

**PUBLIC MEETING  
MINUTES**

The Public Meeting of the Mayor and Council was held in 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, Dave Lafferty; Administrator, Joe Voytus; Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

**ROLL CALL:**

Councilmember Arendacs

Councilmember Lane

Councilmember Cudequest

Councilmember Roche

Councilmember Koelling

Councilmember Russo-Vogelsang

**SWEARING IN OF POLICE CAPTAIN**

Alisha Foley

**ORDINANCES:**

**AMENDMENT ORDINANCE NO. 2023-1529** AN ORDINANCE TO AMEND SALARY ORDINANCE NO. 2022-1528 TO PROVIDE FOR AND DETERMINE THE RATE, AMOUNT AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE

A motion to Amend Ordinance **2023-1529** for first reading was made by Councilmember Cudequest; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion to amend ordinance and 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 Administrator stated line 42, 63 and 64 have been adjusted to fit the position accordingly; a motion to approve the amended ordinance by Councilmember Lane; seconded by Councilmember Cudequest – a roll call vote was taken; Public hearing is scheduled for February 28, 2023

**INTRODUCTION OF ORDINANCE NO. 2023-1530** AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 170 OF THE BOROUGH CODE TO REVISE ENGINEERING FEES AND PAYMENT PROCEDURES APPLICABLE TO CERTAIN PERMIT APPLICATIONS

A motion to Introduce Ordinance **2023-1530** 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

**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:**

**Budget Meeting January 30, 2023**

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

**January 31, 2023**

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

**CLOSED/EXECUTIVE MINUTES:**

**January 31, 2023**

A motion to accept closed minutes by Councilmember Lane; seconded by Councilmember Cudequest  
- 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.

**59-2023 Authorizing the Appointment of Police Captain/Alisha Foley**

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Borough of Montvale that the following promotion is hereby confirmed, effective February 14, 2023.

Police Captain - Alisha Foley

**60-2023 A Resolution Authorizing The Borough Of Montvale To Accept The Bid Of JTZ Holdings, LLC For The Property Identified As Block 1601, Lot 14**

**WHEREAS**, the Borough of Montvale is the owner of real property identified as Block 1601, Lot 14 on the official Tax Map of the Borough (the "Property"); and

**WHEREAS**, the Property, presently used as an asphalt paved parking lot, is not needed for public use; and

**WHEREAS**, N.J.S.A. 40A:12-1 et seq. authorizes the sale by municipalities of any real property, capital improvements or personal property, or interests therein, not needed for public use by sale in the manner provided by law; and

**WHEREAS**, by Resolution No. 185-2022, dated December 27, 2022, the Borough authorized the Public Sale of the Property, subject to certain conditions, including but not limited to a minimum bid of \$850,000.00; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12-13, advertisement of the sale of the property not needed for public use by open sale at auction was advertised in the Record on January 16, 2023 and January 23, 2023; and

**WHEREAS**, on Thursday, January 26, 2023 the Borough offered the Property for sale to the highest bidder; and

**WHEREAS**, the sole bid received was from JTZ Holdings, LLC in the amount of \$850,000; and

**WHEREAS**, JTZ Holdings, LLC did tender the required ten-percent (10%) deposit at the time of its bid, in the amount of \$85,000.00, payable to the Borough of Montvale; and

**WHEREAS**, the Borough wishes to accept the bid received from JTZ Holdings, LLC in the amount of \$850,000.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Montvale, County of Bergen, in the State of New Jersey that the Borough of Montvale shall accept the bid from JTZ Holdings, LLC in the amount of \$850,000.00 plus usual and customary adjustments at closing, for the real property identified as Block 1601, Lot 14 in accordance with the terms and conditions set forth in

Resolution 185-2022, including payment of the balance of the purchase price, legal fees incurred by the Borough for the transfer of title, the cost of the Borough's appraisal for the property, engineering fees incurred by the Borough and the cost of advertisement of the public sale, and authorizes the Borough Attorney to prepare a contract for sale, deed, and such other documents as are necessary to transfer the subject property; and

**BE IT FURTHER RESOLVED**, that the Mayor, Clerk and Administrator are authorized to execute the contract of sale, quitclaim deed, and any other documentation to effectuate the transfer of the property.

