurst, NJ 07071 is exempt from the public bidding as their services are necessary for the Police cameras and cannot be provided by any other vendor; and

NOW THEREFORE BE IT RESOLVED, by the Mayor & Council of the Borough of Montvale the purchase of the following quote #MPD22115 which is attached to the original of this resolution is hereby approved in the total amount is \$10,450.00.

165-2022 Authorize Montvale Borough Hall HVAC/Final Change Order #4/Closeout Contract Amount Air Systems Maintenance, Inc.

WHEREAS, the Borough of Montvale awarded a contract on March 12, 2019 to Air Systems Maintenance, Inc. in connection with the Montvale HVAC Upgrades and Maintenance Contracts Project; and

WHEREAS, base bid was awarded in the amount of \$386,681.00 to the following:

Air Systems Maintenance, Inc. 718 Jefferson Avenue, Kenilworth, New Jersey 07033; and

WHEREAS, this contract was awarded via Resolution #76-2019; and

WHEREAS, the Borough Engineer in a detailed letter October 17, 2022 recommended Change Order #4 in the amount of \$(170,112.09) as a decrease and final closed out amount as indicated in the letter attached hereto; and

WHEREAS, Change Order #4 – is a credit in the amount of \$(170,112.09) to close out this contract; and

WHEREAS, the Borough's Chief Financial Officer had certified that funds were available and appropriated for this purpose.

Total Contract Base Bid Amount	\$	386,681.00
Change Order #1 Reso. #108-2019	\$	19,760.00
Change Order #2 Reso.#135-2019	\$	8,700.00
Change Order #3 Reso #154-2019	\$	4,977.00
Change Order #4 Reso #165-2022	\$	(170,112.09)
New Project Total	\$	250,005.01

166-2022 Authorize Purchase NJ State Contract/Borough Administration Equipment/Dell Technologies

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

WHEREAS, the Borough of Montvale hereby approves the following computer purchase; and

WHEREAS, the Borough of Montvale will exceed the bid threshold with this purchase from this vendor based on prior purchases from the Dell Technologies; and

NOW THEREFORE BE IT RESOLVED, the details of the purchase from Dell Technologies Quote No. 3000134698620.1/State Contract #19-TELE-00656 amount \$1,323.77 is attached to the original of this resolution.

167-2022 Authorize Hiring / Full Time / Accounts Payable Receivable Clerk / Tybe Manzelli

WHEREAS, Tybe Manzelli meets the qualifications for the position of Accounts Payable/Receivable Clerk and agrees to the terms and conditions of employment, and has previously completed a satisfactory background investigation; and

NOW THEREFORE, BE IT RESOLEVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, that the above named individual is hereby appointed to the position of a full-time Accounts Payable/Receivable Clerk, effective November 1, 2022.

168-2022 Authorize Hiring / Part-Time / Certified Financial Officer (CFO) / Matthew Cavallo

WHEREAS, Matthew Cavallo meets the qualifications for the position of CFO and agrees to the terms and conditions of employment, and has previously completed a satisfactory background investigation; and

NOW THEREFORE, BE IT RESOLEVED, by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, that the above named individual is hereby appointed to the position of a part-time CFO, effective December 1, 2022 for a four year term.

169-2022 A Resolution Adopting an Amended Spending Plan for the Borough of Montvale

WHEREAS, on February 12, 2018, an Order was entered in a matter pending in the Superior Court of New Jersey, Bergen County Vicinage, entitled, "In the Matter of the Application of the Borough of Montvale, County of Bergen, Docket No. BER-L-6141-15, which Order approved a Settlement Agreement between the Borough and Fair Share Housing Center; and

WHEREAS, that Order provided a number of requirements for the Borough to satisfy prior to proceeding to a Compliance Hearing, one of which was the preparation and approval of a Spending Plan; and

WHEREAS, by Resolution No. 118-2018, the Borough did approve a Spending Plan in compliance with the Court's Order; and

WHEREAS, said Spending Plan was subsequently approved by the Superior Court; and

WHEREAS, as a result of changes to the Borough's compliance mechanisms and revised spending priorities, it is necessary to amend the Borough's Spending Plan; and

WHEREAS, by resolution dated November 1, 2022, the Planning Board did endorse a document entitled "Borough of Montvale 2018 Affordable Housing Trust Fund Spending Plan Amendment #1," prepared by Borough Planner Darlene Green, PP, AICP (the "Amended Spending Plan"); and

WHEREAS, a copy of the Planning Board's endorsing resolution is attached hereto; and

WHEREAS, said Planning Board resolution sets forth the various amendments to the Borough's original Spending Plan that are contained in the Amended Spending Plan; and

WHEREAS, the Planning Board did endorse the adoption of the Amended Spending Plan in connection with the Borough's satisfaction of its affordable housing obligations; and

WHEREAS, the Borough of Montvale is desirous of adopting the Amended Spending Plan and authorizing the Borough's professionals to file the Spending Plan with the Superior Court as necessary and to seek approval of the Amended Spending Plan to the extent required by law.

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

1. The foregoing recitals are incorporated as if set forth herein at length.
2. The Amended Spending Plan referenced hereinabove prepared by Darlene Green, PP, AICP, entitled "Borough of Montvale 2018 Affordable Housing Trust Fund Spending Plan Amendment #1," is hereby approved and adopted by the Borough Council.
3. The Borough Attorney and/or Special Counsel for Affordable Housing are hereby directed, authorized and empowered to file the Amended Spending Plan with the Superior Court and to seek approval of same to the extent required by law.