**63-2023 Authorize Release of Escrow / Montvale Property Management / 10 Craig Road / Block 1902-12**

**WHEREAS**, Montvale Property Management located at 10 Craig Road, Montvale, NJ 07645 have requested release of escrow posted for Block 1902, Lot 12; 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 Montvale Property Management in the amount of \$2,430.00; and

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

**64-2023 Authorize Release of Escrow / Vitalant / 102 Chestnut Ridge Road / Block 2904-3**

**WHEREAS**, Vitalant (Bergen Community Regional Blood Center) located at 102 Chestnut Ridge Road, Montvale, NJ 07645 have requested release of escrow posted for Block 2904, Lot 3; 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 Vitalant in the amount of \$359.00; and

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

**65-2023 Resolution Adopting The Homeowner Association Fee Assistance Operating Manual and The Rental Assistance Program Operating Manual For The Borough Of Montvale**

**WHEREAS**, in accordance with the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26-1, *et seq.*, the Borough of Montvale is required to adopt all program operating manuals, which set forth the procedures for administering the program(s) and their associated affordability controls for affordable housing units created within the Borough of Montvale.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Montvale, that the Borough does hereby adopt the following attached operating manuals, subject to final approval as to form by the Borough Planner and Borough Attorney:

1. Homeowner Association Fee Assistance Program (HOA-FA) Operating Manual
2. Rental Assistance Program Operating Manual

**67-2023 A Resolution Awarding a Two-Year Extension to the Contract with Westphal Waste Services, Inc. for Solid Waste Collection and Disposal Services Pursuant to N.J.S.A. 40A:11-15**

**WHEREAS**, by Resolution No. 121-2020 the Borough of Montvale did award a three-year contract to Westphal Waste Services, Inc., 14 Jay Street, Norwood, New Jersey 076458, for solid waste collection and disposal services within the Borough, with the potential for up to two years of mutual extensions pursuant to N.J.S.A. 40A:11-15; and

**WHEREAS**, the Borough has determined that the services being provided by Westphal are being provided in an effective and efficient manner, and the Borough wishes to extend the contract for an additional two years; and

**WHEREAS**, the annual increases for the two extension years of the contract shall be 9.5% and 7.5%, respectively, which increases are compliant with the requirements of N.J.S.A. 40A:11-15; and

**WHEREAS**, Westphal has consented to the terms of this proposed extension; and

**WHEREAS**, the Borough CFO has certified that funds have been appropriated and are available for this purpose.

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

The Borough does authorize a two-year extension of the contract between the Borough of Montvale and Westphal Waste Services, Inc. pursuant to N.J.S.A. 40A:11-15, at annual increases of 9.5% commencing September 1, 2023, and 7.5% commencing September 1, 2024.

The Mayor and Borough Clerk are hereby directed, authorized and empowered to execute an amendment to the contract with Westphal to effectuate the purposes of this resolution, subject to approval as to form by the Borough Attorney.

This resolution shall take effect immediately.

**68-2023 A Resolution Authorizing the Borough of Montvale Police Department to Apply, Enroll and Participate in the Department of Defense Law Enforcement Support Office ("LESO") 1033 Program to Enable the Montvale Police Department to Request and Acquire Excess Department of Defense Equipment**

**WHEREAS**, the Department of Defense Law Enforcement Support Office ("LESO") facilitates a law enforcement support program, which originated from the National Defense Authorization Act of Fiscal Year 1997; and

**WHEREAS**, Federal law permits the Secretary of the United States Department of Defense to transfer to municipal, federal and State agencies personal property of the Department of Defense that the secretary determines is suitable for use by agencies in law enforcement activities; and

**WHEREAS**, informally known as the "1033 Program", this initiative allows local law enforcement agencies to obtain, at little or no cost, surplus federal property, including vehicles, small arms, rescue equipment, medical supplies, and even office supplies originally intended for use by the United States Armed Forces; and

**WHEREAS**, although equipment is provided through the 1033 Program at no cost to municipal law enforcement agencies, these entities are responsible for costs associated with the maintenance, fueling and upkeep of this equipment, and for specialized training for its operation; and

**WHEREAS**, on March 16, 2015, Governor Christie signed Senate Bill No. 2364 (P.L. 2015, c.23), which now establishes, in the absence of federal requirements, a system of local oversight over local law enforcement agencies that participate in and acquire equipment through the 1033 Program; and

**WHEREAS**, pursuant to N.J.S.A. 40A:5-30.2a, municipal governing bodies must now authorize participation in the 1033 Program by a "resolution adopted by a majority of the full membership of the governing body of a local unit prior to transmittal of any such application to the State Coordinator" of the 1033 Program; and

**WHEREAS**, pursuant to N.J.S.A. 40A:5-30.2b, the acquisition of any property by a local law enforcement agency shall be approved by a "resolution adopted by a majority of the full membership of the governing body"; and

**WHEREAS**, the Chief of Police of the Montvale Police Department has requested that the Governing Body authorize the Police Department to participate in the 1033 Program; and

**WHEREAS**, the Governing Body of the Borough of Montvale has determined that it is in the best interests of the residents of the Borough of Montvale to authorize the Police Department to apply, enroll and participate in the 1033 Program.

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

1. The Chief of Police or his designee, on behalf of the Montvale Police Department, is hereby authorized and empowered to apply, enroll and participate in the Department of Defense Law Enforcement Support Office 1033 Program, with the authorization to participate terminating on December 31 of the current calendar year.

2. The Chief of Police shall be responsible for ensuring compliance with the requirements for participation as outlined in 10 U.S.C. 2576a for all controlled equipment.
3. The Montvale Police Department is hereby authorized to acquire items of non-controlled property designated as DEMIL A, which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Montvale Police Department, without restriction.
4. The Montvale Police Department is further authorized to acquire the identified "DEMIL B through Q" property on Exhibit A, attached hereto and expressly made a part hereof, if it shall become available in the period of time for which this resolution authorizes.
5. The Police Chief shall develop and implement a full training plan and policy for the maintenance and use of any acquired property; and
6. Pursuant to N.J.S.A. 40A:5-30.2b, the Chief of Police, or his designee, shall maintain an inventory of surplus property obtained under the 1033 Program, and shall provide a quarterly accounting of all property obtained through the 1033 Program, which shall be available to the public upon request; and
7. This resolution shall take effect immediately and shall be valid to authorize requests to acquire the above-identified DEMIL A property and DEMIL B through Q property that may be made available through the 1033 Program during the period of time for which this resolution authorizes, with Program participation and all property request authorization terminating on December 31 of the current calendar year.

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

**61-2023 Authorizing Hiring Electric Subcode Official & Inspector / Construction Department/  
Michael Cataraso**

**WHEREAS**, Michael Cataraso meets the qualifications for the position of Electric Subcode Official and Inspector 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 above position effective February 1, 2023.

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

Councilmember Arendacs wanted clarification on the hiring process. The administrator stated Maureen, Lorraine and Chris Gruber interviewed a few candidates. Chris Gruber gave his recommendations.

**62-2023 Authorizing Hiring Building Subcode and Special Inspector / Construction Dept / Thomas Gensheimer**

**WHEREAS**, Thomas Gensheimer meets the qualifications for the position of Building Subcode Official and Inspector 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 above position effective February 16, 2023.

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

**66-2023 Authorize Execution of Agreement with Four Seasons At Ridgmont Condominium Association, Inc. Municipal Service Agreement**

**WHEREAS**, the Condo Services Act provides for a phase in schedule for municipal reimbursement payment at the municipal cost for certain enumerated municipal services or the providing of such services by the municipality in lieu of such reimbursement; and

**WHEREAS**, an agreement has been negotiated between the Borough of Montvale and Ridgmont Condominium Association, Inc. to satisfy the obligation of the Borough as provided by the Condo Service Act, which agreement is attached and made part of this resolution; and

**WHEREAS**, this agreement shall remain in effect for a five year period to commence on January 1, 2023 and terminating on December 31, 2027; and

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Montvale hereby authorize the execution of the attached Agreement on behalf of the municipality by the appropriate municipal officials.

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

**69-2023 A Resolution Authorizing the Retention of Service Weapons by Retired Police Chief Joseph Sanfilippo and Retired Police Lieutenant Jason Szabo**

**WHEREAS**, it has been tradition in the Borough of Montvale that retiring Police Officers who have served the Borough with distinction are allowed to keep their service weapons upon retirement; and **WHEREAS**, the Borough would like to formally authorize the retention of service weapons by former Chief Joseph Sanfilippo and former Lieutenant Jason Szabo.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Montvale that the following individuals are hereby authorized to keep the identified service weapons in recognition of their distinguished service to the Borough of Montvale and its residents:

Joseph Sanfilippo	Model: Glock 19	Serial: TBR361
Jason Szabo	Model: Glock 19	Serial: TBR356

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

**BILLS:** Administrator read the Bill Report.

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

**REPORT OF REVENUE:** Administrator read the Report of Revenue – January

**COMMITTEE REPORTS:**

**Council President Arendacs**

DPW

Ongoing general maintenance, cleaning the parks, pot holes and street sweeping.

Engineering

Discussion with DPW on how to make the bocce ball courts firmer; landscaping with begin March 15 around Huff Park. Summit Ave design for paving is underway with bids to go out in the Spring.

Police

The snow tubing event was successful at Campgaw. Thanked Woodcliff Lake PD for organizing the event

Traffic Study Update

Park Ridge council and PD agreed to join Montvale in a traffic study regarding the intersection of Woodland and Grand. The study will consist of traffic accidents 8 months prior to the installation of the signal, 8 months during and 8 months after the signal was removed.

**Councilmember Koelling**

Police

Monthly report included in original minutes. Congratulations to Captain Foley.

Planning Board

At the last master plan review meeting, emergency services was discussed at length in regards to the assisted living facilities.

**Councilmember Russo-Vogelsang**

Seniors

Approximately 125 members will be attending their Valentine's Day luncheon

Local BOE

Celebrated 100 day of school. 10,000 books were checked out at the Memorial School library. Celebrated P.S. I Love You Day at Fieldstone

Construction

The building department has been getting complaints regarding loud noise on the roof of building 100 and 300 at the District from the air conditioning units constantly running. Paris Baguette received their final CO and they have concerns about parking and requested signage that the tenants park somewhere else instead of the main entrance. Alexa development is now finished with their buildings, interior inspections will begin. The District has been informed that the pavers in the roadway leading to the Shoppes at DiPiero's are coming loose and hazardous.

**Councilmember Cudequest**

No Report

**Councilmember Roche**

Environmental Commission

Stabilization of Huff Pond will start in mid-March; Clean-Up day is April 22nd

Recreation

Counselor's application are now available on the website and borough hall, they are due by March 1; egg coloring event is scheduled for March 25 at 10-12 at Memorial school cafeteria

Chamber of Commerce

Held a meet and greet at Thrive

MAL

Spring sport registrations are underway. K-3 Lacrosse clinic signups will be available shortly.

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

25 fires, 2 drills, 1 chief's call and 1 meeting;

**Finance**

Budget update, the CFO is reviewing the numbers that were presented by all departments in the prior budget meetings and once compiled he will report his findings to the Finance committee.

Had the opportunity to join Mayor Ghassali at the Pascack Valley's Mayor Association meeting and in speaking with Mayors from other towns, Councilmember Lane realized how fortunate he has been for the last 15 years working with councilmembers, professionals, volunteers and staff that really put Montvale first with no personal agendas. We are particularly blessed.

**MAYOR**

Mayor Ghassali agreed with Councilmember Lane's comments regarding being fortunate working with all our professionals, councilmembers, volunteers and staff, they all make our jobs a lot easier. Mayor Ghassali spoke at Thrive and BOE to give them updates on the town regarding some of the challenges we are having with water and traffic. Discussion with a couple of businesses that want to come to town and right now we are trying to find them space. Most of them are medical facilities. Update with Tri-Boro, the 3 towns hired a consultant to do a study on the operation, what they need or don't need, how to generate revenue and more volunteers. The study should take a few weeks. With the recent earthquake in Syria and Turkey, Mayor Ghassali has been working with the Mayors of Paterson and Prospect Park along with the Turkish Consulate to find ways to send help. As a result, this coming Saturday, February 18<sup>th</sup> between 10-1 at the community center, we will be collecting essential items to send to Syria.

**ENGINEER'S REPORT:**

Andrew Hipolit - absent  
Report/Update

**ATTORNEY REPORT:**

David Lafferty, Esq.  
Report/Update  
No Report

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

None

**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

Carolee Adams

We are truly blessed to have all of you representing us. It was a very historic moment promoting Captain Foley tonight. Mrs. Adams will be attending the next BOE meeting to encourage students to volunteer for Tri-Boro. Recent events regarding rail accidents carrying cargo and oil tankers, our rail system is old and in need of repairs. Cargo trains do run through Harrington Park and Cresskill near our reservoirs. Mrs. Adams suggested to mention the concerns regarding our old rail system at the meeting of the League of Municipalities or maybe the Mayors Association. If an accident occurred at our reservoirs that would impact our water supply. Asked for an update regarding the veterans committee and the banners for veterans. Councilmember Koelling responded by saying it is hard to get veterans together as some of the veteran organizations have extremely low membership.

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

**MEETING CLOSED TO THE PUBLIC:**

**ADJOURNMENT:**

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

Meeting was adjourned at 8:25pm

Regular Workshop Meeting of the Mayor & Council to be held at 7:30pm on February 28, 2023

**\*\*\*\*Disclaimer\*\*\*\* Subject to Additions And/Or Deletions**

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