4. All appropriate Borough officials and employees are directed, authorized and empowered to take all steps necessary to effectuate the provisions and purposes of this Resolution.

170-2022 Transfer of Appropriations

RE: Transfer Of Appropriations

WHEREAS, certain transfer of funds for various 2022 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 2022 budget appropriations as follows:

	<u>FROM</u>	<u>TO</u>
<u>CURRENT FUND</u>		
General Appropriations		
Operations - Within "CAPS"		
Salary Adjustment Account	\$3,000.00	
Construction Official:		
Salaries and Wages		\$3,000.00
Salary Adjustment Account	7,000.00	
Recreation Services and Programs:		
Salaries and Wages		7,000.00
Snow Removal/Storm Recovery:		
Other Expenses	13,000.00	
Electricity		13,000.00
Snow Removal/Storm Recovery:		
Other Expenses	12,000.00	
Street Lighting		12,000.00
Fire:		
Fire Hydrant Service	10,000.00	
Gasoline		10,000.00
	<u>\$45,000.00</u>	<u>\$45,000.00</u>
	=====	=====

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

162-2022 Refund Overpayment of Taxes/ Due to Veteran Exempt Status

WHEREAS, a resolution authorizing the Borough of Montvale to refund the following overpayment of taxes; and

WHEREAS, the owner of 20 North Ave, John Ahn, is totally exempt from taxes due to his Veteran status, his mortgage company made a payment for the November 1st installment in the amount of \$4,414.57 which resulted in an overpayment; 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 in the amount of \$4,414.57 to John Ahn, 20 North Ave, Montvale, NJ 07645

Introduced by: Councilmember Lane; seconded by Councilmember Cudequest - a roll call was taken - all ayes with the exception of Councilmember Koelling abstaining

BILLS: Municipal Clerk read the Bill Report.

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

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

COMMITTEE REPORTS:

Council President Russo-Vogelsang

No Report

Councilmember Koelling

Police

Monthly report included in original minutes;

Councilmember Arendacs

DPW

Leaf cleanup is underway, clearing catch basin for the upcoming storm; ordered salt for the upcoming snow season.

Engineering

Kinderkamack road paving is complete; Asked engineer about the Magnolia bridge, why the crews are working some days not all day; Andy stated the bridge is almost complete and at this time the work that is done needs to be set in place before they can continue.

COAH

The committee met to discuss the status of existing units and we are seeking that these units are marketed in a timely manner.

The Police department had a helicopter land on Memorial field for the junior academy;

Gave an explanation of the Outdoor plate readers alerts the police if the plates are stolen

Councilmember Cudequest

Thanked all who voted and excited to be here for another year; thanks for the vote of confidence;

Library

A lot going on, please go to the library website for more information; on November 3rd, the library honored Don and Janet Londhal-Smidt, both had volunteered in the library for over 40 years; looking to get various quotes for some improvements to the library

TV Access

Met with the members and it was mentioned that there is lack of interest of people to be interviewed from the community; a suggestion was possibly a monthly interview with the Mayor

Board of Health

Rabies Clinic November 19th 10-1130am at the DPW garage; November 19th the Helping Hands Food Pantry will be holding a turkey drive from 10-1pm; the BOH has a new Health officer, Dr. Namitha Reddy and a new Sanitary Inspector, Steven Salerno; mentioned about the Flu clinic, which did not turn out the numbers as in the past, is there any legal ramifications not to have the flu clinic next year? The borough attorney will look into it.

Councilmember Roche

No Report

Councilmember Lane

Fire Department

25 fires, 2 drills, 9 extra credits and 1 meeting; conducted training on an electric car fires

Finance

Started the budget process by asking the departments to submit their budgets; encouraged all residents to come to budget meetings as they are all public

Mayor

Congratulated Councilmembers Lane, Cudequest and Roche on being re-elected; thanked all the Veterans for their service; will be having a breakfast for veterans at the Ridge Diner; November 21st, Woodcliff Lake mayor and council will be honoring the Pascack Hills football team at 7pm at the senior center at Tice farm; possible completion date is January 13th; in regards to the deer population it has to be a regional effort.

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

Met with recreation and there will be some minor improvements to the fields

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

No Report

UNFINISHED BUSINESS:

a. Discussion Municipal Parking Lot

This parking lot is by the train station next to the old furniture store; someone is interested in putting a daycare center, retail stores with apartments on top; they would like to buy the parking lot from us; councilmembers stated to change the flow of the traffic by the railroad tracks, would like to see something at the property.

NEW BUSINESS:

a. Mayoral Appointment/Governing Body Members/Examining Board Montvale Police Department/Police Chief Promotional Process

Mayor appointed Councilmembers Koelling, Arendacs and Cudequest to meet with the candidates

b. 2022 Survey Best Practices Inventory Submission/Borough of Montvale Scoring 31/No Aid Withholding

This is for informational purposes, you must score above 24 and we scored 31

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 Roche
- all ayes

Carl Sailer, 4 Greenbriar Lane

In regards to the Magnolia bridge, is there any financial penalties to Bergen County if the contractor does not complete the job in the timeframe of 6 months. The engineer clarified that the contractor has until July 2023 to complete the job. Residents are extremely frustrated.

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

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT:

A motion to adjourn by Councilmember Lane; seconded by Councilmember Roche – all ayes

The Next Regular Public Meeting of the Mayor & Council to be held at 7:30pm on November 29, 2022.

Meeting was adjourned at 8:28pm

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk